

05/14/0023

W J VENN & SON

ERECTION OF AN AGRICULTURAL BUILDING FOR THE HOUSING AND FEEDING OF DAIRY COWS AT NEWLEY FARM, UPCOTT, BISHOPS HULL

Location: NEWLEY FARM, UPCOTT ROAD, BISHOPS HULL, TAUNTON, TA4
1AQ

Grid Reference: 319749.124848

Full Planning Permission

RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval

RECOMMENDED CONDITION(S) (if applicable)

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: In accordance with the provisions of Section 91 Town and Country Planning Act 1990 (as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

(A1) DrNo Ven/CU/PH3/PLN 001 Location Plan
(A1) DrNo VEN/CU/PH3/PLN 002 Site Plan
(A1) DrNo VEN/CU/PH3/PLN 003 Site Plan
(A1) DrNo VEN/CU/PH3/PLN/004 Floor Plan
(A1) DrNo VEN/CU/PH3/PLN 005 Roof Plan
(A1) DrNo VEN/CU/PH3/PLN 006 Elevations
(A1) DrNo VEN/PH2/PLN/MP/001 Site Section
(A1) DrNo VEN/PH2/PLN/MP/001 Site Plan

Reason: For the avoidance of doubt and in the interests of proper planning.

3. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out and thereafter retained as such, in accordance with the approved details as above, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not harm the

character and appearance of the area in accordance with Policy DM1 of the Taunton Deane Core Strategy.

4. (i) Prior to implementation, a landscaping scheme, which shall include details of the species, siting and numbers to be planted, shall be submitted to and approved in writing by the Local Planning Authority.
- (ii) The scheme shall be completely carried out within the first available planting season from the date of commencement of the development, or as otherwise extended with the agreement in writing of the Local Planning Authority.
- (iii) For a period of five years after the completion of each landscaping scheme, the trees and shrubs shall be protected and maintained in a healthy weed free condition and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of similar size and species, or the appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not harm the character and appearance of the area in accordance with Policies DM1 and CP8 of the Taunton Deane Core Strategy.

5. No development shall take place until a surface water drainage scheme for the site has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include details of phasing of all drainage infrastructure and its maintenance thereafter together with plans and details of any attenuation pond to be provided. Once approved, the development shall be implemented and maintained in accordance with the details of the approved scheme.

Reason: To ensure that flood risk is not increased and to ensure that the development does not contribute to an unacceptable risk of water pollution in accordance with NPPF paragraphs 103 and 109 and Taunton Deane Core Strategy Policy CP8.

Notes to Applicant

1. **WILDLIFE AND THE LAW.** The protection afforded to wildlife under UK and EU legislation is irrespective of the planning system and any activity undertaken on the tree(s) must comply with the appropriate wildlife legislation.

BREEDING BIRDS. Nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended) and if discovered must not be disturbed. If works are to be carried out during the breeding season (from February to August, possibly later) then the tree(s) should be checked for nesting birds before work begins.

BATS. The applicant and contractors must be aware that all bats are fully

protected by law under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Natural Habitats and Species (Amendment) Regulations 2012, also known as the Habitat Regulations. It is an offence to intentionally or recklessly damage, destroy or obstruct access to structures or places of shelter or protection used by bats, or to disturb bats whilst they are using these places.

Trees with features such as rot holes, split branches or gaps behind loose bark, may be used as roost sites for bats. Should a bat or bats be encountered while work is being carried out on the tree(s), work must cease immediately and advice must be obtained from the Government's advisers on wildlife, Natural England (Tel. 0845 1300 228). Bats should preferably not be handled (and not unless with gloves) but should be left in situ, gently covered, until advice is obtained.

2. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the applicant and has negotiated amendments to the application to enable the grant of planning permission.

PROPOSAL

The application seeks planning permission for the erection of a livestock housing and feeding building with two bulk feed hoppers at Newley Farm, Bishops Hull.

The proposal forms phase 3 of 3 for the provision of new cow accommodation units at the holding. The proposed cow accommodation unit will measure approximately 36.5m x 36m with a height to eaves and ridge of 4.75m and 9.6 respectively. The building will be finished externally in concrete reinforced panels with vertical timber boarding above; the roof will be of anthracite profile sheeting. Within the building floor space will be divided into four passages to provide two feed and two scrape passages respectively. The cow accommodation will be divided into three rows (one double) of accommodation pens.

