

35/14/0015

MR S OWEN

CHANGE OF USE OF LAND FOR THE STORAGE OF FELLED TIMBER AT APPLEY ORCHARD FARM, APPLEY CROSS, STAWLEY (RETENTION OF WORKS ALREADY UNDERTAKEN)

Location: APPLEY ORCHARD FARM, BISHOPS HILL, STAWLEY,
WELLINGTON, TA21 0HH

Grid Reference: 307369.121189 Retention of Building/Works etc.

RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval

RECOMMENDED CONDITION(S) (if applicable)

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

(A1) DrNo 200-01 Site and Location Plans

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

2. The use of site for the storage of timber hereby permitted shall be carried out solely by the applicant Mr Sam Owen and his spouse and shall be limited to benefit the applicant, Mr Sam Owen, only.

Reason: Use by another individual or company could lead to a substantial change in the nature of activities and would need to be assessed on its own merits.

3. The site shall be used for agricultural purposes and the storage of timber only and for no other purpose (including any other purpose in Class B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To prevent the site from being put to an alternative use that may be unacceptable in this location, without the need for a further grant of planning permission, so enabling the Local Planning Authority to control any subsequent use of the land.

4. The storage of timber shall be restricted to be only within those areas shown

hatched on Dr No JW/0960/0514 200-001 and no timber stack shall exceed 4.0 metres in height above existing ground level.

Reason: To prevent the uncontrolled and unacceptable storage of timber within the site that could adversely impact upon visual amenity and landscape character contrary to policy E8 and DM1 of the adopted Core Strategy.

5. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 ("the 1995 Order") (or any order revoking and re-enacting the 1995 Order with or without modification), the operation of any wood chipping machinery/aparatus within the site shall be limited to twelve (12) days within any calendar year.

Reason: To ensure adequate protection is afforded to the amenity of residential properties and services within the locality, in accordance with Policy DM1 of the Taunton Deane Core Strategy.

Notes to Applicant

1. 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 entered into pre-application discussions to enable the grant of planning permission.

PROPOSAL

The application seeks planning permission for the change of use of land from an agricultural use to Use Class B8 (Storage and Distribution) and for the open storage of felled timber within the site. The proposed use commenced on 1 August 2013 and the application is therefore made in retrospect following the authorisation of enforcement action against the breach of planning by the Council.

The application proposes to store up to 1500 tonnes of wet timber within the hatched areas on the submitted plan. Timber will be stored for approximately 12 months until dried and ready for onward sale or processing. It is estimated by the applicant that up to 60 no. twenty five tonne lorry deliveries of wet timber will be made to the site per year; the applicant is the sole undertaker of deliveries to the site, which are obtained from Forestry Commission and private woodland sites across the South-West region. The application suggests that an additional 45 lorry movements will be made to/from the site in order to distribute processed timber.

SITE DESCRIPTION AND HISTORY

The application site is located to the northwestern corner of an agricultural field to the eastern periphery of Appley. The field is largely laid to grass and descends sharply to the North, away from the public highway. It is bound entirely by native hedgerow and tree planting.

Within the field there are a number of buildings. To the southern end adjacent to the public highway is a small stable building with associated pony paddock. To the northwestern corner is a large agricultural storage building, a small timber shed and a mobile home which is currently occupied by the applicant and family.

The field is served by one vehicular access off the public highway and such is located within the southern field boundary, where a large splayed entrance has been laid, cutting through the original bank and hedgerow. The entrance is laid to compacted hard core; the access track is of compacted stone and runs along a north-south axis adjacent to the western boundary; the track turns sharply west at the bottom of the hill and leads onto a stone yard area that contains the aforementioned buildings and large timber stacks.

With regard to planning history, application 35/09/0008AGN granted prior approval for the erection of the storage building and formation of the track. There is ongoing enforcement action regarding the unauthorised occupation of the mobile home and the storage of timber.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

STAWLEY PARISH COUNCIL - Stawley Parish Council does not believe this site is a suitable location for a change of use from agriculture to B8 distribution use for the following reasons:

- Distribution uses should be located close to major roads. This site is located on an often narrow and winding country road, including a small bridge, some 2.4 miles from the A38.
- There will be a significant increase in HGV traffic along this country road and the vehicles transporting wood to and from the site are among the largest permitted on UK roads.
- The proposed development will increase the overall need to travel because it involves the transportation of felled timber and woodchip to and from a site that is remote from either the source of the timber or the final distribution point of woodchip to consumers.
- The site is located within 200 metres of residential properties, a village hall and pre-school playgroup with a primary school and shop close by, all of which will be adversely affected by additional HGV deliveries and the noise and dust caused by wood chipping.

