

DELEGATED REPORT

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| Application No: | 19/P/2550/FUL | Target date: | 25.12.2019 |
| Case officer: | Angela Norris | Extended date: | 31.01.2020 |
| Proposal: | Erection of agricultural barn for livestock housing, feed store and machinery store with new access track off Purn Lane. | | |
| Site address: | Land South Of Purn Road, Bleadon, Weston-super-Mare, | | |

SUMMARY OF MAIN ISSUES AND RECOMMENDATION

Planning History/Background

The planning history and background is on the case file and has been taken into account when considering this application.

18/P/4105/FUL: Proposed storage barn – Livestock housing, feed store and machinery store – Refused

18/P/2709/FUL: Erection of agricultural building etc – Withdrawn

Land near Fakeham Road

15/P/1952/PDA: Prior Notification for erection of agricultural building for storage of fodder and machinery – Prior Approval not required

1660/91: Conversion of old piggery to tractor store & animal shelter – Approved

Policy Framework

National Policy

- National Planning Policy Framework (NPPF) (February 2019)
- National Planning Policy Guidance (NPPG) (from March 2014)

The Development Plan

- North Somerset Core Strategy (NSCS) (adopted January 2017)
- The Sites and Policies Plan Part 1: Development Management Policies (adopted 19 July 2016) (S&P1)
- The Sites and Policies Plan Part 2: Site Allocations Plan (adopted 10 April 2018) (S&P2)

Other Material Policy Guidance

- North Somerset Parking Standards – Supplementary Planning Document (adopted November 2013)
- Biodiversity and Trees SPD (adopted December 2005)
- North Somerset Landscape Character Assessment SPD (adopted September 2018)

Relevant policies

The following policies are particularly relevant to this proposal:

| Policy Area | NPPF | NSCS | S&P1 |
|----------------------------|------------|-----------|-------------|
| Good design | Section 12 | CS12 | DM32 |
| Parking and highway safety | Section 9 | CS11 | DM28 & DM24 |
| Protected species | Section 15 | CS4 & CS9 | DM8 |
| Trees | Section 15 | CS4 & CS9 | DM9 |
| Agriculture | | | DM51 |
| Landscape | | CS5 | DM10 |

Consultation Summary

Copies of representations received can be viewed on the council's website. This report contains summaries only.

Bleadon Parish Council Comments

- Objects to application on environment grounds
- It is not clear why access needs to be at this location
- Previous existing storage buildings have been converted to residential use

Neighbour's Views

Approx. 66 objections were received - main planning points made are as follows:

Planning history:

- Identical to 2 previous applications on the site
- No reference to planning history of site or approval ref:15/P/1952/PDA for barn at Blackstone Farm Fakenham Road which is relevant to application
- Applicant owns South Hill Farm where approvals granted for conversion of farm buildings into holiday cottages and houses.

Alternative site/agricultural need:

- Should re-locate barn to lower level of Blackstone Farm, that is well screened and advised in application ref: 18/P/4105/FUL.
- Large area of undeveloped land next to existing buildings in Fakenham Road suitable for additional storage facility.
- Fakenham Road is not regularly used by vehicles or pedestrians so is safest access to the field.
- Appears proposed barn is located nearer A370 and access to Coombe Farm than to Purn Lane.
- No need for building, as not many animals in field and already sufficient storage buildings on lower site
- Scale of building is out of proportion to the agricultural need
- Land rented out for sheep grazing for part of year so only part of year for cattle

Impact on landscape:

- Site is in greenfield and on high ground so building would be highly visible and would be too large
- Siting of barn in centre of smaller of 2 fields would affect character & appearance of field.
- Cut & fill and excavating track and creating building platform would damage large area of 2 fields.
- Excavation and construction of stone access track and its use by vehicles would spoil remaining natural appearance of Bleadon Hill and surrounding countryside.

