

ALTERATIONS OF ACCESS AND ERECTION OF DOUBLE GARAGE AND AGRICULTURAL BUILDING WITH YARD AREA AND SILAGE PIT ON LAND ADJACENT TO STOCKHAM COTTAGES, WEST BAGBOROUGH AS AMENDED BY DRAWING NOS 1186E/3A AND 06A

315737.134191

Full Planning Permission

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PROPOSAL

This application seeks full planning permission for the erection of a large agricultural building, creation of new farm yard area, and a new double garage for the existing dwelling.

The agricultural building would have two components – a gable ended barn measuring 21.3 metres wide by 30.5 metres deep, being 4.3 metres high to eaves and 6.6 metres to ridge; and a lean-to on the south western side measuring 12.2 metres wide by 30.5 metres deep. The ridge would run from northwest to southeast, roughly parallel with the highway to the west of the site. The building would be cut into the hillside, such that there would be a change in level of around 5 metres between the yard area and the adjoining field to the east and that the eaves would be below the height of the adjoining ground in the northeast corner of the building.

The garage would be provided alongside the existing cottages, finished with roughcast render and a tiled roof. The existing access to the north of the dwellings would be altered to improve the visibility and width, from which a gravelled roadway (tarmac for the first 12 metres) would be cut through the field to allow access to the new yard area.

Further tree and shrub planting is proposed around the building comprising oaks, field maples and Wild Cherries. New hedgerows are proposed along the northeastern side of the access roadway and to the north of the proposed double garage, planted with a mix of Hawthorn, Field Maple and Hazel.

The application has been supplemented by further information explaining that the existing enterprise at Rock Farm is inaccessible by large agricultural vehicles such that cattle must be driven down the lane to meet the cattle transporter on the through road. This is said to be inefficient and labour intensive as well as blocking the lane for the duration of the operation. The applicant has identified 4 possible alternative sites to relocate the farming operation but these had been rejected due to a greater prominence, either when viewed from within the Quantock Hills, from West Bagborough village and the playing fields or from adjoining public footpaths. In the applicant's opinion, however, the application site is relatively low in the landscape, screened by mature hedgerows, unlikely to attract significant views from the highway, and screened from the majority of the Quantock Hills by natural topography. It is conceded that there may be some public viewpoints, so screening has been proposed in the form of altered ground levels and substantial structured planting. The amended drawings provide for a

contoured earth bank to the north of the proposed building, together with further landscape planting to strengthen the proposed screening along the northern perimeter of the site.

SITE DESCRIPTION AND HISTORY

The site comprises a large agricultural field raised up behind a pair of red stone dwellings and an existing access to the north of these dwellings. The ground level of this field is around the first floor level of the dwellings and continues to rise to the west. There are tree and hedge boundaries to all sides of the field, which is raised significantly from the adjoining highway to the south. The existing access is a grass track which curves around to the north. The site is bordered by a very narrow deep-cut highway to the south and a further highway to the east. Long views are available across the surrounding lower lying countryside to the west.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

SOMERSET COUNTY COUNCIL - TRANSPORT DEVELOPMENT GROUP –

The site lies outside the development boundary limits for West Bagborough and is remote from public transport routes, services and facilities. Additionally the approach roads are substandard. However, providing the proposed building is to meet a demand generated by the existing agricultural use of the site/land then there is no objection from the Highway Authority.

Two parking spaces will be provided for the cottages (which are being reinstated as a single dwelling) where currently there is no formal off road parking, together with a turning head that will enable vehicles to enter and exit in a forward gear. Visibility will be improved where the modified access meets the public highway, which is welcomed by the Highway Authority.

Given the constraints of the approach road and the improvements that are proposed, it may be considered unreasonable to raise a highway objection to the proposal.

WEST BAGBOROUGH PARISH COUNCIL –

- Access for construction traffic – Kennel Lane or Smokeham Lane unsuitable for HGVs.
- Storm water flow from the site. Large volumes already occur from Rock Lane. Possible flooding along Kennel Lane?

Necessary development to sustain farming in the parish.

LANDSCAPE OFFICER – Subject to the landscape scheme as proposed and its proper maintenance, the landscape proposals should help to significantly reduce any landscape impact in the short term and longer term provide suitable mitigation.

NATURE CONSERVATION AND RESERVES OFFICER – No real concerns, would like to see wildlife accommodated within the development, therefore welcome the planting of additional native trees and hedgerows.

THE QUANTOCK HILLS AONB SERVICE – The primary purpose of the AONB designation is to conserve and enhance natural beauty. The AONB service is becoming increasingly concerned about large agricultural buildings of an almost industrial scale within the AONB.