A concrete apron will be laid around the perimeter of the building connecting into the phase 1 development. All waste will be fed into the phase 1 slurry store. Surface water from the roof of the building will be kept separated from contaminated ground water and drained to an attenuation pond to the Northeast corner of the site. Two feed hoppers will be erected to the Southern end of the development. The application is supported by a landscape planting scheme.

The application has been screened to determine whether it might be Environmental Impact Assessment (EIA) development. The conclusion has been reached that the development does not fall within either Schedule 1 or Schedule 2 of the EIA Regulations and therefore, there is no need to fully screen the application.

SITE DESCRIPTION AND HISTORY

Newley Farm is a well established farm business set over 300 hectares comprising a herd of 200 dairy cows, arable crops and apple orchard. Newley farm accommodates a dairy herd of 200 head and employs 6 people on a full and 2

people on a part time basis. The existing farm yard is large and well developed, with portal frame buildings used for livestock housing and the storage of feed and machinery. Many of the buildings at the site are large with heights up to approximately 9 metres to ridge, but they have been in situ for many years and are in need of updating for animal husbandry and business operational needs. The application site currently comprises an open arable field with hedgerows to all boundaries. There are residential properties and a care home within 160 metres of the site.

The most recent development at the site has been the three phased development of new silage clamps, covered by roofs in excess of 9 metres in height; planning permission was approved for drainage and landscaping in conjunction with the silage clamps under LPA references 05/13/0034/0035/0036.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

BISHOPS HULL PARISH COUNCIL - SUPPORTS this application with the following comments:

Although it has reservations as detailed below, the Parish Council supports the application. This is based on the need to encourage a sustainable rural economy in the parish and to maintain its current urban rural mix.

The scale of this development is large but, whilst not all the concerns expressed can be mitigated, a number could be by making changes and enhancements to the scheme and particularly by communication between the applicant and their neighbours. The submission of the planning in three phases has led to a suspicion that this has been done to circumvent any ecological or environmental impact assessment.

The design access statement states that this development is to replace aging livestock sheds and to allow for dairy herd expansion. It is clear, even from the distance viewed from, that some of the existing buildings are rapidly approaching the end of their useful life and do need replacing and that the farm is very active.

There are concerns with the development as planned. The views of the local inhabitants and the parish council are aligned and therefore will be stated as one list of comments.

Scale – For a single storey animal shed the height of the building seems excessive even to allow for the natural ventilation strategy stated in the design access statement. Local concern centres around the visual impact of the structures particularly when all three phases are built. The finished height will only be 1 metre lower than the recently built silage barns which visually are very impactful even to the wider local area.

Visual impact – The overall scale of the development will take up what is now a green field site which allows views along an east west axis. These views will cease. The scale of the slurry storage tank is not visually represented on the plans and

elevations but when judged against the scale of the sheds will be of a considerable size. The position is obviously influenced by the natural slopes of the ground to make best use of gravity drainage but the result is that it will be adjacent to Barr Lane on the most open part of the field and will be easily visible both from Broadleigh House and the Frethey House Nursing Home particularly in the winter months when trees have no foliage. If the scheme is to go ahead as planned this area would need extensive landscaping and planting with trees to mask what will be a very intrusive structure. The recent silage barns do not benefit from any attempt at landscaping and their existence is emphasised to the casual observers by the large mound of spoil on their northern side.

Drainage – Barr Lane suffers from flooding mainly caused by field run off along the stretch which will be close to the SUDs pond and slurry storage tank. The plans indicate a run off pipe from the Suds pond into a water course which runs along the eastern edge of the development area. This, according to locals, is the area that already floods and given the increase run off rate from the roofs and concrete areas can only be exacerbated. The design access statement makes no comment on how this is to be managed.

Slurry – The storage of large amounts of slurry will cause a nuisance of smell and the positioning of the tank will impact on Frethey House Nursing Home, Broadleigh House and other residential properties in Barr.

Flooding – The flooding concerns in general are dealt with under drainage. However a concern raised by locals is the possibility of the flood water becoming contaminated due to over spill from the slurry pit or from a contaminated run off from the building floors into the Suds ponds which then enters the general ground water. The design access statement makes no comment how this risk is to be managed.

Noise – Concern has been expressed regarding the noise that is already caused by the current numbers of cattle which would only increase with an expansion of the dairy herd plus noise from machinery operating in the sheds.

SCC - TRANSPORT DEVELOPMENT GROUP - No comments.

LANDSCAPE - Initial comments -

The proposed new buildings will have a large landscape impact as seen from the nearby public footpath and wider views from higher parts of Bishops Hull. No landscape mitigation proposed. Proposals would be contrary to Core Strategy Policy CP8.

