

Officer Report On Planning Application: 19/02729/FUL

Proposal :	Alterations to 2No. agricultural buildings with change of use to the buildings and land to D1 Non-residential institution use
Site Address:	New House Farm, Stowey Road, Fivehead TA3 6PR
Parish:	Fivehead
ISLEMOOR Ward (SSDC Member)	Cllr M Cavill
Recommending Case Officer:	Colin Arnold
Target date :	10th December 2019
Applicant :	Mr Neil Coram
Agent: (no agent if blank)	James Whilding, Addlepool Business Centre, Woodbury Road, Clyst St George, Exeter EX3 0NR
Application Type :	Minor Other less than 1,000 sq.m or 1ha

UPDATE TO COMMITTEE REPORT

At the Area North committee meeting on 26th Feb 2020 this application was heard and it was resolved that the application was deferred to receive further information regarding:

- Travel Plan
- Ecology
- Environmental / Noise Assessment

Also it should be noted that amended plans have been submitted in the interim reducing the proposed car parking spaces down to 16 (from 30) and retaining the existing clamp wall for acoustic mitigation. This did not represent a fundamental change to the application (indeed could be considered an improvement) so it was not necessary to carry out a full consultation on these amended plans.

An e-mail was received from the agent relating to the committees request which read as follows:

'I attach a copy of the noise survey is attached for your information, the outcome of which is that planned levels are deemed acceptable. Therefore the advice is that planning should not be refused on noise grounds. The author is happy to deal with any queries/clarification if needed.

In addition is attached a company summary from the applicant, a copy of their environmental policy, risk assessment for new field working and information for all taking part in training courses offered by the applicant. This should cover the environmental/ecological concerns, noting a habitat assessment of the site has already been undertaken.

Regarding a Travel Plan, in discussions with County Highways, it was agreed that providing parking for than 25 cars or more was one of the thresholds for determining whether there was a need for a travel plan. In this case, the parking requirement was reduced to below 25 cars in order to achieve this.

Paragraph 111 of the National Planning Policy Framework sets out that all developments which generate significant amounts of transport movement should be required to provide a Travel Plan. I am assuming therefore that in meeting the threshold provided by County Highways, they are content that on policy grounds significant transport numbers are not being generated in this instance. In considering the existing traffic flow for the business, refer to attached traffic flow chart, from January 2019 to the end of November 2019, there are a total of 1,713 trips, an average of 7.75 trips per day; of this total, 4.06 trips are delegates and 3.73 trips are staff. The peak in any single day is 19 trips in total, but this is only for a few times a year. As these are not significant numbers, a travel plan is not necessary. We can also

compare this to the historical agricultural use and as a livestock farm, accepting there will be seasonal fluctuations, compared to the other business use it will be broadly comparable with feed lorries in and out, tractors and trailer usage etc. The intensity of use is therefore comparable. There are no nearby environmental designations or sensitive areas that would be impacted or priorities or strategies affected. There will be peak times but courses start and finish but invariably this should not impact detrimentally on other highway users, particularly noting the small traffic numbers generated. '

Subsequent to this the e-mail and noise report was subject to public consultation.

32 further letters of objection were submitted as well as a 'Technical Review of Soundguard Acoustics Limited's report reference 91019/0.1 for planning application reference 19/02729/FUL' by a ACA Acoustics. The Report is too large for reproduction within this report but its conclusions state:

'There are significant concerns relating to the Soundguard Acoustics report to the extent that the outcome and conclusion of their report are invalid.

ACA Acoustics have undertaken computer modelling and determined the actual sound level from the 3.3T Telehandler and 6T Thwaites dumper truck operating simultaneously over an hour period will be LAeq 44dB at the closest dwelling.

A BS 4142:2014+A1:2019 assessment of the calculated levels indicates an extremely high likelihood of adverse impacts on nearby residential occupants.

This fails to comply with the requirements of the National Planning Policy Framework, Noise Policy Statement for England, and the Planning Practice Guidance - Noise. Incorporating bunds or barriers is very unlikely to provide sufficient reduction in sound levels to mitigate the significant adverse impacts and it is the author's recommendation that planning permission is refused.'