The proposed agricultural building is of significant size and substantial ground works will be required to the naturally sloping site in order to accommodate the building. The AONB Service is very concerned that this scale of building (and the changes to the natural shape of the land) will result in a marked change to the intimate character of the immediate landscape area. We therefore ask that proper consideration be given to the impact that the scale of the proposal will have on landscape character (considering change in scale and operation - from small-scale worker's cottages to a working farm).

Also concerned that the building may be visible from higher ground and the AONB service asks that proper consideration is given to the visual impact from the wider area, not just the immediate locale. Query whether a Landscape and Visual Impact Assessment should be undertaken.

Feel it is right that mitigation measures are proposed, but are concerned that the materials must be properly chosen to ensure the correct choice of colour. Also concerned about clear panels to admit light, which may be unduly reflective, adding to the building's presence in the landscape.

There is no mention of lighting, and consideration should be given to avoid light pollution.

NATURAL ENGLAND – Objects to the proposal. No assessment has been made of the likely impact of this relatively large-scale development on the landscape of the immediate and wider area – particularly the Quantock Hills AONB. A Landscape Visual Impact Assessment (LVIA) should be undertaken and the report submitted to Natural England for further comment.

Representations

THREE letters of representation have been received from nearby residents and the Campaign to Protect Rural England in respect of this application:

- The proposed building would permanently destroy a significant area of attractive meadow and replace it with a very large concrete construction that is not sympathetic to the environment;
- Concerned about the visual impact of the structure and earthwork on the surrounding countryside;
- The development could set a precedent that would result in the steady erosion of the Quantocks character and charm;
- The area is prone to flooding and extreme surface water run-off on the adjoining highways;
- It is not stated how the water run-off from the yard, roofs and access road will be dealt with;
- water should not be allowed to discharge to Kennel Lane;
- There will be more muck and mud on the road which will block drains and fill up the ditches;

- There could be a greater threat to flooding of nearby dwellings;
- There may be pollution from the cottages - unsure whether the septic tank works;
- All roads in the area are narrow and increased numbers of large vehicles will lead to problems;
- Large vehicles will cause further erosion of the road hedges and banks;
- More mud on the highway will make sharp breaking hazardous;
- There would be a negative impact on the wildlife, including Tawny Owls nesting in the hedgerow;
- There will be run-off of pollutants and there has been no explanation of how this will be dealt with;
- There may be odour issues, especially in hot weather;
- The application should be supported by an Environmental Impact Assessment;
- The existing farmstead (Rock Farm) will be fragmented. There has been a loss of historic farmsteads which is gradually eroding the character of the area;
- The development should be sited closer to the existing Rock Farm site;
- The existing barns that the proposal is intended to replace may be converted into residential units putting further pressure on the area.

PLANNING POLICIES

EN10 - TDBCLP - Areas of Outstanding Natural Beauty,
 S1 - TDBCLP - General Requirements,
 S2 - TDBCLP - Design,
 S7 - TDBCLP - Outside Settlement,
 EN3 - TDBCLP - Local Wildlife and Geological Interests,
 STR1 - Sustainable Development,
 STR6 - Development Outside Towns, Rural Centres and Villages,
 S&ENPP3 - S&ENP - Areas of Outstanding Natural Beauty,
 PPS7 - Sustainable Development in Rural Areas,
 PPS9 - Biodiversity and Geological Conservation,

DETERMINING ISSUES AND CONSIDERATIONS

The site is within the open countryside. New agricultural development is considered to be compatible with the rural area and is appropriate in principle. The main issues in the consideration of this application are the visual impact (especially with regard to the AONB designation), highways, impact on surrounding property (including noise and smell), flooding and drainage.

Visual Impact

It cannot be disputed that the proposed building will have an impact on the immediate locality and, due to the rising nature of the site, from a wider context. From the immediate environs, the most noticeable impact is likely to be the site entrance, and alterations to the access, where the new garage will be in clear view and the road carved out of the surrounding bank will be very noticeable.

The yard and buildings are proposed to be surrounded by significant additional tree planting that will supplement the existing boundaries. Therefore, whilst the building will be visible in the short term, in the longer term it should become increasingly obscured from close range. When viewed from above, the eaves of the building would be roughly on a level with the surrounding ground level, helping to prevent the building appearing

overly dominant. However, a large extent of the roof will be visible, so it is essential that the correct colour is chosen for this aspect. Again, the extensive landscaping, over time, will help to assimilate the building into the landscape.

Your officers have carried out a detailed investigation of where the site can be seen from. It is clear that from public highways to the west there are very few points that the site can be seen from. In the glimpses available from these locations, the building will appear half-way up the hillside, as a large structure. The proposal to significantly excavate the site will be less obvious from afar, but these works will mean that the building should sit far more comfortably within the general slope of the hillside, rather than as an object protruding significantly from behind. The proposed tree planting on both the east and west of the building, will be at the natural ground level (or thereabouts) and consequently, the general shape of the hillside will not be lost.