Additional comments -

This development is very large and will have quite an impact in the landscape. It will be easily viewed from certain parts of higher ground in Bishops Hull, eg, Parsonage Court.

If the building could be designed to appear as three separate buildings this would

help to break down the mass. The applicant has submitted a landscape scheme which takes account of the visual impact of the development from the public footpath and from Barr Lane.

I consider the scheme to be insufficient. Additional landscaping is required to help soften the impact of the building from the higher ground to the East.

ENVIRONMENTAL HEALTH - NOISE & POLLUTION - No comments - verbal advice provided as per report.

Representations

Taunton Deane Ramblers - Unless it can be assured that the development will not detrimentally impact upon footpath T3/17 both during development and in the future use of the path, strongly OBJECT for health and safety reasons.

8 number letters of OBJECTION received from members of the local community and wider public raising the following planning related observations:

- Slurry from existing farm spread over a wide area; smell can be so bad that windows and doors are not opened at Rumwell. Often have to avoid using public footpaths;
- Gasses from slurry are a known health hazard and can cause nausea, headaches and breathing problems in vulnerable people. Noxious gasses can drift over Bishops Hull, and Taunton; how can it be justified to expand this intensive type of farming in an area that is clearly unsuited to it?
- Understand the need to expand business but have concerns. The three applications should also be considered as one;
- A landscape and visual impact assessment should be provided to explore the visual impact on the surrounding area and a landscape plan to mitigate against the findings;
- An environmental impact assessment should be provided concerning odour and noise and assurances given that such will not travel to nearby gardens;
- Concerned about the site being close to River Tone and risk of pollution from any accidental spill. A wide range of wildlife could be affected and threatened by runoff;
- Major concerns about surface water runoff from such a large development; flooding already a problem in the area along road to Longaller and Barr which will be made worse;
- The rural appearance and character of the landscape would be transformed by these tall commercial buildings and extra large slurry tank; scale is out of proportion with the locality, particularly so close to residents at Barr, Longaller and Frethey Nursing home;
- There appears to be little or no plan to hide the buildings; extra hedging will do little and where is the extra soft landscaping? The scale will have an inevitable impact upon the sky line and will be yet another eye sore on the landscape;
- A permanently housed large to super large herd of cattle all year round so near to residents is not acceptable; we already hear the small herd of cattle which are further away;
- Such intensive cattle farming should not be so close to residents houses or a

nursing home;

- The size of the development is bound to substantially increase surface water run-off; current run off has flooded the road on occasions over the last few years rendering it impassable at times;
- Proposed attenuation pond is useless as the water table will ensure it is full throughout the winter; therefore there will be no extra storage for surface water;
- Fields off the River Tone in the area regularly flood; proposals will only perpetuate the situation; why not site them nearer the existing buildings?
- A slurry tank of this scale will generate an enormous amount of toxic gasses and smell; Frethey Nursing home is in the immediate direction of the prevailing wind, with Barr and Longaller in different areas nearby;
- What safety measures are in place should the slurry tank fail? Risk to walkers along Barr Lane or footpaths?
- No assessment is made about traffic implications and noise; development will exacerbate problems experienced on the roads in winter months;
- Concerned that field gate to the North onto Barr Lane will be used as an additional entrance to the site;
- There is no indication as to how many cows will be accommodated in the new facilities;
- No noise assessment in relation to cow and machinery impact;
- No assessment of the impact of additional slurry and manure and associated odour;
- No mention of lighting scheme and the impact of this continuous lighting upon rural area;
- The site is a short distance from an Norton Fitzwarren Hill Fort; has any consideration been given to archaeology?
- The significant expansion, and heavy intensification of the site is getting out of hand; the farm is reaching a level of intensity and scale that is tantamount to an industrial operation in the open countryside; proposal will set a worrying precedent in the borough for greenfield development in favour of similar factory scale developments;
- The indication of the development providing for the relocation of an existing facility is unclear;
- If the Council are minded to approve the proposal, a substantial planting scheme and environmental mitigation programme be proposed to reduce the environmental impact;
- A long term management plan of mitigation should be secured through S106 agreement;
- This is a massive, brutal industrial building that will have a huge visual impact on our local surroundings;
- No mention is made of secondary power lines and whether these will need to be moved;
- Current Government guidance is to keep development close to built up areas; the only reason this is being considered is because it is agricultural; this should not extend to isolated development however;
- The development is isolated due to it being situated away from the core of existing buildings; there are better opportunities at Newley Farm to site buildings of this nature in close proximity to the farmstead and result in more suitable and sustainable development;
- No mention is made of the land and spring line dip;
- The development will reduce the sites ability to slow the transfer of water away to local watercourse, adding to the flood situation along Barr Lane with knock on

effect downstream at Taunton;