The objection letters raise concerns as below (most concerns already raised on main application):

- adverse impact on our business next door to the site - we may have to relocate and this will have an impact on the health and wellbeing of our workforce
- ecological survey out of date
- environmental policy is just a general statement of policy
- traffic flow not relevant and inaccurate
- foul drainage?
- future expansion
- noise impact severe
- pollution
- noise will be twice as loud as their report states
- alternative sites available for such a use
- documents which have been asked for have not been submitted
- it is accepted that there is an element of agricultural training involved but it is predominantly related to the construction industry. (CASE OFFICER NOTE: This point is entirely accepted and it is conceded that the report below does lean towards agricultural machinery perhaps more than it should - the objectors point is fully accepted on this point and members should fully take this sentence into account when determining the application please)
- The Somerset Wildlife Trust (SWT) submitted several recommendations which are yet to be addressed (CASE OFFICER NOTE: this statement is incorrect and members will recall at the last committee that conditions were to be amended were they to grant consent to reflect the wishes of the SWT)
- there should be an EIA submitted with this application: this has been raised via the campaign group 'Together for Islemoor' and it has been explained that the scheme is nowhere near the

size or magnitude required to warrant such a document. (Schedule 2 of the ELA regulations refers)

The Parish Council responded as follows:

In response, 6 (out of 7) Council Members replied: 1 Declared an Interest; 4 remain in favour of the application; 1 opposes it. No Members of the Public responded.

General Observations:

The following points were agreed and raised by the Parish Council in their first response, some of which have yet to be addressed - reassurance is sought that these points have been, or are being, addressed:

- 1 (a) access point – answered
- 1(b) The Council would like to see a Travel Plan or Transport Statement as the site (according to the plans) is 8057 square metres with 30 car and 11 plant parking spaces. No Travel Plan has been produced.
- 2 (a) The Council would like to see an improved NIA and other supporting documentation. NIA submitted, but nothing further (see 2c).
- 2 (b) The Council would like to see, should permission be granted for the site, the use of silent reversing warning technologies whenever possible. The request for this condition still stands.
- 2 (c) The Council would like to see an Environmental Impact Survey with controls on noise, screening and damage to the environment. No Environmental Impact Assessment has been produced
- 3 There are currently seven applications for development in and around Fivehead. These include three for commercial development on or near Stowey Road which could increase vehicle movements substantially. The road is frequently used by walkers, horse-riders and cyclists. One week after the Parish Council's first response, one of these developments (Ridgeway - 26 parking spaces) was refused on its cumulative impact on road safety. This current application, 400m away on Stowey Road, is for 30 spaces. It is irrelevant if the intention is to have small class sizes to start off with.
- 4 It is requested that consideration be given to imposing a Condition restricting further expansion of activity on the site. The request for this condition still stands.

Case Officer comments:

It is duly noted that only a noise assessment was submitted that directly complies with the committee resolution. However, it is agreed that the information already submitted adequately covered matters so that permission could be recommended to be granted. This remains the same and the recommendation remains for approval with the amended condition relating to wildlife.

The Environmental Protection Unit have been consulted in the noise report, rebuttal and corrective report and are content that a condition to protect residents will suffice in this instance. It is anticipated that an Environmental Protection Officer will be attending committee to answer any queries relating to these comprehensive and technical reports. The EPU commented as follows:

'I have come up with the following conditions based upon all three reports that I believe should protect residential amenity from adverse noise, however I would also like the statement below added to reassure

residents that they are protected and to ensure high standards from the applicant.

The applicant is reminded that compliance with the conditions attached to this consent does not provide any guarantees that the requirements of either the Statutory Nuisance provisions of Part III of The Environmental Protection Act 1990 or the Licensing Act 2003 can be achieved and does not preclude the Council from taking action under those Acts.

- 1) Only two vehicles for the use of instructing students may be used at any time. This condition does not apply to vehicles used to transport students to and from the site.
- 2) Activities involving vehicles should not take place outside those modelled within the acoustic report.
- 3) Reversing alarms shall be deactivated for the purposes of training.
- 4) The silage clamp and earth banking shall be retained at the site. The silage bank shall be increased to height of 3m.
- 5) No machinery shall be operated within 160 metres of the nearest non-associated residential property.
- 6) No machinery shall be used on site outside of the hours of 08:00 - 18:00 Monday to Friday; 09:00 - 13:00 Saturdays and at no time on Sundays and Bank Holidays'

Therefore given that the ecologist is content with the original report, the EPU are content that they noise issue can be dealt with by a suitable condition and that there are no pollution issues and the County Highways Authority raise no objection to the scheme (and agree it is under the threshold to require a travel plan) the application is duly recommended for approval.