- Rural naturally beautiful landscape between Purn Rd, Southridge Heights down to the A370, the Somerset plains, hills, coast and around Bleadon Hill would be spoilt.
- Proposed access route onto Southridge Heights, will affect scenic viewpoint as adjacent to very old hedgerow track, and area used by walkers/bird watchers/residents who enjoy rural views, tranquillity and nature
- Would be views from public footpaths
- Site is near AONB so would adversely affect it

Highway issues:

- Will cause increase in traffic and major traffic problems with heavy farm vehicles and lorries coming to the site
- Purn Lane & Southridge Heights are residential cul-de-sacs, not industrial/commercial area to be subjected to construction, noise, dust, and usage of vehicles.
- Proposed track is from Purn Lane which is a cul- de-sac and although adopted it is a minor road that is narrow and of sub-standard design and construction so not main road.
- Vehicular exit from Bleadon Hill onto the A370 which is fast road has poor lines of visibility so is potential accident spot.
- Devils Bridge, at bottom of Bleadon Hill, has weight limit of 7.5 tonnes and is a very narrow bridge.
- This historic listed bridge will be affected by heavy traffic
- Therefore route for heavy farming equipment/plant traffic/large lorries is through Bleadon Village using Celtic Way and Bleadon Hill, which are narrow roads where difficult to pass
- Alternative route through Leighton Crescent or Purn Way, also narrow residential roads with parked cars.
- Heavy farm vehicles will affect road conditions by creating potholes and there will be mud on road which would affect motor bike safety
- Extra traffic will affect pedestrians, dog walkers, ramblers, horse riders and visitors to the Avon Wildlife Trust Nature Reserve and popular Mendip Way walk

Impact on local residents:

- Building will be within 80 metres of closest residential boundaries, with impact from machinery noise, smells, exhaust, pollution, vermin etc
- Proposed access track re-routed to avoid trees but will be very close to boundaries of properties in Purn Road & Purn Lane, so will cause noise pollution and loss of privacy.
- Slope gradient of track from barn would be steeper than existing track in woodland, so farm vehicles would be in low gear creating noise, dust and exhaust fumes causing atmospheric pollution.
- Noise and odour from animals, and problems with flies and vermin will affect nearby residents, as livestock too close to dwellings
- Cattle grid close to houses would be very noisy and a disturbance

Impact on ecology:

- Barn & access track will create environmental & ecological issues for this area close to SSSI run by Avon Wildlife Trust and will affect wildlife and bird species
- Will be detrimental to flora & fauna of vicinity, which is the site of a nature conservation interest
- Stone track will affect wildlife
- Lighting of building would affect dark skies of Purn Hill and bats

Other:

- Application form is incomplete/inaccurate & no detail on the plan of the real size, height or location of the proposed barn

- Design statement has no real detail
- Developer unlikely to build barn as stated
- Local residents not well informed of application and little time in which to respond
- Concern that construction of road through field may lead to application for change of use of the land to residential.
- Stowey Rd, Yatton is e.g. of once green fields where barn permitted, then breach of planning regulations and policies with development of unapproved commercial and residential usage, which Council was unsuccessful in enforcement.
- Foul sewerage and waste collection is not addressed in application
- As state there would be no increase in jobs created then no need for expansion
- Too much development already going on in area, and will open floodgates to further development
- Higher than average radon in the area
- Would increase flood risk

Summary and assessment of key issues

The site is a field outside Weston settlement boundary and in the open countryside. This application is a re-submission of a similar scheme for agricultural building and track that was refused in 2018 (ref: 18/P/4105/FUL).

Principle of development

The erection of new agricultural buildings in the countryside are allowed by policy DM51 of Sites & Policies Plan (Part 1), provided they are reasonably necessary for agriculture. The applicant is a working farmer and the land is in agricultural use for grazing livestock. Whilst there are existing farm buildings that serve the holding, sited by the access in Fakeham Road, it is recognised that the existing buildings are insufficient for farming the land. It is considered that an additional agricultural storage and livestock building is needed for bio security and this agricultural need was accepted in planning application ref: 18/P/4105/FUL.

However, new agricultural buildings within the countryside are only acceptable under policy DM51 of Sites & Policies Plan (Part 1) if the siting and design of the building respects its rural setting and does not harm the character of the landscape. Therefore, although there is a need for an additional building this must be considered in terms of its impact upon the character and appearance of the landscape.

Character and appearance

The site is in the open countryside where policy CS5 of Core Strategy seeks to protect the character, distinctiveness, diversity and quality of North Somerset's landscape, through careful, sensitive management and by the design of development. In addition, the landscape character areas that are set out in adopted North Somerset Landscape Character Assessment SPD are considered important. The application site is identified as being within Landscape type E1: Mendip Ridges and Combes. The strategy for this landscape type is to conserve the peaceful rural landscape and open pasture. The character of the landscape is also considered important in policy DM10 of Sites & Policies Plan (Part 1) as it states that when considering planning applications any development that would have an unacceptable adverse impact upon the landscape character or quality of the area should be resisted.