The Parish Council has further specific concerns about the application:

- The application red line boundary includes within it an agricultural building, a shed and a temporary home which means that the change of use to B8 is proposed for the whole area and not just the area identified for the storage of wood.
- Without proper controls, the proposed area could become a distribution facility with the potential for industrial and office uses being introduced via permitted development rights. This would clearly be inappropriate in a remote rural location.

- The industrial activity of wood chipping on the site via mobile trailer, which can be undertaken without planning permission for up to 28 days a year, will damage the amenity of nearby residential properties and other community facilities.
- The dust and noise from chipping is potentially harmful, as has been the case elsewhere.

For the above reasons Stawley Parish Council does not support the proposed change of use.

The storage of felled timber is not considered to be a significant visual or landscape concern in this location. However, if Taunton Deane Borough Council should decide to ignore the above comments (and similar ones from others) and approve this application, Stawley Parish Council is of the opinion that, at the very least, a number of firm, enforceable restrictions should be placed on the permission by way of a Section 106 planning legal agreement covering the following matters:

- Change of use to B8 should be for the storage of felled timber only within the area shown hatched on the plan and not for any other form of distribution or industrial use.
- This change of use should be a personal permission that cannot be passed on to subsequent owners.
- Permitted development rights for B8 use on the site should not apply
- The total volume of timber to be stored on site at any one time should not exceed 1,500 tonnes.
- Timber stacks should not exceed 4 metres in height or 5 metres in width.
- Wood chipping on site should be restricted to a maximum of 12 days per annum during the hours of 9am to 5pm and not at weekends or bank holidays.
- HGV deliveries to the site should be restricted so as not to interfere with busy times, such as times of commuting and the delivery/collection of children for school/pre-school, and not at weekends or bank holidays.

The Parish Council believes that the above restrictions would be essential to go some way towards protecting residential and other local amenities. They should be enforced by way of a planning legal agreement rather than conditions that can subsequently be appealed.

Following the submission of additional noise and supporting information:

The Parish Council believes that noise from timber chipping operations on this site is a material planning consideration that should be taken into account by the Council in determining this application.

The National Planning Policy Framework (NPPF, March 2012) states clearly at paragraph 123 that: "Planning policies and decisions should aim to...avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development."

Bearing this in mind, the Parish Council's specific comments on the additional noise information submitted by the applicants is as follows:

- The statement by the applicant's agent that the distance between the chipping operations and neighbouring properties is 250-300 metres is factually incorrect. The Parish Council's estimates of distance from the present location of the logs are:
 - 100 metres to Appley Pavilion which hosts a Pre-School group and other community activities.
 - 178 metres to the nearest residential property.
 - 200 metres to Stawley Primary School.
- The two documents which deal with noise – one from Forest Research and the other from the Health & Safety Executive - do not provide information on noise that is directly related to the chipping machine that the applicant proposes to use - a Mus-Max Wood Terminator 10 XL Z according to the agent which deals with trees of up to 75 cm in diameter;
- The Forest Research report did look at a Mus-Max machine but this was the Terminator 8, a smaller model capable of cutting trees of up to 42 cm diameter. The Forest Research report is only incidentally concerned with noise output and states that the sound assessments undertaken were "...relatively unsuccessful..." and the data provided should be considered "...only indicative..." In the Parish Council's view this assessment is not relevant and should be ignored;
- The Health & Safety Executive report does contain more detailed noise assessments of wood chippers but it only reviewed a single drum chipper capable of chipping trees of up to 35.5 cm. Again this is not really comparable to the machine the applicant is proposing to use which cuts up to 75 cm trees;
- The HSE report also shows a high noise output from the smaller drum chipper of between 114 & 115 dB(A) depending upon the type of wood to be chipped;
- A bigger machine with a higher output is likely to be noisier. However, even assuming the noise level is 115 dB(A) – as per the HSE report – then this is equivalent to sandblasting or loud rock concert according to decibel loudness comparison charts. It is above the level (95 dB(A)) at which sustained exposure may result in hearing loss but below the level of 125 dB(A) where pain begins.

