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| Application No: | 3/16/19/005 |
| Parish | Holford |
| Application Type | Full Planning Permission |
| Case Officer: | Denise Grandfield |
| Grid Ref | Easting: 315344 Northing: 140695 |
| Applicant | Mr John Hughes (Estate) |
| Proposal | Retention of agricultural building including alterations to existing structure (resubmission of 3/16/18/006) |
| Location | Strawberry Fields, Combe Lane, Holford, TA5 1RZ |
| Reason for referral to Committee | |

Recommendation

Recommended decision: Grant

Recommended Conditions

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

(A4) Location Plan

(A3) DrNo 2118/1/A Existing Plans

(A3) DrNo 2118/2/A Proposed Plans

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

- 2 The building hereby approved shall be used solely for the storage of machinery and equipment in connection with the agricultural use of the land. There shall be no residential use of the building without the prior written consent of the Council.

Reason: To protect the rural character of the area.

- 3 The development hereby permitted shall be completed within six months of the date of this approval.

Reason: To ensure the approved changes are carried out to protect the visual amenity of the locality.

Informative notes to applicant

1 STATEMENT OF POSITIVE WORKING

In determining this application the Local Planning Authority considers it has complied with the requirements of paragraph 38 of the National Planning Policy Framework. Pre-application discussion and correspondence took place between the applicant and the Local Planning Authority, which positively informed the design/nature of the submitted scheme. For the reasons given above and expanded upon in the planning officer's report, the application was considered acceptable and planning permission was granted.

Proposal

The application submitted in retrospect proposes the erection of an agricultural building.

The building is proposed to be clad in green profile metal sheeting. Where window openings are proposed they are to be glazed in matching profile clear panels. The doors are proposed in timber.

Prior approval application for an agricultural building was considered by Council in 2013 and it was determined that further assessment of siting, design and external appearance was not required. The building was for the storage of agricultural machinery, feed stuffs, rainwater collection and hygiene and welfare.

Site Description

The site lies in an area of open countryside to the south of the village of Holford, within the Quantock Hills AONB and in the SSSI. The holding measures approximately 6.5 hectares and includes 2 hectares of woodland. Access to the site is via a track, from a lane near the A39., through a wooded area owned by the National Trust.

Relevant Planning History

3/16/13/014 - Prior notification for the erection of an agricultural building - Prior approval not required - January 2014

3/16/18/008 - Erection of agricultural building with a twin wall flue pipe and associated earthworks (retention of works already undertaken) - Refused

Consultation Responses

Holford Parish Council - A public meeting held by the Parish Council on 2 December 2019 heard objections to the revised proposals from a number of residents. No member of the public present spoke in favour of the application. Objections represented that the current building is an inappropriate building in a

place it should not be: that it should not be retained; that it should never have been built and that what was built was not an agricultural building.

The Parish Council has carefully considered these views and has sympathy with these representations. However having made an extensive site visit and having carefully considered the application the Parish Council does not object to the current application in principle.

The Parish Council has carefully considers that the changes proposed in the present application justify the grant of permission for retention of the building.

A building was in the Parish Councils view wrongly allowed in this position and what was erected was not what had been proposed. The Parish Council considers that a lesson need to be learned from this case and trusts that the planning authority will in future always seek and take account of the Parish Councils views if there is a proposal to erect any building in this sensitive AONB land.

The Parish Council strongly urges that the proposed alterations to the current building comprising both external and internal alterations and the removal of features and fittings associated with the residential occupation, should be completed as proposed in the application and indicated on the submitted plan, drawing No. 2118/2/A, as a condition of planning approval. A permission to retain the building should be conditional upon completion of the alterations. Their satisfactory completion should be monitored and recorded by the planning authority.