Regarding general design principles, policy CS12 of Core Strategy requires high quality design and place making in all development. It requires that all proposals should demonstrate sensitivity to the existing, established local character of an area. In addition,

policy DM32 of Sites & Policies Plan (Part 1) requires the design and planning of any development to demonstrate sensitivity to the local character and setting. It also requires it to enhance the area by taking into consideration the existing context. Therefore, any development in both urban or rural areas needs to be well designed and should not affect the character of the area.

Although agricultural buildings are an acceptable form of development in the countryside, they still need to be well-sited and sensitive to the local landscape. Whilst policy DM51 of Sites & Policies Plan (Part 1) allows new agricultural buildings, this is only if among other criteria the siting and design of the building respects its rural setting. Further it must not harm the character of the landscape. Therefore, the need for an agricultural building does not override the requirement that it must be in keeping with the landscape.

Regarding the proposed agricultural building in this application, it is considered that its siting is too prominent, as it can be seen from the surrounding dwellings and the roads inside the Weston settlement boundary. When locating a new agricultural building in the countryside, it is preferable that they are sited close to field boundaries or to the field access. However, this site has a number of constraints that include the close proximity of houses, the presence of woodland in the centre of the field and the steep sloping nature of the field. The proposed siting in the centre of the field far from the field access would result in a long track and because of the steep slope of the field and the need to avoid the woodland it would cut across the field. Although the track would be formed from hard stone left to grass over, it is still considered that it would form a scar across the field because of the necessity of engineering works. Therefore, it is considered that the proposed agricultural building and farm track would not be well-sited, nor sensitive to the landscape character of the locality. Consequently, it is considered that the development would adversely affect the landscape of the rural countryside.

Both the agricultural building and the track would require engineering works to level the ground, given the steepness of the field. However, these works would add to the prominence and visible impact of the development on the landscape. Whilst there may be an agricultural need for a building, it is considered that this is not sufficient justification to site the building and track in this part of the field, given the harm to the rural landscape.

It is considered that whilst it is desirable to site a livestock building in the upper meadow, it is not essential. The preferable location for any new agricultural building is within an existing group of buildings, rather than in an isolated position, which erodes the open landscape. There is an existing group of agricultural buildings at the entrance to the holding in Fakeham Road. The barn that was allowed under prior determination in 2015 has been erected next to the older barn. Both these buildings are less prominent and better screened. Whilst there are some constraints such as part of the site being in a flood zone, and there would be less opportunity to separate the cattle for bio security, it is considered that it has still not been fully demonstrated that it is not acceptable for an additional agricultural building to be erected in that location.

Therefore, it is concluded that the proposed agricultural building would not be well-sited nor sensitive to its surroundings and as such would unacceptably harm the character of the rural landscape of the locality. In this respect, the proposal would be contrary to policies CS5 and CS12 of Core Strategy, policies DM10 and DM32 of Sites & Policies Plan (Part 1) and advice in North Somerset Landscape Character Assessment SPD.

Impact on neighbours

The agricultural building would be sited in a field that adjoins the Weston settlement boundary, where there are residential properties. Therefore, the building would be sited

only 80 metres from the nearest dwellings in Purn Road, and the agricultural track would be close to the dwellings in both Purn Lane and Purn Road.

The Environmental Protection Officer objects to the proposal because it would be a livestock building and it is considered that 80 metres is insufficient distance away from dwellings. It is considered that it would cause significant unacceptable impacts to the living conditions of the occupiers of the dwellings from noise, disturbance and odours. Concern has also been raised by local residents, that the development would adversely affect their living conditions and privacy.

However, regarding the use of the track, although it would be close to the dwellings with some noise disturbance, it is considered that it would not significantly affect the living conditions of the occupiers of the dwellings. Notwithstanding, because the proposed development is likely to result in a significant adverse impact upon the living conditions of neighbouring residents, from the livestock building, the proposal is unacceptable, as it would conflict with policy CS3 of Core Strategy and policy DM32 of Sites & Policies Plan (Part 1).

Trees

The woodland in the field is protected by TPO1093. Although in previous applications the Tree Officer objected to the track because of its impact on the woodland, the new route is further away from it. Therefore, it is considered that it would not harm the trees, so in this respect, the proposal is acceptable as it complies with policy DM9 of the Sites and Policies Plan (Part 1) and to the Council's Biodiversity and Trees SPD.