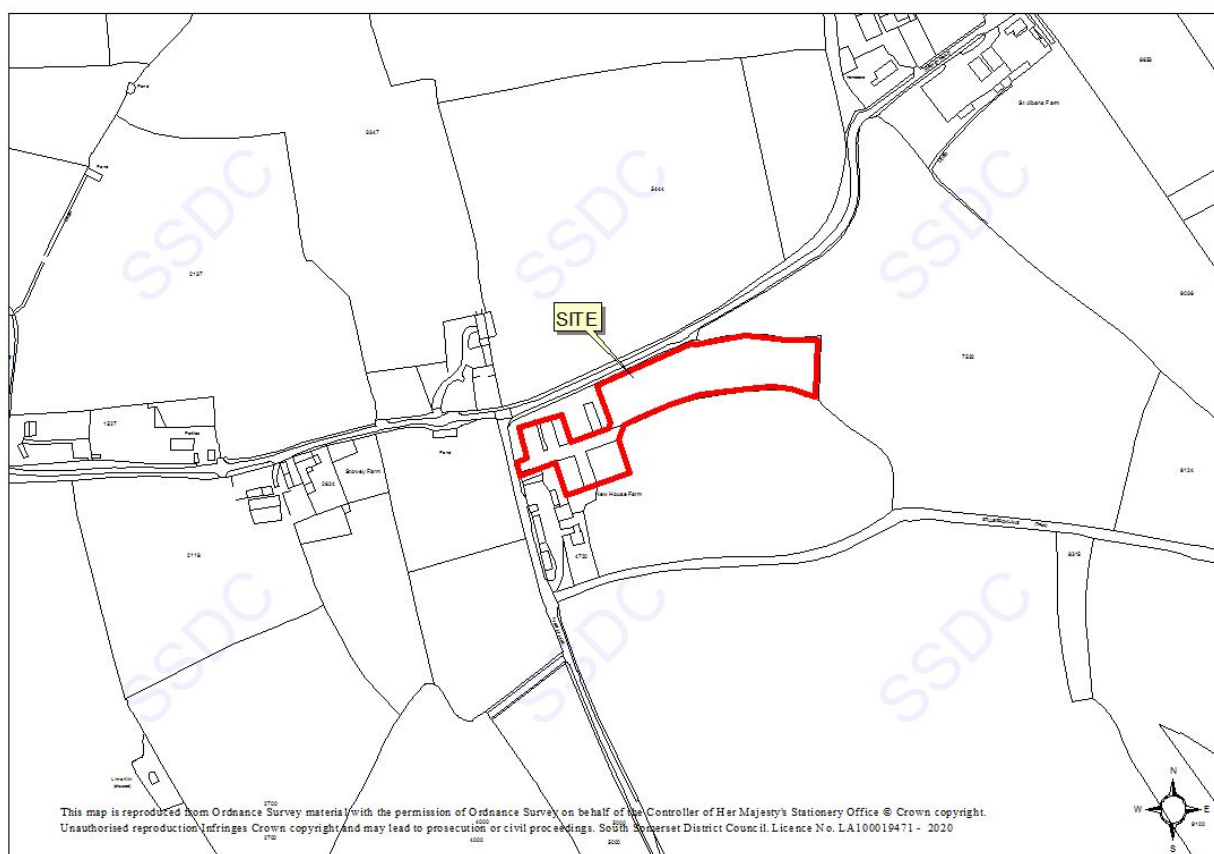