The Parish Council considers that:

- the building should be required to be made as inconspicuous as possible from proximate and more distance viewpoints. Hedge and tree planting schemes should be required
- the roof eaves should be retained to enable rainwater to be collected for agricultural use. This will make unnecessary or limited the transport of water to the site.
- all window openings which remain should be painted or otherwise finished to match the cladding on the building
- the building should be clad in wood rather than metal. If cladding is allowed this should be in a suitable shade of green.
- all windows must be removed and covering of openings which remain be replaced with clear or translucent matching profile sheeting
- the access which has been created should be restored to its original state as part of the SSSI and the site itself should be tidied and restored, having regard to the sensitive area in which it is situated

The Parish Council considers that these are minimal requirements to justify retention of the building. If they cannot be met, then the application should not be permitted.

The Parish Council is aware that the AONB, The National Trust and Natural England have been consulted on these proposals. The Parish Council is accordingly not offering views upon environmental and other aspects which may be the subject of comments by those bodies.

Highways Development Control - No observations

Quantock Hills AONB - This is the third time this application has been submitted in one form or another and I refer to the AONB's responses to the previous two

submissions. These both raised objections, in particular that the structure is intrusive, in an entirely inappropriate location and not required for a viable agricultural business. As this is a new application I would reiterate the AONB's comments which are relevant to the current proposal. I also refer to the AONB's Management Plan 2019 - 2024 which states current policy regarding agricultural buildings.

Whilst sometimes necessary for the ongoing management of the farmed landscape new agricultural buildings need careful consideration in respect of their location and design if they are not to have a negative impact on the landscape.

The impact on the AONB's special qualities by development in the setting of the Quantock Hills needs to be fully considered in the planning process in line with NPPF paragraph 172. The setting of the Quantock Hills AONB is the area within which development and land management proposals, by virtue of their nature, size, materials or design can be considered to have an impact, positive or negative, on its natural beauty and special qualities.....

The revised NPPF para. 172 states:

Great weight should be given to conserving and enhancing landscape, and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues.

Under this revision the words 'and enhancing' have been added to this fundamental planning statement and this proposal does not appear to conserve or enhance the landscape of the AONB.

In order to consider a new building outside of any defined settlement limits or farmstead setting, a viable business need must be justified. In this case the business need for such a structure is not proven as only 11 acres of grassland and five acres of woodland comprise the holding, (less with tracks and earthwork). Most of this land is designated SSSI (as upland acid grassland) and although no details of stock numbers or any specific farming system have been provided to substantiate the justification for the building, the Planning Statement confirms in the section heading 'Need for a building' that:

This SSSI land needs sensitive agricultural/forestry business management plan generating sufficient funds to make it sustainable thereby ensuring its future maintenance and the implementation of improvements to the protected landscape/environment/ecological qualities of this part of the Quantock Hills.'

I believe this plan should have been included as part of the application to allow proper scrutiny on whether or not there is a legitimate business need. The plan should at least contain details of proposed stock numbers, summer and winter grazing regimes, quality and type of bought-in feed required, where supplementary feeding will take place, machinery requirements, estimated volume of timber to be extracted etc, to show how the business will be sustainable, will protect the SSSI and will preserve and enhance the AONB.

Grassland management as described in general terms in the Planning Statement suggests it will be similar to the previous regime, 'allowing grassland to be managed naturally reducing the need for large scale machinery or invasive methods to be employed whilst maintaining flora diversity'. Although it may not be up to date, the current status on Natural England's website for land in this SSSI is 'Unfavourable/declining'.

There has been no mention of lighting requirements and the need to preserve the dark skies within the AONB.

The AONB's primary purpose is to conserve and enhance the protected landscape. It is the principle of development in this location without proven business need or social justification that is at odds with conserving and enhancing the natural beauty of the landscape, the primary purpose of AONB designation. Hedge and tree planting although very useful in screening and buffering new development, cannot prevent the character of the area from being altered.

For these reasons the AONB service objects to this proposal

Planning Enforcement - This application relates to a site where there is a current and pending enforcement case.