The Parish Council's view is that a level of noise equivalent to a loud rock concert is not appropriate in the vicinity of local schools and residential properties, even if it is restricted to a certain number of days in the year. The development will give rise to significant adverse effects on the quality of life of those affected and should, therefore, be refused in line with the NPPF.

LANDSCAPE - No objection. The main part of the site is set well back from the public road.

SCC - TRANSPORT DEVELOPMENT GROUP - In terms of traffic impact the applicant has provided details of traffic movements as part of the Design and Access Statement. The applicant has set a limit of 1500 tonnes of timber on site at any one time. They have indicated that it will be delivered to the site on 25 tonne per lorry load. The applicant states that this equates to 60 loads over a 12 month period. Once the material has been chipped it will be taken off site this will generate 45 lorry loads over a 12 month period. Therefore the applicant has indicated that the proposal would generate a total of 105 lorry loads per annum.

Firstly does this figure equate to a two-way movement or just one vehicle? Would the applicant please confirm this? If not then the proposal would equate to 210 movements per year, which would equate to approximately 4 movements per week.

The vehicles associated with this proposal would utilise an un-named classified un-numbered highway. This can be described as sinuous in nature with limited forward visibility and is narrow with high hedges on either side of the carriageway. As a consequence if two vehicles were to meet it would result in excessive reversing for one of the vehicles. Therefore the Highway Authority would have concerns over any proposal that would result in a significant increase in vehicle movements along this section of highway. From the details provided this proposal would generate approximately 2 vehicles per week, which equates 4 movements per week. This is not considered to be a significant increase in vehicle movement to warrant an objection on traffic impact grounds. It is noted that the route would require the lorries to cross a bridge at Greenham. Having consulted with Somerset County Council bridges section the Highway Authority is satisfied that this bridge is able to take the 40 tonne weight limit.

In terms of the point of access the apron is consolidated and surfaced with drainage and provides sufficient width to allow larger vehicles manoeuvre. Regarding visibility from on-site observations suitable visibility can be achieved to the right of the access however the visibility splay to the left is limited which would normally be a cause of concern to the Highway Authority. However due to the nature of the approach roads vehicles speeds past the site are lower therefore the splay could be considered acceptable.

Therefore based on the above information the Highway Authority raises no objection and if planning permission were to be granted the following conditions would be need to be attached.

- There shall be no obstruction to visibility greater than 900mm above adjoining road level forward of lines 2.4m back from the carriageway edge on the centre line of the access and extending to the extremities of the site frontage. Such visibility shall be fully provided before works commence on the development hereby permitted and shall thereafter be maintained at all times.

ENVIRONMENTAL PROTECTION TEAM - I note that the application is for the storage of timber, which in itself is not a noisy activity.

However, the information with the application mentions that it is proposed to chip the wood on site once it is seasoned. Chipping of timber can be noisy. There is no information on noise levels provided with the application so it is not possible to make an objective comment on how loud it will be at any nearby premises.

It is likely that the chipping will happen where the timber is located (to minimise movement of material), therefore, I would recommend that the wood is stored as far from any residential or other noise sensitive properties as possible, and that any chipping takes place away from other premises and out of line-of-site if possible.

The supporting information states that chipping will only take place on 12 occasions

a year and so does not need planning permission. If it is only once a month this will reduce the potential disturbance. However, the applicant should be aware that even though an activity does not require planning permission the Council will still have a duty, under the statutory nuisance legislation, to investigate any complaints that are received about noise.

Comments following submission of additional information:

I refer to my email of 9th October 2014. Some additional information has been submitted regarding noise from the chipping (HSE guidance, Forest Research project information note and information on Mus-Max mobile chopping machines). There is also an email from the agent stating that it is proposed to carry out chipping 12 times a year for 2.5 – 5 hours a day.

The email from the agent says that one report mentions an output at source of 83-85 dB whereas the HSE report advises that operators may be exposed to levels reaching 107dB(A). However, the additional information does not provide specific details of the plant that will be used on site or the potential noise levels either on site or at any other properties in the area.

Therefore, I cannot add anything to my previous memo. I would stress that it would be best for any chipping to be carried out as far from residential or other noise sensitive properties as possible.