- No details provided to show the attenuation pond is suitable or ground capable of having the capacity to allow sustainable drainage to happen; a pump storage/filtration unit to recycle storm water would be more appropriate;
- It appears that elements of the proposal are to be built over definitive footpath T3/17; do not see this as being acceptable; health and safety of the public will be put at risk

9 number letters of support from local residents and members of the wider public raising the following planning related comments:

- As a local resident, land owner and employer I am satisfied that the relevant issues have been met and planning policy has been carefully considered when submitting the design and access statement;
- It is a delight to see the family farm continuing to expand when farming is struggling in general. It is important for local residents to support local farmers in difficult times;
- There are many comments about size but farming has always come down to efficiency so size has to be justified as part of any expansion and this has been the case here;
- The erection of the buildings will make little difference to the surrounding area as it is bordering the existing buildings;
- This generation of farmers have to be encouraged to expand their businesses to compete and survive in an increasingly competitive industry;
- The erection of new buildings will allow the farm to improve animal welfare by giving each animal more space and will also make the business more sustainable;
- The slurry store will reduce the risk of pollution so it is good to see a farm investing money in methods that reduce environmental impacts;
- If we do not allow the expansion of family runs farms we run the risk of the countryside disappearing altogether;
- We would rather see a few farm buildings than new housing;
- Investment in new buildings to improve welfare is to be encouraged;
- The undeniable benefits to the local economy and wider rural community as a whole far outweigh any impact the development may have;
- It is worth noting that it is down to Mr Venn and the environmental schemes to which he adheres that the local community can enjoy such a diverse range of natural wildlife;
- It is clear that every opportunity has been taken in terms of design, functionality and practicality to reduce the overall impact to the environment and pollution risk;
- In view of population growth both nationally and globally, any farmer willing to invest in the future, with all the issues of welfare and the environment should be encouraged;
- The proposals will clearly improve the viability and resilience of their dairy farming enterprise enabling the business to meet stringent animal welfare and environmental legislation;
- The attention paid to the management of the environment of their farm and the welfare of their animals under their care is second to none;
- The farm has recently been divided into two businesses to accommodate the next generation in the family and the vision for the future; The proposals are an essential step in the business;

- Housing for young stock has been lost at Newley Farm since the division of the business; the development is needed as a vital part of the businesses future progress which provided employment, career opportunities and contributes greatly to the vibrant countryside and rural economy in the area;
- If you don't like the smell why live in the countryside? For it part of life there and I don't mind it.

Letter of SUPPORT from Genus Breeding Ltd, leading bovine genetics and reproduction specialists, making the following comments:

- The application is to secure the long-term business potential of a family owner farm, now in it's 4th generation of management;
- As the economic environment of the UK dairy industry continues to evolve amongst fluctuations in market conditions, sensible and timely investments to secure the future of UK dairy farm businesses will support a growing need for dairy production;
- A key driver is to increase production capacity as a whole; the proposal will allow a sensible increase in cow numbers contributing more milk to annual production, in line with the UK wide dairy industry;
- Housing modern dairy cows in specially designed accommodation will allow greater expression of their genetic potential;
- Maximising dairy cow welfare standards through modern dairy housing is critical for long-term dairy production;
- The expansion proposed will impact positively upon future generations of cows entering the adult milking herd; young stock management groups will have access to more suitable accommodation during the rearing phase;
- The proposed investment in slurry handling facilities will allow suitable handling of this product group in-line with local environmental policy;

Letter of SUPPORT from National Farmers Union Somerset County Advisor, making the following comments:

- The farming community faces formidable challenges with increasing regulation, volatile markets and fluctuating farming returns. Farmers need to respond in order to develop business and remain competitive; this often includes the need for new modern agricultural buildings to meet regulations and to achieve economies of scale, open up markets and to respond to changing market demand;
- Food production is a key Government priority; the NPPF reinforces the need for LPAs to assess the need of the food production industry and any barriers to investment that planning can resolve;
- This business not only supports the farming enterprise but benefits the wider rural economy through the number of businesses they supply and purchase from;
- A key message of the NPPF is economic growth. Our member and his consultant have designed a development that meets the demands of the modern dairy enterprise whilst minimising the impact upon the landscape;
- The NFU supports this application because of the benefits it will have on the farming business. It will help to sustain jobs and diversity in the local economy. Crucially this development will help to deliver viable and profitable farming.