Natural England - No comments received

Representations Received

Representations have been received from seven local residents making some or all of the following comments:

- Set dangerous precedent for further development in AONB and SSSI
- AONB has been spoiled by vegetation being cut to allow access for heavy vehicles
- Use is proposed to be for a dwelling
- No running water on site
- Building should have been demolished
- Proposal no different to the previously refused scheme
- The land is poor quality to support grazing stock
- The building is an eyesore and poorly constructed
- Unacceptable impact on attractive area of land

One letter of support has been received:

- Building is barely visible from outside the site
- Eaves should be retained to collect rainwater
- Quantock Hills AONB do not have guidelines regarding the construction and appearance of agricultural buildings

Planning Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan for the West Somerset planning area comprises the West Somerset Local Plan to 2032, retained saved policies of the West Somerset District Local Plan (2006) Somerset Minerals Local Plan (2015) and Somerset Waste Core Strategy (2013).

Relevant policies of the development plan are listed below.

West Somerset Local Plan to 2032

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|------|---------------------------------------|
| BD/6 | Agricultural Buildings |
| OC1 | Open Countryside development |
| NC/1 | Sites of Special Scientific Interest |
| NH14 | Nationally designated landscape areas |

Retained saved policies of the West Somerset Local Plan (2006)

| | |
|------|---------------------------------------|
| BD/6 | Agricultural Buildings |
| OC1 | Open Countryside development |
| NC/1 | Sites of Special Scientific Interest |
| NH14 | Nationally designated landscape areas |

Local finance considerations

New Homes Bonus

Not applicable

Determining issues and considerations

The retrospective application proposes the retention of an agricultural building and alterations to the building.

The building was not built in accordance with the prior notification application received in 2013. Therefore the considerations are whether the building the subject of this application is sufficiently different in terms of its impacts beyond those previously considered acceptable.

The previous refusal related to the domestic appearance of the building, thereby not conserving or enhancing the character of the natural beauty of the AONB.

Retained Policy BD/6 relates to agricultural buildings and states that :

Proposals for new agricultural buildings or extensions which require planning permission will only be permitted where:

(i) the siting of the building will be determined having regard to existing landscape features, local land form and tree and hedgerow cover - together with the relationship with other buildings.

(ii) The general design (including form, materials and colour) and mass of the

building will be appropriate to the character of the area whilst also meeting the functional needs of the farming business.

(iii) Indigenous landscaping to soften any hard outlines should form an integral part of the development - including the retention of existing trees and hedgerows where their removal would significantly harm the character of the area.

No further information regarding siting, design and external appearance was requested during the consideration of the prior notification. It is considered that the siting and design of the current proposal is not too dissimilar to the prior notification as to warrant a refusal. The external appearance, using green cladding and profile metal sheet roof, is appropriate and consistent with other agricultural buildings in the area. The differences between the earlier approved building and the current proposal are minimal and are not so substantially different that the impacts of the building would have a greater detrimental impact on the important landscape area and the wider rural location.

The size of the agricultural holding is large enough to warrant a functional need for a building of the size proposed.

The application has been amended to provide a utilitarian building more akin to an agricultural use. Window openings, the eaves detailing and the flue have been removed. Materials are considered appropriate with the use of cladding on the roof and elevations. Where openings are required to provide light to the inside of the building (north-east and south-west elevations) they will be glazed with clear profile sheeting.

Issues raised in representations

Issues have been raised regarding the impact of the building on the AONB and SSSI. However it is considered that the slight changes to the scale of the building and the materials to be used to clad the building would have no greater impact on these nationally recognised areas.

The granting of planning permission does not give rights of access over land not in the applicant's ownership. The National Trust, as owners of part of the application site can if they feel necessary, withdraw permission for the applicant to use their land, in order to protect their assets.

Concern was raised regarding the potential for use of the building for residential purposes.. Such a use would be contrary to the relevant policies in the local plan in that it would be in an unsustainable location and would not be supported. A condition requiring the use of the building for agricultural purposes is considered appropriate.

Conclusion

The differences between the building proposed in the prior notification application and the current scheme in terms of size are minimal. Previous details have or will be removed to ensure the appearance of a utilitarian agricultural building, whilst meeting the functional needs of the agricultural holding.

The proposal complies with the requirements of the relevant local plan policies and approval is recommended.

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