Representations

11 letters of SUPPORT from local residents and members of the public, making the following planning related comments: -

Principle:

- We should be supporting young local people who are using their land to make a living;
- Just because it is a small village doesn't mean people cannot or are not allowed to run a business;
- This is part of diversification and will offer a credible alternative income contributing towards the development of their agricultural enterprise in the future;
- The supply of wood chip as an energy source is fully supported by the government and environment agency;
- Rural communities only survive due to hard working farmers or entrepreneurs like the applicants and they should be fully supported;
- Farmers have to diversify and expand the use of land or else the countryside will fall into decline;
- The storage of timber for woodchip and its end use is environmentally sound. No different to growing corn for bio-fuels;
- Concerned about the issue of trying to prevent development of local enterprises which are badly needed in the area;
- The application offers and fantastic opportunity to produce low impact sustainable fuel from a well managed single operator operation with minimal disruption;

- It is our duty as neighbours, friends and members of the Ten Parishes Community to support local enterprise wherever we can and to work together to ameliorate our community for future generations;
- Fail to comprehend how the storage of felled timber on land in the South West, a part of the country full of forestry commission and private sites, can cause such uproar when the government encourages biomass and becoming less reliant upon fossil fuels.

Transportation issues:

- The access to this property gives a large splay with good vision. We are all glad to use it as a passing point and people in the pavilion have been seen parking on it;
- The farm is on the edge of the village and vehicles will not be passing anyone's home in the Parish;
- Every farm in the Parish is visited regularly by bulk feed tanks and milk tankers not to mention the ever growing size of farm machinery. That's progress
- Milk lorries pass through to Ashbrittle daily;
- My children go to the school and pre-school and have no problem walking them up and down the roads;
- We use the road from the A38 to Appley and regularly meet tractors and milker tankers. It is part of living where we do, so have no problem meeting the occasional lorry;
- If the land was intensively farmed it would generate a considerable amount of road usage. Not just for a few weeks a year but all year round;
- Surely a few weeks of lorries hauling timber and wood chip is acceptable to make good use of the land?
- The perceived overloading of the country lane needs detailed consideration, but such a problem is not insurmountable.

Amenity issues:

- The timber is stacked professionally and safely;
- The creation of the wood chip has no more of an impact in terms of noise, dust, heavy traffic than any other arable farming during the summer months;
- The local quarry creates insurmountable amount of HGV, noise and pollution compared to this tiny proposal;
- My horses share the fields with those of the applicant and I have first hand experience of the use of land. Was on site for the full day when chipping occurred. It was noisy but did not worryingly disturb the horses when led past. It was intermittent and lasted only a few hours. If limited as suggested, happy to live with the limited inconvenience;
- Having seen the applicant bring in and stack the logs I have no concern about any dangers that may occur on the road, down the track or those passing the stacks on foot and fully trust his care and expertise and his consideration to restrict disruption to neighbours;
- Satisfied that the planning department can put in place restrictions preventing this from becoming anything other than some small inconvenience to locals;
- The processing equipment is no more invasive than that of agricultural equipment used on a daily basis across the Parish;
- Given processing times are strictly controlled by the applicant see no reason why

this would present any issues;

- The noise from the shredder on trial run was excessive in terms of decibel count but higher tech shredders could significantly reduce this;
- The right balance can be achieved by restricting times for deliveries and vehicle movements, providing such information to the pre-school, primary school and Parish news, use of low decibel shredder, and restricting the size of all collection vehicles;
- Suggestions that the applicant has not demonstrated health and safety considerations is absurd.

Landscape:

- The applicant manages the site in a professional and exacting manner with no visible equipment;
- The stacked timber offers an attractive outlook from the road which is a common site in the county and Quantock Hills in particular;
- The land is enclosed by hedges and fences and the application will not inhibit any neighbouring view.