One letter of SUPPORT from Mount Vets Farm Practice making the following comments:

- The development will mean they are making a long term investment in their dairy business and will allow for an expansion of the unit leading to increased investment in the local economy;
- The new facilities will mean that older outdated buildings will no longer be used for housing the milking cows and thus result in continuing improvements in cow's health and welfare.
- The development will provide for the introduction of more modern systems of running the dairy herd which will result in less environmental impact and have a positive effect on the sustainability and economics of the business.

One letter of SUPPORT from Kite Consulting, specialist consultants in the UK dairy industry, making the following comments:

- The Venn family strive for the highest welfare standards for the cows within their dairy enterprise but we feel existing facilities no longer provide that required by modern dairy cows;
- Existing buildings are outdated and some in desperate need of updating. To date some improvements have been made and animal welfare improved. The main barrier is the existing free stall housing of the herd; the proposed free stall housing will offer superior cow comfort in terms of ventilation, feed access, superior comfort free stall mattresses and improved lighting;
- We support the scale of the development and reasoning's behind it; good ventilation is essential to prevent heat stress in cows;
- The slurry store will ensure the farm composed with all current legislation concerning nitrate vulnerable zones and slurry storage capacity whilst allowing for measured herd expansion;
- Structures expansion of the herd will ensure the business is financially viable and sustainable long term - future proofing. Existing housing will not allow for this;
- Through investment in new technology will help the Venn's to meet environmental and animal welfare obligations whilst improving farm efficiency.

One letter of SUPPORT from Mitchells Chartered Accountants, making the following comments:

- Over the past 26 years there has been only minimal capital expenditure on the dairy enterprise facilities at Newley Farm and the business has now reached a point where the existing buildings are outdated and badly in need of replacement;
- The economics of modern dairy farming dictate that herd sizes have to gradually increase in order to maintain financial viability;
- The practicality of the building reinvestment dictates that the existing facilities need to be maintained in operation whilst new ones are constructed and so inevitably this necessitates identifying a new location for facilities;
- We anticipate that this business, which employs 8 local people, will require further employees should the application be approved;

The applications are part of a genuine long term established and responsible family, who should be given the opportunity to move their dairy farming business forward.

PLANNING POLICIES

DM1 - TD CORE STRATEGY - GENERAL REQUIREMENTS,
DM2 - TD CORE STRATEGY - DEV,
CP2 - TD CORE STRATEGY - ECONOMY,
CP6 - TD CORE STRATEGY - TRANSPORT AND ACCESSIBILITY,
CP8 - CP 8 ENVIRONMENT,
NPPF - National Planning Policy Framework,

DETERMINING ISSUES AND CONSIDERATIONS

The pertinent issues to consider are the principle of development having regard to the development plan, the impact of the proposals upon visual amenity and landscape character and upon residential amenity. Other materials considers include highway safety, contamination and flood risk.

Concerns have been raised with regard to the nature of the application and the way in which the proposed livestock building and associated plant and ground works have been submitted to the Council. It is understood that the development has been split into three phases for submission in order to reduce the planning application fee; such is not a totally uncommon approach employed by applicants. Objectors note some other form of ulterior motive and have requested that the three phases be considered as one.

With regard to procedure, each planning application must be determined on its own merits, however given the scale of the development as an individual phase as well as cumulatively with phases two and three, it is prudent to consider the cumulative impact of the development as a whole. This is pertinent given the inter-related layout and construction of the development. The three phases are closely interlinked and if phase three to the South were to be refused, it would likely follow that the two associated phases should also fail, but it is also the case that should one phase be acceptable, it is highly unlikely to be built out as a stand alone unit. This report therefore considers the cumulative impact of the development of applications 05/14/0021, 0022 and 0023.

Development principle

The proposed development is justified by the applicants as being necessary in order to support the long term future of Newley Farm as a rural enterprise, as well as improving production rates, environmental and animal welfare standards. At present the housing of livestock and undertaking of related processes such as milking occur in very date buildings, which are below the standards of accommodation provided within more modern equivalents. There is, in my opinion, a clear need to improve the level and standard of accommodation at the site.

Para 28 of the National Planning Policy Framework (NPPF) states that planning policies should support economic growth in rural areas and that plans should support the sustainable growth and expansion of business and rural enterprise through well designed new buildings and promote the development of agricultural businesses.