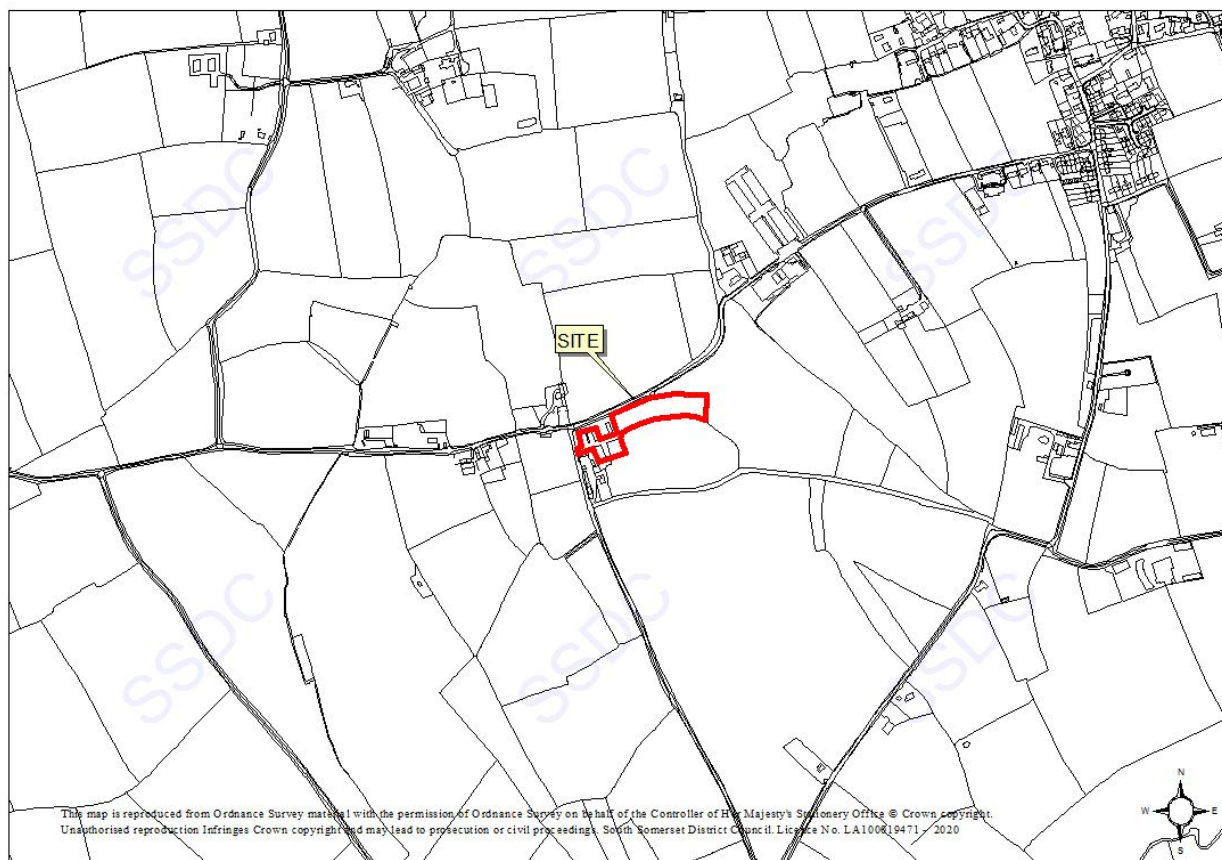
PREVIOUS COMMITTEE REPORT