9 letters of OBJECTION from local residents, members of the public, Appley Pavilion Committee and Stawley U5s Pre School Committee, making the following planning related comments:

Principle:

- We should not be looking at whether the current individuals would be considerate, minimise disruption to neighbours, restrict usage etc. and it is not relevant. Ownership can change;
- Who will control future intensification and monitor the business if permission is granted?
- There is no money in the storage of timber, the money is what you do with it on site;
- This is not agriculture, it is storage and manufacturing and belongs in industrial sites not agricultural fields;
- The use of biomass by rural businesses such as farming and chicken sheds is not accurate - Sainsbury's are one of the biggest users and major housing developments, hospitals, schools etc;
- This is not a precedent that should be set;
- This is an inappropriate location for a B8 use and could easily be varied within the use class in the future leading to significant HGV movements;
- The Parish Council's recommendations on a limited Use Class and personal permission are encouraging, but these restrictions could be removed or bypassed in the future. Not granting permission is the only safeguard;
- The Council has already determined against the issues here under recent enforcement action. There is no way of the Council assessing or controlling the volume of timber on this site;
- The application does not seek the industrial use referred to within the submission documents for the processing of seasoned timber which causes substantial noise pollution to residential properties;
- The application is flawed as it does not consider the possibility of partially seasoned timber being brought onto the site to be processed, thus increasing the

impact of pollution, transport etc.;

- The timber stored alongside the track could not be accommodated within the hatched area on the submitted plan; the plan is inaccurate; no details of where processing would take place have been provided;
- The use is not rural, it is general industry and not suitable for the site, neither is a B2 industrial use for processing timber;
- It breaches Taunton Deane Adopted Core Policies DM1 b, e and f. and does not satisfy DM2, SP1, SP4, CP2, CP4 or CP8;
- Taunton Deane would be setting a precedent for the industrialisation of rural, residential, and agricultural land.
- Based on the applicants information, the storage requirement is actually 3600 tonnes and not 1500;
- The use could compromise the viability of the pavilion and pre-school, being off putting to potential users and sources of income;

Transport issues:

- The numbers quoted in the application do not correlate with those in an open letter to Parishioners from the applicants. Vehicle movements are considered to be very much underestimated. They could result in 2,240 movements per year and road infrastructure is incapable of taking HGV traffic near this volume.
- Vehicle movements would be 1064 HGV journeys per annum based upon applicants data;
- Concerned about size and frequency of vehicle movements so close to pre-school and school;
- The pre-school and school have large catchments meaning more children in cars for periods of the day;
- The feeder road to the A38 is narrow and twisting and already well used as a principle means of access for several villages;
- This use would be more appropriate at an isolated commercial zone closer to the A38;
- The Acorus report forgets to mention the return trip in vehicle movements, but how will it be policed?
- If a second chipper is purchased the HGV movements would intensify;
- No plans to support assertion that a safe access can be provided;
- The road is delineated, but what measures would be in place to limit vehicle speeds that access/egress the site?
- Only a 20mph speed limit can protect safety of pedestrians and road users;
- The pre-school regularly walk up to the primary school passing the site. A previously mentioned path would be needed to ensure safety;
- The Planning Department and Transport Development Group have been using inaccurate and incomplete best-case information.
- The Applicant's site lies past the entrance to the Appley Pavilion, a Preschool site, from which preschoolers take escorted walks to the nearby Primary School and playground. Preschoolers are also walked to the Pavilion along the single lane country road. Add over 1,000 HGVs?
- This application must be rejected because it will cause "*overloading of access roads*" and "*road safety problems*" and is, therefore, in breach of Taunton Deane's Adopted Core Policy DM1.
- Taunton Deane's Planning Department have been working from best-case figures when considering the case so far. As have Highways. At the very least, Taunton Deane must place reasonable, measurable and enforceable Conditions

on any permission given, which limit HGV movements, or limit the static quantity of stored timber.

- Restrict B8 industrial use solely to the *storage of timber and processing for distribution as woodchip (not sawn timber)*;
- In addition, Taunton Deane should perform at least a very basic calculation of the potential road usage implied by the application, rather than rely on the figures given;
- Precedent - I can find no record of similar small green field sites, in rural residential areas, being converted to Industrial B8 use for Felled Timber Storage on Taunton Deane's Planning website. This application would become the precedent for similar proposals on sites Taunton Deane;
- Increase in large vehicle movements past the school gates will compromise child and parent safety;
- Articulated lorry movements over the cycle route and a WWII bridge is not acceptable.