Policy DM2 (4.a) of the Taunton Deane Core Strategy states that new agricultural buildings commensurate with the role and function of the unit will be supported. Notwithstanding, the development must meet a number of criteria which include being compliant with the Habitats Regulations 2010, be near a public road and existing services, be of a design scale and layout compatible with the rural character of the area and not harm residential amenity, the landscape, ecology, highway safety and make adequate provision of services.

A strong case has been made in support of the proposed development and needs of the business and agricultural unit, which will require substantial investment in essential infrastructure if it is to remain economically and environmentally sustainable in the future. The applicant has gained a large amount of support for the development from various sectors within the agricultural industry. The existing buildings are clearly coming towards the end of their useable lifespan and providing suitable modern accommodation is necessary. Having regard to these matters and being mindful of the general thrust of planning policy, which is to support rural land based businesses, in particular agriculture, the principle of the development is considered to be acceptable.

Landscape Impact

As noted above, the application has been assessed against the EIA Regulations and has been found not to constitute EIA development. Notwithstanding, the impact of the proposals upon visual amenity and the character and appearance of the landscape must be assessed.

A range of objections have been made by members of the public against the proposed development, which is considered by some local residents to be an undesirable visual intrusion within the area that would result in the industrialisation of the landscape. The development has been described as being 'brutal' and out of proportion with the area, having regard to its scale. In contrast, the Parish Council supports the development, albeit having raised some points of concern over the visual impact of the development within the area.

The majority of the application site is currently laid to grass as pasture for grazing livestock. The topography is such that the land descends to the North, away from the existing congregation of farm buildings and properties at Upcott. Newley Farm and the application site North of the existing yard and buildings is surrounded by Upcott Road, Frethey Road and Barr Lane to the South, East and North respectively. The highway network forms a circular route around which there are a number of large residential and commercial properties within close proximity to the siting of the development. The settlement limit of Bishops Hull is some 200m East of the existing farm site and approximately 500m to the West is the site of a large electrical transformer station.

The field within which the development is proposed to be sited is bound by native species hedgerow with the sporadically positioned tree within the hedgerow. A large enclosed silage clamp has recently been erected adjacent to the application site following the grant of planning permission in 2013. As well as containing a number of small orchards and groups of trees, the local and wider landscape setting is

characterised in part by the presence of large electricity power lines and associated pylons. The presence of overhead and underground electricity cables have largely dictated the positioning of the buildings, with such cables crossing the field to the Northwest, South and East of the proposed building.

Each individual phase of the development will provide for a section of a livestock building of a substantial scale; cumulatively the three phases, slurry store, feed hoppers and associated plant and hardstanding areas will be highly visible from certain vantage points within the local area and from some, such as the public footpath, the visual impact will be quite significant. That said, the design of the building has taken into account the sloping nature of the field with its stepped roofline; proposed materials and their colours are acceptable, being of a standard that is normally found on agricultural buildings. A visual representation has been provided by one neighbouring objector; the 3D imagery provides a depiction of how the proposed development might appear within the field, when viewed through the neighbouring boundary that is lined with hedgerow and tree planting. The building is shown to step down the sloping site, which will help reduce visual impact of the structure. The proposed livestock building will be set into the land at the highest point of the application site to the South; this together with the stepped roofline will help reduce the overall massing when seen from the East/West.

Within the wider landscape, particularly from Bishops Hull village and around the local highway network where glimpses will be available through field access gates, the proposed development will be viewed in conjunction with the previously approved silage clamp building and the historic farm yard and buildings to the South. It should be noted that the adjacent silage clamp building is 1.3m taller than the proposed livestock sheds and nearly twice the height of the proposed slurry store. The development as a whole will not strictly constitute a stand alone building within the field despite it appearing slightly detached on plan form.

A landscaping scheme has been submitted and now generally meets with the approval of the Councils Landscape Officer. Mitigation planting in addition to that must be planted later this year in relation to the silage clamp development, will help soften the visual impact of the development, particularly from the East. Mid range views within the landscape will be partially obscured by the presence of trees, copses and hedgerows. The natural topography of the land also aids in minimising the wider visual impact of the proposed development upon the landscape.

The proposed development will have only a short term impact upon the landscape and once established, the proposed landscape planting scheme will further help to soften the impact of the development within the area. Where short distance views of the proposals are available from the public footpath, Barr Lane and Bishops Hull village, the development will visually relate to the existing farm buildings and will not stand alone within the surrounding landscape.