From the east, looking from within the AONB, the site cannot be seen from the lane leading to Rock Farm or the lane leading to Smokeham Farm. Views are only possible from within the adjoining farmland, but not from the wider public domain. The site cannot be seen from the footpath that runs along the ridge of Bagborough Hill and Lydeard Hill and is only visible from an area to the north of the site. These views are distant and it is considered that, subject to the landscaping proposed on the amended drawings, with increased denser planting on a raised bund to the north of the building, the proposed development will be satisfactorily assimilated into the landscape.

The proposal is submitted due to the shortcomings of the existing farm at Rock Farm, a short distance to the west. These are primarily an aging stock of buildings on a sloping site, with little available ground for realistic expansion. The existing buildings and site, according to the applicant, are not suitable for modern agricultural vehicles, but more importantly, large cattle lorries etc. cannot access the farm as the lane is too narrow. As such, cattle must currently be driven down the lane to board the lorry at the junction at Stockham Cross, causing obstruction and requiring a large input of manual labour. Operating under a new tenant, the business is set to increase in scale, but is constrained by the impracticalities of the Rock Farm site. It is, therefore, the applicant's intention to relocate to the current proposed site, using the existing dwellings adjacent to the site to house the farmer.

It is accepted that the Rock Farm site is significantly constrained and it is considered that the above justification should be given significant weight in the assessment of this application, allowing an agricultural enterprise to expand and develop. This view is also shared by the Parish Council, who are in support of the proposal in principle. Some of the modern buildings at Rock Farm are being demolished, but it is not considered that this 'trade-off' alone could justify the proposal, whose landscape impact must be considered on its own merits, especially given that the Rock Farm site is more obscured from long-range views.

The AONB group and Natural England consider that a formal Landscape Visual Impact Assessment (LVIA) should be carried out. Despite having not visited the site, Natural England further indicate that they consider that the application should be refused, in principle, in the absence of an LVIA due to its location within the AONB. Your officers, however, feel that this requirement is somewhat onerous given the limited points at which the site can be seen from.

With regard to the above, it is considered that the landscape impact on the immediate

locality and the general, larger surrounding area, although noticeable, will not be unacceptably harmful. The site is on the fringe of the AONB, on the lower slopes, and whilst this should not justify development (to do so would lead to a gradual piecemeal erosion of the area), it is considered to be an important contributing factor in concluding that the overall character and natural beauty will not be unacceptably harmed. When weighed against the justification for the development, it is considered that this outweighs the small visual impact that would result to the open countryside in general and the AONB specifically.

The proposed garage would also be cut into the hillside, reducing its visual impact. The design and siting is considered to be acceptable.

Highways

The Highway Authority have commented that the site is in an unsustainable location in highway terms, being remote from facilities, services and public transport. However, agriculture is a rural, land based activity that cannot be located in an urban area, or other settlement. It is therefore considered that an objection on this basis would be unreasonable, regardless of whether the development stemmed from an existing land use or not.

In terms of the details of the proposal, the Highway Authority have not raised an objection. To the north of the access, it is proposed to slightly realign the hedge, to allow 43m visibility in this direction. To the south, the visibility is slightly better and it is proposed to retain the existing stone boundary wall and visibility as is, although this would be slightly short of the Highway Authority's standard requirement. However, taking into account the improvements proposed, coupled with the provision of off-road parking facilities for the dwelling, the proposed visibility is considered to be acceptable.

The Highway Authority have recommended a number of conditions, most of which are reasonable and necessary. However, it is considered that there is no need to condition the building to be used in connection with the working and management of the adjoining farmland as any non-agricultural use would require permission and 'adjoining farmland' is considered to be a rather vague and imprecise term. It is considered that any agricultural use would be acceptable. Also, given the present lack of off-road parking facilities for the cottages, the provision of such (including the garages) is an improvement. It is not, therefore, considered reasonable or necessary to require them to be retained solely for the parking of domestic cars.

Comment has been received about potential future traffic increases from converted barns at Rock Farm. Such considerations would be relevant to any application submitted in that respect at the time and cannot influence this decision. However, the Highway Authority do not appear to have considered this proposal as a 'trade-off' for the existing situation and it has been assessed on its own merits in terms of highway safety and traffic generation.

Impact on surrounding property

The closest dwelling that may be affected by the proposal is 'Wayside', adjacent to the site on to the southwest, on the opposite side of the road. Environmental Health Officers have commented that there would be no unreasonable transfer of smells or

noise to this (or any other) dwelling. Whilst the proposed building will be visible, it is not considered that it would be unduly overbearing or result in an unacceptable impact on outlook, given the openness of the remainder of the surroundings. Indeed, neither this neighbour, or the other representations have raised issues of residential amenity, other than potential smell, and as such, it is considered that the proposal is acceptable in terms of its impact on surrounding property.