Amenity considerations:

- I would not be objecting but for the noise that the applicant will inflict on his neighbours and concerns over safety;
- Noise from the chipping process is excessive and was bad enough in July. It would not be appropriate to grant permission for this process given other neighbours live closer to the site, even if the permission contains conditions against handling and processing on weekends and bank holidays;
- It is reasonable to expect wood chipping to take place during or at the end of good spells of weather and not during wet periods as dry chip is more efficient;
- Is it appropriate to allow the stacking of timber so close to a dwelling or for it to be hauled and processed so close to a dwelling?
- The nearest timber is some 100m from the pre-school play ground; the dust and fumes are very bad for children as is loud noise;
- The village shop and its produce will be affected by dust and fumes;
- Noise will affect teaching at the school with windows open in the summer;
- The road is a national cycle route which will be affected by huge lorries, becoming dangerous;
- We have already experienced the horrendous repetitive noise from 7.45am to 5pm on the day of the previous chipping. All windows were closed due to dust cloud blowing in the village's direction;
- Policy DM1 of the Core Strategy mentions noise and dust as consideration to development proposals. Limited information provided but understand noise from a chipper is approx 115dB. Such noise levels in a residential area is unacceptable. Could the chipper not be placed in a sound proofed building?
- The experience of noise pollution from the site when operating a wood chipper can only be described as horrendous;
- Storing felled timber is incompatible with adjacent residential usage due to safety.
- Whatever figure of timber is stored, the submitted plans show the current temporary residence on the site (the subject of enforcement Notice E/0033/35/14) remaining in its current location, directly in line with the end of a stack of timber, immediately adjacent to the HGV access/turning, and immediately adjacent to the spot already used for the industrial woodchipper. This timber storage application will likely jeopardise any future application for residential occupation, on safety and suitability grounds? At the very least,

permission for the storage of felled timber must not be considered while any residential unit is still in place;

- Industrial drum wood chippers are noisy, as are sawmills. I do not have information on the type of equipment used, or to be used, but assume that it may be at least one drum chipper. From the limited information available online, it appears that these chippers can produce around 115dB sound power, *Health and Safety Executive 2008*. This compares to 110dB for a “Night Club with Band Playing”, and 120dB “Threshold of Pain”, according to research available online from the *University of Wisconsin*. Comparable to tractor based hedge cutters and other equipment, maybe. However, the day-long noise generation from an uncontrolled wood chipping site over 28 days is of a different scale to occasional passing agricultural equipment;
- The plume of dust produced by chipping is also a material nuisance, and potentially a risk to the health of neighbouring residential and educational neighbours;
- Noise and dust from wood chipping will make using the outdoor pre school area difficult, the use of which is an Ofsted requirement;
- Noise will make communication between staff and children at the pre school difficult.

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,

LOCAL FINANCE CONSIDERATIONS

The proposed B8 use would not be liable for a charge under the CIL Regulations, and the proposal would not result in the payment of any New Homes Bonus.

DETERMINING ISSUES AND CONSIDERATIONS

The pertinent issues to consider in determination of the proposed development are the principle of the proposed change of use of land to Use Class B8, the consequent impact of the proposed timber storage operation upon visual amenity and landscape character within the area; access and transport issues and general amenity within the area and the impact of timber processing upon the amenity of the area, particularly local services, and residential properties.

Development principles

The site is currently used for agricultural purposes; the storage of timber which is felled off site, falls within Use Class B8 of the Use Classes Order. Objections have

referred to the industrialisation of the countryside, which would have knock-on impacts upon highway safety, neighbouring amenity and the landscape. It is suggested by objectors that this would set a dangerous precedent within Taunton Deane.

The Council's Core Strategy is generally supportive of economic development within rural areas, as is the National Planning Policy Framework, especially where development is small scale. Policy DM2 of the Core Strategy only supports B class land uses where they involve the re-use of an existing, or erection of new small scale building. Therefore the proposal is technically contrary to Policy.

The storage of timber is a B8 use. That said, timber storage is an operation which does occur within rural areas, as forestry is a rural activity and storage of the material is likely to be much less costly within rural areas than urban industrial estates. Often, timber storage occurs at the location where it is felled; this, however, is not a forestry business, although it bears similarities. In this case, the applicant sources timber from across the South West and not one or two sites, therefore the opportunity to store timber at a forestry site is not available to the applicant or his business. Furthermore, timber storage is, in my opinion, a use that is compatible with a rural location and therefore it is in principle an acceptable use of land subject to other material considerations also being satisfied.