In conclusion, the quality of the landscape within the area is harmed widely by the presence of power lines, pylons and other industrial land uses, together with sporadic residential and agricultural developments. It is true that the development will be visible within the local landscape however it will not result in an industrialisation of the landscape. The development is clearly designed for agricultural purposes and will tie in visually with the principle farm buildings to the South, when viewed from the North and South. Additional landscape buffering will

be provided to the East, softening views of the site in time. This is a rural area with sporadic pepper-potting of residential and commercial properties. It is an area where you would traditionally expect to find agricultural development.

From the east existing planting and development will provide a natural screen for the proposed building and associated plant and infrastructure. Whilst short term visual harm will arise to the appearance of the landscape, the setting of the building will continue to relate to the established farming enterprise at Newley Farm immediately to the South. Over the long term, the landscaping proposals will provide a great deal of screening, reducing the impact of the buildings. On the basis of the matters set out the impact of the proposed development upon visual amenity, landscape character and appearance is considered to be acceptable.

Residential amenity

Outlook

The proposed development will be sited approximately 220m from Frethey House to the Northeast and 150m from the boundary of Barr House to the Northwest. Frethey House is a commercial nursing homes whilst Barr House is a private domestic residence with gardens that share a boundary with the agricultural field in which the development is proposed. Frethey House is more detached, with a further field and highway between the property and application site. Further residential properties are located at Upcott Hall and Upcott House 350m Southwest, Longaller 250m to the North and properties at Shutemead and Farrant Walk which are approximately 325m to the Southeast.

The primary impacts upon residential amenity that might reasonably be associated with a development such as this are the loss of outlook, disturbance through additional noise and a nuisance arising from increase noxious and unpleasant odour.

With regard to outlook the distance of the proposed building from nearby properties is sufficient in itself to ensure that there will be no adverse impact upon the outlook enjoyed by local residents. Whilst limited views of the building will be available on occasions, there is no 'right' to a view in planning terms and this does not bare any relationship itself to outlook. Previously approved landscaping together with that proposed as part of this application will help reduce visibility of the development from residential properties.

Noise

Concern has also been raised in objections with regard to a potential increase in unpleasant odour and noise from the development. The proximity of the livestock building to neighbouring properties is suggested by objectors as being unsuitable and incompatible. The noise generated by the existing livestock herd is said to be audible already and that the proposals will exacerbate this issue.

Dairy cows, and cows in general, are relatively quiet animals unless they are subjected to stress and/or threatened. One of the key principles of the development is to improve animal welfare and housing conditions, both for the benefit of animal

husbandry but also to improve milk production rates. The vastly improved livestock housing conditions will likely reduce the stressing of animals thereby having the potential to reduce the noise being generated.

Whilst the development will increase the head of cattle at the site, the building will be some distance away from Frethey House and the dwelling at Barr House. The livestock housing will be closer than existing but the distances and screening will act as noise buffers. The impact of noise upon neighbouring amenity is not considered to be significant.

Odour

The primary source of odour from the development will be the livestock and their waste products. Waste matter will be directed to a new slurry store to the Northern most point of the application site. All three phases of development will link into the store. The proposed store is a modern facility that has been designed to a scale that will meet the strict guidelines and regulations of statutory bodies; its scale is calculated from the number of head of livestock that it will serve over a set period of time. The existing slurry store is not capable of dealing with additional waste matter that will be generated from the increase in livestock that the proposed development will facilitate.

The provision of a modern slurry store at the site will ensure that the most up to date technology and management practices are employed to deal with waste material from the holding in an appropriate manner. With regard to odour, the applicants have advised that *"normally these stores only have odour issues when they have been left untouched for months on end and then when you stir them it can be noticeable, but if agitated regularly it should be fine, as will be the case here. Currently Venns only agitate their existing store when the wind is from the east and north east."*

The applicants have also advise that *"when slurry is stored in any quantity it has to be conditioned to keep it in an homogenous state, which ensures that the store can be emptied easily and as and when required. To achieve this thick liquid consistency the slurry needs to be mechanically mixed on a regular basis. In carrying out this mixing process oxygen is naturally incorporated into the slurry and this will discourage the growth of anaerobic bacteria which are responsible for the production of methane and the obnoxious odours associated with volatile fatty acids. This type of low rate oxygen inclusion also enables nitrogen to be retained in soluble form within the slurry thus reducing loss of nitrogen as ammonia emissions, which will result in the reduction of bought in manufactured fertilisers. To further reduce the potential for odours the method of spreading nowadays is generally through a form of direct injection system or dribble bar arrangement where the slurry is put into contact with the ground/crop very quickly and with no great force, this also greatly reduces the loss of nutrients to the atmosphere."*