REASON FOR REFFERAL TO COMMITTEE

The application has been referred to committee by the Director (Service Delivery) in consultation with the relevant Area Chairman, taking into consideration the public interest that, in the interests of transparency, the Committee should consider it.

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SITE DESCRIPTION AND PROPOSAL



This is an application for alterations to 2 No. agricultural buildings with change of use to the buildings and land to D1 Non-residential institution use at New House Farm, Stowey Road, Fivehead, Taunton.

The agricultural holding extends to approximately 8.3 acres and has been recently purchased by the applicant. The intention is to seek a change of use of the agricultural buildings to enable his existing construction training business to be relocated to the site. It currently operates from rented facilities on an agricultural holding near Montacute.

Up until recently the farm was in use for livestock being part of a larger County Farm. It should be noted that recently (see History below) permission was granted for an agricultural building on the site to be converted to office use.

It is proposed to use the large steel framed barn furthest from the road to the east for the storage of the construction machinery required for the training.

The barn in the middle of the farmstead is to be converted into the D1 training centre.

The existing silage clamp on the site will be used for a parking area for up to 30 vehicles.

A field to the north and east of the buildings to be converted is to be used for digger training and will be used for excavation training on diggers and similar type machinery.

HISTORY

19/00039/FUL - Demolition and rebuild of a new dwelling. Granted 8 March 2019.

19/02222/P3MPA - Prior approval for proposed change of use of agricultural barn to a flexible use B1. Decided 25 Sept 2019.

And several applications in the 1990's for agricultural buildings

POLICY

The South Somerset Local Plan (2006 - 2028) was adopted on the 5th March 2015. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) and Section 70(2) of the Town and Country Planning Act 1990 (as amended), the adopted local plan now forms part of the development plan. As such, decisions on the award of planning permission should be made in accordance with this development plan, unless material considerations indicate otherwise. Legislation and national policy are clear that the starting point for decision-making is the development plan, where development that accords with an up-to-date local plan should be approved, and proposed development that conflicts should be refused, unless other material considerations indicate otherwise.

Policies of the South Somerset Local Plan (2006-2028)

SD1, SS1, SS2, SS4, SS5, TA1, TA5, TA6, EQ1, EQ2, EQ3, EQ4, EP5

National Planning Policy Framework

Chapters 2, 4, 5, 8, 9, 11, 12, 14, 15,

National Planning Practice Guidance

Design, Natural Environment, Effective use of land, Historic Environment, Noise, Transport evidence bases in plan making and decision taking, Use of planning conditions

CONSULTATIONS

Parish Council:

Following:

- a) a site visit and meeting with the applicant by Council Members prior to the Public meeting; and
- b) a well-attended Public meeting during which views for and against (the majority of the latter) were expressed;

Fivehead Parish Council voted by a majority to recommend approval of this application.

They wish, however, to raise the following Material Considerations for further clarification and consideration of Conditions:

1. Access and increased traffic movements

a. The site location on Stowey Road is a narrow winding, country lane with concealed driveways, no passing places and limited verges. Roads around the site are all covered by the national speed limit of 60mph which requires a splay / stopping distance of 160 metres. Clarification is requested on which of the 3 site entrances will be used and how the necessary visibility splays will be achieved.

b. There are concerns about increased traffic movements. The Council would like to see a Travel Plan or Transport Statement as the site (according to the plans) is 8057 square metres with 30 car and 11 plant parking spaces.

2. Noise and pollution to nearby properties and rural setting

a. The site is less than 30 metres from neighbouring residential and heritage listed properties. Noise associated with plant machinery and vehicle movements, and dust from excavation work, are concerns. The Noise Impact Assessment (NIA) appears to relate to temporary building sites, not a continuous training centre; also, it only details noise pollution measures affecting employees rather than the wider environment. The Council would like to see an improved NIA and other supporting documentation.

b. The applicant stated on the Council's recent site visit that the reversing alarms on his vehicles will be mainly the 'white noise' variety. He also said that other silent options are available, which are also supported by the HSE Workplace Transport Safety Guide. The Council would like to see, should permission be granted for the site, the use of silent reversing warning technologies whenever possible.

c. The Council would like to see an Environmental Impact Survey with controls on noise, screening and damage to the environment.

3. Cumulative impact

There are currently seven applications for development in and around Fivehead. These include three for commercial development on or near Stowey Road which could increase vehicle movements substantially. The road is frequently used by walkers, horse-riders and cyclists.

4. Future expansion of the activity on site

It is requested that consideration be given to imposing a Condition restricting further expansion of activity on the site.

Other points:

1. Please confirm that Application No19/02222/P3MPA for prior approval to convert the barn at the entrance to the site to office space under Permitted Development Rights remains valid if the plan is to install a second floor and office space.

2. Please note that parishioners were disappointed that only 3 residences were sent letters regarding the application; there are 20 properties on Stowey Road and 7 at The Glebe that could be affected by traffic. Residences in Curry Mallet which could also be affected should visitors approach the site from this direction were not consulted.

Case Officer note: The Parish Council also included a 15 page document as by way of background for their decision - this is available for viewing on the Councils website.

SCC Highway Authority:

Initial objection then following then further information:

'We write with reference to the above application, in particular regarding parking and vehicle movements.

The proposal for the site is a construction training centre, moving from its current location in Montacute. We wish to address the issues raised in your letter dated 28 November 2019.