Flooding and drainage

Some concern has been raised by local residents and the Parish Council about surface water run-off from the site. Comments were also made about potential failings with the septic tank serving the cottages, but since works to the cottages are not under consideration here, this is not a material consideration.

The proposal is to dispose of surface water to soakaway. Even though the majority of track and yard area is proposed as crushed stone, given the extent of hard surface/roof proposed, the changes to the levels and existing overland flow regime, and the downhill slope of the access track to the highway, it is considered reasonable to require a surface water strategy to be submitted for approval. Such will allow proper consideration of the number and size of soakaways required to adequately deal with surface water flows resulting from the development. There may be existing flooding problems in the area, which makes such a submission essential, but the development cannot be expected to deal with existing flows in the area, which are not increased as a consequence.

Other Matters

It has been suggested that the application should be subject to an Environmental Impact Assessment (EIA). The occasions when EIA is required are set out in the Town and Country Planning (Environmental Impact Assessment Regulations) 1999 (as amended). EIA is sometimes required for intensive livestock installations of this scale, but this proposal is essentially for cattle housing and a machinery store. It is not, therefore, considered to be an intensive installation within the meaning of the regulations and should not be subject to an EIA. The wider environmental impacts have been assessed as a matter of course and, as detailed above, are not considered to be significant.

Conclusion

It is considered that a small visual impact may result to the surrounding area in general and AONB specifically, although the extensive ground works and tree planting proposed will help to mitigate against this to some degree. However, it is considered that the needs of the existing agricultural enterprise to expand and develop, away from the existing constrained site at Rock Farm outweigh the harm that may be caused, on this occasion. The development is otherwise acceptable in terms of highway, drainage and its impact on surrounding property. With regard to these matters, the proposal is considered to be acceptable and it is, therefore, recommended that planning permission is granted.

RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval

- 1 It is considered that any visual impact will be satisfactorily mitigated against by the proposed extensive landscaping and will be outweighed by the agricultural need for the development. It is not considered that any unacceptable harm will result to the Area of Outstanding Natural Beauty specifically or the wider open countryside in general, the amenities of neighbouring property, wildlife interests or the highway network. The proposal is, therefore considered to comply with policies S1, S2, S7, EN3 and EN10 of the Taunton Deane Local Plan, Policies STR1, STR6, 3 and 49 of the Somerset and Exmoor National Park Joint Structure Plan Review or advice contained in Planning Policy Statements 7 and 9.

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. (i) The landscaping/planting scheme shown on the submitted plan shall be completely carried out within the first available planting season from the date of commencement of the development.

(ii) For a period of five years after the completion of the 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 other appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development makes a satisfactory contribution to the preservation and enhancement of the local character and distinctiveness of the area in accordance with Taunton Deane Local Plan Policy S2.

3. No development relating to the agricultural building hereby permitted (including ground works) shall take place until a drainage strategy dealing with foul and surface water run-off shall be submitted to and agreed in writing by the Local Planning Authority. The agreed details shall be installed and fully operational prior to the agricultural building hereby permitted being brought into use and shall thereafter be maintained as such.

Reason: To ensure that adequate facilities exist for the disposal of foul and surface water, in the interests of preventing pollution and any increase in off-site flooding, in accordance with Policy S1 of the Taunton Deane Local Plan and Planning Policy Statement 25.

4. 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 protect the character and appearance of the existing building in accordance with Policy S2 of the Taunton Deane Local Plan.

5. Before the building hereby permitted is brought into use, the access/parking/turning area over the first 10 metres of its length shall be surfaced in a properly consolidated surface (not loose stone or gravel) in accordance with details which shall previously have been submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure that loose material is not deposited on the highway, in the interests of highway safety, in accordance with Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review.

6. The turning space shown on the submitted plan shall be kept clear of obstruction at all times.

Reason: To ensure that adequate facilities are available for the traffic likely to be attracted to the site to prevent vehicles stopping on the highway in the interests of highway safety, in accordance with Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review.

7. At the proposed access there shall be no obstruction to visibility greater than 900mm above the adjoining road level within the visibility splays shown on the submitted plan, drawing No: 1186E/03. Such visibility splays shall be constructed prior to the commencement of the development hereby permitted and shall thereafter be maintained as such.

Reason: To ensure that there is adequate visibility of and from vehicles emerging from the site in the interests of highway safety, in accordance with Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review.

8. Any entrance gates erected shall be hung to open inwards and shall be set back a minimum distance of 10m from the carriageway edge.

Reason: To ensure that vehicles visiting the site are able to stop clear of the carriageway in the interests of highway safety, in accordance with Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review.

Notes for compliance

1. The surface water drainage scheme required by condition 3 shall include measures to prevent the discharge of surface water onto the highway.

In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1988.

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