As noted by the Parish Council, alternative uses that fall within Use Class B8 and those uses to which a change can occur without the need for planning permission might not be suitable in this location and therefore restricting the use to timber storage only would be necessary should permission be granted. A personal permission would also be reasonable, given that partial justification on the change of use, contrary to policy, comes out of the applicants local connection and historic residence to Appley.

Visual amenity and landscape character

At present there are stacks of timber sited along the access track as it descends north away from the public highway, as well as around the periphery of the yard area and agricultural building to the northwest corner of the field. Enforcement action was authorised previously as a result of the adverse visual impact that results from the timber stacks parallel to the access track that are clearly visible from the public highway. The siting of the timber stacks around the periphery of the yard were not of major concern from a visual impact perspective.

The application proposes to remove the timber stacks that are adjacent to the access track (as is required by the Enforcement Notice) and to provide for the storage of timber around the periphery of the yard and agricultural building only. The timber will be stored in single and double stacks with a height not exceeding 4.0m above ground level. Single stacks will have a width of 2.5m and double stacks 5.0m. The site for storage is in a relatively well screened corner of the field, where a large agricultural building has previously been permitted. At the time of granting consent for prior approval, officers noted that the building would not have a significant impact upon landscape character and the proposal was also supported by the Landscape Officer.

The visual impact of the timber storage proposal has not attracted objection on visual amenity grounds. The Parish Council have confirmed that they do not consider it to be an issue on grounds of visual impact. The Council's Landscape Officer does not object on visual amenity grounds. The proposed timber stacks would be well screened from public view by the clusters of tall trees and lines of mature hedgerow that bound the field.

An increase in the level of timber stored on the site could lead to additional storage areas that might be more visible than that proposed. As such, it seems reasonable to control the height of stacks and the areas to be used for storage in order to put a natural restriction on the level of timber stored at the site.

For these reasons, the proposed storage of timber is not considered to result in any significant harm to visual amenity or landscape character, subject to it being stored only within the areas indicated on the proposed plans. This can be secured by way of condition. The proposals are considered to comply with Policies DM1 and CP8 of the Core Strategy in this regard.

Transport and highway safety

Significant objection has been raised by members of the public with regard to highway safety and concerns over the local highway infrastructure being incapable of accommodating increased HGV movements that would arise from the proposed timber storage. The Highway Authority have now commented at the Council's request, having previously referred to standing advice. Taking into account the figures provided by the applicant they do not consider there to be a significant increase in vehicle movements associated with the proposed development. The Highway Authority accepts that access onto the public highway provides for a good level of visibility and access/egress to and from the site is not considered to represent a highway safety issue, even with an increase in vehicle movements.

The primary consideration is the impact of additional HGV movements over the local highway network. In this respect, Greenham Bridge is capable of taking the additional traffic as noted by the Highways Officer. Having visited the site a number of times, an insight has been gained which suggests the primary use here be of storage, and not distribution. Logs are stored for approximately 12 months and are done so on a cycle so that dry timber can be used as a biomass fuel once processed on a somewhat irregular basis.

Two objectors have questioned the validity of the figures provided by the applicant in relation to anticipated vehicle movements. For clarity, they have provided figures for both the timber storage, which would equate to 60 two-way movements per year (120), and wood chipping which would equate to 45 two-way movements per year (90). In total this would represent 210 vehicle movements of 25 tonne transporter lorries per year, however care should be taken over considering wood chip transportation as such is purely a by-product of the storage.

Local objectors suggest that there would be anywhere between 1000 and 2500 (approx) movements per year. I am of the view that there will be more than 210 vehicle movements to and from the site per year, but it will not be significantly higher than this figure, particularly if the level of timber stored on the site is controlled by the

Council through planning conditions. The delivery of 1500 tonnes of cut timber for storage and drying would require 60 inward HGV movements to the site per year (and 60 outward) by a 25 tonne lorry. In addition there will be the personal movements of the applicant and any other employee or contractors. Against this one would need discount any existing and potential use of the site as an agricultural use.

From my visits to the site, the business and level of timber proposed to be stored would not generate such a high volume of vehicle movements as to represent a significant additional risk to highway safety. It is possible for the Council to control the level of movements by restricting the tonnage of timber stored on the site and also restricting the number of HGV deliveries that can be made in any continuous twelve month period. It is considered that these controls will provide suitable protection to highway safety the infrastructure.