Using the guidance from Somerset Parking Standards we believe that, due to gross floor area, of the B1 and D1 usage, the minimum parking standard would be 22 parking spaces. Our client has suggested 30 as a maximum.

Based on current figures the number of trainees is regularly 5 a day, but can rise to 20, as a maximum, on occasions. There would regularly be 4 staff on site.

Training, on site, will take place between 9am and 4pm, and the busiest accessing of the site would be near to these times.

With the above information in mind, please could you advise on further information needed in order for you to assess the proposal fully and be able support it."

Following the receipt of further information on the above application, received 4 December 2019, I have the following further observations on the highway and transportation aspects of this proposal following consideration of the application details and a site visit.

BACKGROUND AND PROPOSAL

This application seeks consent for the alterations to two existing agricultural buildings and a change of use of the existing buildings and the land to D1 non-residential institution use to enable an existing construction training business to relocate to this site from elsewhere in South Somerset.

The site is accessed from Stowey Lane with the proposed parking area access approximately 36 metres from the junction of Stowey Lane and Stowey Road.

Stowey Lane is a single lane rural unclassified highway, which is derestricted in terms of speed restriction. Due to the nature of the road on site observations suggest that the speed of traffic is, however, significantly lower than 60mph. There are no recorded Road Casualty Accidents in the area.

Stowey Road is a classified highway which is also derestricted in terms of speed. There are several properties, including dwellings, to the west of the junction with Stowey Lane.

There is a Public Right of Way, a Bridleway that runs along the southern edge of the site.

The Local Planning Authority should ensure that the Public Rights of Way (PRoW) team are consulted on this application.

CONSIDERATIONS

Parking.

Further information has been received that states that the current number of trainees on site on a regular basis is 5, which on occasions rises to 20, along with 4 staff on site. Based on this information the Highway Authority considers the number of parking spaces to be provided, 30, to be appropriate.

Vehicle Movements

The information received on 4 December provided information regarding the number of regular attendees to the site, along with the hours of attendance of the students to the site.

Based on the information provided the Highway Authority does not consider that the increase in traffic movements will be significant, nor that a Transport Statement is necessary.

CONCLUSION

Taking the above comments, and the previously supplied comments, into account the Highways Authority does not object to the proposal as set out in this application. I would refer you to my previous response as the comments regarding the visibility splays apply equally. Should the Local Planning Authority be minded to grant permission the Highway Authority would request that the following conditions are imposed:

(see proposed conditions below)

SSDC Highway Consultant:

SCC has stated that it will be providing comments and a recommendation in response to this planning application.

SSDC Environmental Health:

I have reviewed this application and have the following comments to make from an Environmental Health point of view.

At present there is insufficient information on the possible impact of the operation on nearby residential properties.

1. Prior to the commencement of the change of use, the applicant shall, at their own expense,

appoint a suitably qualified acoustic consultant with a remit to examine the premises / land and identify what measures, if any, may be necessary to ensure that:

- Compliance with all other consent conditions relating to noise emitted from the site, is achievable
- and
- Harm to amenity to noise sensitive receptors is unlikely to result.

The consultant shall submit a written report to the Planning Authority which shall detail all measurements taken and results obtained, together with any sound reduction scheme recommended and the calculations and reasoning upon which any such scheme is based. Such a report is to be agreed, in writing, by the Planning Authority and the approved measures shall be implemented in their entirety prior to occupation / reoccupation and use of any part of the premises, unless an alternative period for completion is agreed in writing by the Local Planning Authority.

2. Once in operation the site training hours involving the use of plant and equipment likely to generate high levels of noise shall be restricted to the hours of 09.00 to 16.30Hrs Monday to Friday and no works expected to occur on Saturdays and Sundays.

SCC Ecologist

To inform the proposal Richard Green Ecology carried out an Ecological Appraisal at New House Farm, Stowey Road, Fivehead, Taunton, TA3 6PR on the 26/09/2019. The results of the survey were as follows:

Designated sites:

The site is not within any statutory designated sites of nature conservation importance and there are no statutory designated sites of nature conservation importance within 500 m of the site.

Habitats:

The site measured approximately 1 ha and consisted of three large modern agricultural buildings surrounded by an area of hardstanding and bare ground. The eastern extent of the site consisted of an arable field (approximately 0.5 ha) surrounded by species-rich hedgerows.