The storage of slurry at the site, which will be produced by the livestock contained within the proposed building is not considered to give rise to the significant additional release of unpleasant odour into the atmosphere. The issue with slurry appears be predominantly associated with its spreading and use as a fertiliser on surrounding land. Environmental Health have been consulted verbally since making no comment on the application; Officers have advised that identifying a statutory and

unacceptable nuisance from potential sources of unpleasant odours is difficult to quantify. Ensuring that the impact of additional sources of odour will, to a large degree, rely on the sound and proper management of the farm and the application of working methods such as spreading when wind direction is favourable. These measures are understood to be employed at present and whilst some additional odour may be released, such is to be expected within the open countryside. If all other regulations and statutory body guidance is followed the impact of the development will not be so significant as to warrant the refusal of planning permission.

Highway safety _

The Highway Authority have not submitted any comments in relation to the proposed development. The proposed development will be accessed via the existing farm yards and access gate onto Upcott Road. A new concrete track will be constructed to connect the new livestock building with the existing yard site to the South. The proposals are likely to result in only a modest increase in vehicle movements, primarily farm machinery orientated, but also in relation to the collection and delivery of additional feed, materials and produce by additional commercial vehicles.

From the site access Eastwards towards Shutewater Hill the highway is relatively wide and reasonably aligned to the point where vehicles enter Shutewater Hill and the 30mph speed limit. The junction between Shutewater Hill Bishops Hull Road is relatively tight but visibility is reasonable. No specific information has been provided with regard to any anticipated increase in vehicle movements however, on the basis that the existing farm is well established and likely to generate a significant number of movements already, any increase in movements is likely to be negligible, although it is acknowledged that such cannot be confirmed at this time.

Notwithstanding the above, the existing access is served by an appropriate level of visibility for the area given that the highway network is generally lightly trafficked. The proposals are not likely to result in a significant increase in vehicle movements and on this basis the proposals will not result in any significant harm arising to highway safety.

Contamination risk _

Concerns have been raised with regard to potential ground contamination should there be a failure of the proposed slurry tank. Whilst no long term assurances can be made in this regard, the slurry tank will be built to industry standards and comply with all necessary regulations. Ongoing management and maintenance should ensure that any defect is dealt with but such failures are not to my knowledge common place and the risk posed to the environment and public health and safety is considered to be minimal and not an issue to warrant refusing planning permission.

Flood risk _

The application site is located within Flood Zone 1, an area at low risk of flooding and the proposed use and development is compatible with this area. The

Environment Agency's Standing Advice document is relevant to the proposed development and such advises that surface water management good practice principles and standards should be adhered to. The advice notes that SuDS should be utilised where possible to ensure that development does not increase flood risk off site.

Concerns have been raised with regard to existing flooding issues along Barr Lane are noted, but it is important to acknowledge that the development will provide for on-site attenuation, with the pond then realising a controlled flow of water into a nearby drainage ditch. Full details of the SuDS scheme have not been provided but, as with the silage clamp development, an appropriately worded pre-commencement condition can be used to agree the drainage scheme. Existing issues along Barr Lane are likely to result from blocked drains and drainage ditches, or the lack of their provision entirely.

Para 103 of the NPPF gives priority to the use of SuDS for determining planning applications. It is noted that the previously approved silage clamps were to drain to an attenuation pond as part of a SuDS scheme. Details of this have not yet been submitted for approval by the Council in relation to the corresponding pre-commencement condition.

The SuDS scheme will need to be designed to British Standards and consent to discharge will also be required. It is considered that through the submission of details it can be assured that the drainage scheme will not exacerbate flood risk off site.

Conclusions

As an individual phase the impact of the proposed development will not be significant, however when considered cumulatively alongside phases one and three, the proposals represent a significant agricultural development within an open area of land North of the main farm site.

The proposed development will change the character and appearance of the immediate area quite considerably, however it is considered that through appropriate landscaping this impact can be reduced to an acceptable level. Government guidance and planning policy places great weight on supporting rural businesses, particularly within the agricultural industry. The proposal represents a significant financial investment into the business in order to increase productivity, animal welfare and environmental standards.

The impact of the proposed development upon neighbouring amenity has not been found to be significant to the point where planning permission should be refused; the proposal represents an extension to the existing farm enterprise in an area of open countryside where one would normally expect to see agricultural development. The impact of the development upon flood risk, highway safety and the PROW is also acceptable.

Having regard to the above matters it is recommended that planning permission be granted subject to conditions.

In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1998.

CONTACT OFFICER: Mr R Williams Tel: 01823 356469