Comments made with regard to the safety of pedestrians are noted and especially of children, however the level of vehicle movements will be very low on a weekly basis and will be partially offset by a potential reduction in agricultural vehicle movements associated with the land concerned. I consider that the proposed use would not result in any additional significant harm to pedestrian safety over and above that which currently exists.

Noise impact of timber processing

The application has received a mixed response from the public, with both support and objection being made for various reasons as has been summarised already within this report. With regard to the objections, the most numerous and significant concerns relate to the use of a wood chipper at the site, which the applicant uses on a relatively infrequent basis to process the stored timber for use as a biomass fuel. The application does not seek planning permission for the use of a wood chip machine to process the timber and, from the information provided by the applicant, the wood chip operation is to occur no more than twelve days per month. Some days may last longer than others as it is largely reliant upon the timing of distribution lorries and their arrival to the site on time. Following a complaint to the Council, the Senior Planning Enforcement Officer confirmed that the operation of the wood chip machinery falls under the 28 day rule and does not require a change of use to the site of operation if it does not exceed this period.

Notwithstanding the above, there is an inextricable link between the storage of the timber and its processing on the site. It is unlikely, in my view, that the timber would be stored in this location were it to then require additional transporting to alternative premises for processing. The impact of the timber processing must therefore be considered in association with the development being sought by the application. As a consequence, additional information was sought in relation to the likely noise impact from the operation of a wood chipper on the site, and duly a suite of information and reports have been provided by the applicant, although no noise survey of the machinery used and its impact locally has been provided. The chipper used at the site is a Musmax wt10 xlz tractor mounted chipper. The agent has advised that no manufacturer noise data is available on this model and has provided noise information relating to other, similar machinery instead.

The most pertinent issue to consider with regard to noise is the level of disturbance and its impact upon nearby properties, particularly those in residential use. It is

therefore important to consider the level of noise generated through the operation of wood chipping machinery and the frequency to which the activity occurs.

It has been continuously reiterated by the applicant throughout the process that wood chipping will occur on the site up to a maximum of twelve days per year. The frequency of chipping operations will be naturally restricted by the amount of timber that can be stored on the site. It takes a prolonged period of time to season timber; this together with and the limited space applied for in which to store timber will naturally restrict the amount of seasoned timber within the site that is ready to chip at any one time. 12 days of chipping seems to be a reasonably accurate forecast when taking into account the rotation of timber stored on the site. Notwithstanding, the Council can, if necessary, ensure that the frequency of chipping is appropriately controlled by way of condition.

Unlike many manufacturers, Musmax do not provide noise data for their machinery. The most comparable data provided by the applicant is that from a Forestry Research Commission project, which assessed the Musmax wt8; the applicant uses the Musmax wt10 which is understood to be a slightly larger machine. The noise output from the Musmax wt8 was found to be in the average region of 83-86 dB (A). It would therefore be reasonable to assume that the larger wt10 model here would result in an increased noise level due to its handling of larger sized timber and that its output is almost double that of the wt8 model, when measured in cubic metres of timber processed per hour.

Environmental Health have not been able to provide definitive advice on whether the proposed chipping operation would result in a significant impact upon the amenity, health and safety of nearby residents and businesses and continue to state that any complaint would be assessed under their separate legislation. Notwithstanding, a decision needs to be made as to whether the wood chipping operation, in this location, would have an unacceptable impact upon the area and its residents. From the information available and through further noise level comparisons, the impact of noise being generated by the operation of a wood chipping machine in this location is not considered to be so significant as to warrant refusal. The limited number of days per year on which the activity takes place, the distance between the operation site and nearby properties, the change in levels and screening from banking, trees and hedgerows will reduce the level of disturbance experienced by local residents. Were wood chipping to take place on a daily basis then the harm and disturbance would be more significant, however subject to the operation being limited as set out above, the impact will, in this instance, be acceptable.

Conclusions

The application does not specifically seek a change of use to the agricultural building, shed or mobile home and therefore despite falling within the application red line, the concerns of the Parish Council can be allayed.

The storage of timber is considered to be a use that is compatible with the rural area, indeed there are a number of small areas used from time to time to store cut timber. The storage element would not result in any adverse impact upon local residential amenity, with properties being some 200 metres away and vehicle movements should not increase through the village of Appley itself. The proposal, inclusive of any wood chipping activity, would not result in any significant harm to

visual amenity or landscape character, amenity or highway safety. It is therefore 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.

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