Parking and highway safety

Concern has been raised by local residents regarding highway issues. However, there is an existing field access onto Purn Lane, so it can be used to access the field for agricultural purposes without permission. Regarding use of Devil's Bridge by farm machinery, provided that the vehicles do not exceed the 7.5 tons weight limit which is imposed on the use of the bridge, they can still use the route to the field as it is a public highway which all road users are entitled to use. As such there is no highway objection to the use of the field access or public road network.

Whilst it is desirable that farm traffic does not use residential roads, there are no strong highway grounds to prevent such traffic. In addition, farm vehicles and machinery are slow moving so less dangerous than speeding cars and as the area adjoins the open countryside where agricultural activity takes place, it is not unexpected traffic.

Regarding on-site parking provision, it is considered that a formal parking area would not be required for an agricultural building. As such it is considered that there are no highway grounds to refuse the application, so in this respect the proposal accords with policy CS10 of Core Strategy and policy DM24 of Sites & Policies Plan (Part 1).

Area of Outstanding Natural Beauty

The site is not within the AONB. Although the AONB covers Bleadon Hill, the application site is not close to its boundary. As such the proposal would have no impact upon this designation.

Drainage

If the development were to be approved, drainage and flooding issues could be controlled through a drainage condition to secure details of surface water drainage. Therefore, in this respect, proposal could accord with policy DM1 of Sites & Policies Plan (Part 1) and section 14 of the NPPF. Foul drainage is dealt with under the Building Regulations.

Protected species

The site is within the Combe Farm Drains and Adjacent Lands Local Wildlife Site, where policy DM8 of Sites & Policies Plan (Part 1) does not allow development that would result in loss and significant adverse impact on Local Wildlife sites. The Council's Ecologist objects to the proposal, as it is considered that the development would adversely affect the wildlife site and considers that there is inadequate mitigation proposed to overcome these adverse impacts. Although an ecological survey has been received with this application, the Ecologist is not satisfied that protected species would be safeguarded in this development. The application site is in the NS & Mendip Bat SAC consultation zone C, and there would be a loss of grazing land due to the development, which would reduce the grazed grassland foraging area available to Horseshoe bats.

In addition, it is considered that the track across the field would damage the grassland habitats of the site. Furthermore, this would impact upon a range of local species including Horseshoe bats and that it would result in damage to the connectivity and resilience of the important SSSI and Local Wildlife site ecosystems forming a wildlife corridor extending to Purn Hill and beyond into the AONB. Given that it is considered that there would be an adverse impact on protected species, the proposal conflicts with the requirements of Conservation of Habitats & Species Regulations 2017, Natural Environment & Rural Communities Act 2006, policy CS4 of Core Strategy, policy DM8 of Sites & Policies Plan (Part 1) and the Council's Biodiversity and Trees SPD. Therefore, in terms of ecology, the proposal is not acceptable.

Setting of Listed Building

The proposal does not affect the setting of any listed buildings.

EIA screening

The proposed development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. A formal EIA screening opinion is not, therefore, required.

Other matters

Local residents are concerned that the development of an agricultural building could result in residential development of the field and that a permission could lead to breaches and misuse of planning regulations. However, the local planning authority is required by planning legislation to assess every planning application on its own merit on the information submitted. Therefore, the LPA cannot consider any potential future applications for the development of the site. However, any proposal for residential development of the field, would require a planning application to be submitted, and this would be published and assessed at that time. Regarding breaches of planning, this is a separate matter and can be pursued under Enforcement procedures. Therefore, none of these matters can be considered in this application.

Conclusions

Although the building is reasonably necessary for agriculture, it is considered that the need for a livestock building on the land does not outweigh the harm to the landscape, the adverse impact on the living conditions of adjoining occupiers and ecology, so is considered unacceptable development. As such, the application needs to be refused.

Recommendations

REFUSE (see draft decision for reasons)

Reason for Overriding Parish Council comments (if appropriate)

N/A

In recommending this application, I have taken into consideration the relevant policies of the Development Plan and the comments made by the consultees and other interested parties and the:

- Natural Environment and Rural Communities (NERC) Act 2006
- Crime and Disorder Act 1998
- Human Rights Act 1998
- Public Sector Equality Duty, Equality Act 2010

Signed: Angela Norris