The arable field would be used for training practical skills using construction machinery. The use of heavy plant close to the boundaries of the site could have a negative impact on the hedges surrounding the site, e.g., through soil compaction

Bats:

Given the light, open and exposed nature of the barns, and absence of areas where bats could potentially roost unseen, all three barns were considered unlikely to be used by roosting bats.

The hedges that surround the site are likely to be used by foraging and commuting bats.

Dormice:

Given the availability of connected dormouse habitat in the wider landscape, the site was considered to be of local value to dormice, if present.

Nesting birds:

No evidence of nesting birds was found within the buildings on the site. The hedgerows surrounding the site are likely to be used by nesting birds.

Reptiles:

The hedge margins and the area of ephemeral/short perennial vegetation with patches of bare ground may provide suitable habitat for common reptiles, e.g., slow worms.

Amphibians:

There are no ponds on the site or within 500 m of the site. The hedges and area of ephemeral/short perennial vegetation with patches of bare ground on the site may offer suitable terrestrial habitat for common amphibians, e.g., toad. There is a record of a great crested newt (GCN) licence (from Magic Map) approximately 3.5 km south-west of the site. There are two rivers (Fivehead River and River Isle) between the site and the GCN licence site which are likely to provide a partial barrier to any movement of newts. It is therefore considered unlikely that GCN are on the site.

Badger:

No badger setts or signs of badger activity were seen on the site. However, due to the rural location and suitable habitat it is likely that badgers may use the site for foraging.

Recommendations

To comply with local and national policy, wildlife legislation, and the requirements of the mitigation hierarchy and for biodiversity net gain, please attach the following conditions to the planning permission if granted. (see conditions listed below)

REPRESENTATIONS

32 letters of objection:

- Noise issues
- Traffic issues, blind bends flooding of highways in wet weather
- I ride my ponies down these lanes and am concerned about safety
- Just because there are no recorded accidents in the vicinity doesn't mean that there hasn't been any (just not reported)
- Bridleway alongside the facility would be rendered unusable between Monday to Friday
- Traffic route for site hasn't been discussed with Curry Mallet Parish Council
- Impact on wildlife
- Impact on neighbours
- How would working hours be enforced?
- Inappropriate development for agricultural site.
- This is dedicated cycle route
- Pollution issues
- Should be an ecological assessment with the application - great crested newts in watercourses (case officer note: the agent has taken assessment as required by our validation checklist and this has confirmed that due to the nature of the proposal a wildlife survey is not required)
- Should be a noise assessment with the application (case officer note - a noise management plan is submitted as part of this application and has been assessed by our environmental health team)
- Should be a heritage assessment with application due to a Listed Building just 36 metres away (Specialist conservation officer consulted and a verbal update will be given at any committee meeting - however given the distances involved the case officer considers that there will not be any adverse impact - in fact a more positive impact by restoring some dated and underused agricultural buildings)
- As there is no longer a shop/post office in Fivehead, villagers use Stowey Road and Marshway to get to the one in Curry Mallet.
- Whilst the proposed route is noted - satnavs will take visitors through Butchers Lane or even narrower Ganges Hill
- Dust problems will occur when weather is dry

- Other applications are in which will affect the character of Fivehead - this application must be taken into context with these
- Helicopters already cause noise issues - this would add to that
- Diesel pollution.

Letter from Somerset Wildlife Trust:

We are concerned that the Ecological Assessment has not fully considered the potential impact of this application on the wildlife for the following reasons:

1. There are two SSSI's within 1km of the site which have not been considered.
2. Data has not been sought from the Somerset Environmental Records Centre and a Local Wildlife Site has been overlooked.
3. Fivehead Arable Fields SSSI supports several protected or notable species that were not considered. In the Ecological Report, it states that; "The arable field had been recently cut and was dominated by arable weeds" but does not state which arable weeds. Given that the site is arable, and there are records of rare arable plants within 600m, it would be advisable for a survey to be carried out to assess whether any rare arable plants are present.
4. Brown hairstreak butterflies have been recorded in the area but are not mentioned in the report and no surveys of the hedgerows have taken place despite Blackthorn being recorded. Since this is the preferred plant for Brown hairstreaks, it is possible that eggs are present in the hedgerows at this time of year.
5. Despite noting that the hedgerows surrounding the site are "likely to be used by dormice", there are no recommendations for follow up surveys.
6. The root buffer zone suggested for the hedgerows (which are classified as species rich) is just 2m. Although this is acceptable in many cases, the nature of the proposed land use - digging, then compacting the soil - is likely to have a much greater, ongoing effect and a buffer of at least 5m would be more appropriate.
7. Additional enhancements: A 3-year rotational cutting regime for the hedgerows would allow the hedgerows to expand in size and would provide uncut sections each year. This would benefit bats through enhanced foraging habitat and flight lines, breeding birds through enhanced nesting and foraging habitat and Brown hairstreak butterflies by providing areas of undisturbed habitat overwinter.

6 letters of support

- On Thursday 14 November I took advantage of Coram Constructions invitation to visit their site near Montacute along with 7 other Fivehead residents. This was offered at the planning meeting held at the Baptist Church on 11 November.
- The site which Coram Construction currently operate from is situated down small country lanes not dissimilar to the roads around New House Farm. The site looked tidy and well maintained.
- Reversing beepers were loud but it was explained that the noise of the reversing warning beepers would be vastly reduced or eliminated by noise attenuators or a vibration warning device in the protective head gear.
- Traffic would be restricted to in the morning and at early evening when the classes have finished which would be less than if it reverted to agriculture.
- This application is the best use for these barns as it generates little traffic movement and no plant movement on the by roads.
- The noise generated by construction machinery will be no different to the farm machinery when this was a fully operational farm in fact less as this is a Monday to Friday operations.
- As the owner and family intend to live on site I feel sure they will be sympathetic to the village.
- The number of extra vehicles would be small (about 12? per day) and these would be mostly cars or small vans, not the enormous HGVs which travel to other local factories. The recommended route to the site from the A378 would not be through Fivehead village.
- The amount of machinery proposed is fairly small and not much greater than what would be used

on a working farm. We were also assured that this would be limited mainly to weekday afternoons, unlike farms which work all hours, every day, and that steps would be taken to minimise noise spread.

- The site obviously needs enthusiasm and investment and I think the completed project could well be a credit to the village.

CONSIDERATIONS

Principle of Development

This is a use which is fairly land hungry and given its very nature of operation requires a countryside location for the training on agricultural vehicles (i.e. requires the field to the north and east of the buildings for digger type training) This type of venture simply wouldn't be practical to undertake on an industrial estate for instance. The proposal must be considered on this basis that it is a locational requirement that it is sited in the open countryside and that there is a beneficial D1 use which would assist with training purposes and provide education.

There is a small employment benefit associated with the proposal for the training staff and the future employment prospect of the students of the classes.

Scale and Appearance

As the buildings are already in situ and there is no new building proposed the scale and appearance will remain largely unchanged save for the car park and when the vehicles are being used outside of the buildings. It should be noted however that were the farm to be in full use again there would be vehicles (tractors etc.) using the site in any case.

Residential Amenity

The Environmental Health department have suggested two conditions namely a noise prevention scheme and an hours of working condition. This will ensure concerns about the reversing beepers of the vehicles can be controlled so that neighbouring properties are not unduly affected in terms of noise from the site. It should also be noted that were the farm use be taken fully up again there would also be noise associated with that use and that is a material consideration as a fall-back position. It is considered with the adequate conditions proposed that noise and disturbance to neighbouring properties will not be an issue.

Highway Safety

Initially the County Highway Authority objected to the proposal (largely based on the number of parking spaces) but following clarification of the nature of the use as supplied by the agent withdrew their objections and considered that the matter could be adequately covered by suitable conditions which are recommended below. In the absence of an objection from the Highways Authority it would be very difficult to defend an appeal should the application be refused on highway grounds. It is important to note that the traffic would be minimal and at specific times of the days mainly (at the start and end of the classes involved)

Impact on heritage assets

The objectors have correctly pointed out that there are two Listed Buildings in the vicinity namely a Hay Store in the farmyard of Stowey Farm and Stowey Farmhouse itself. The closest is the hay barn but it should be noted that there is Stowey Road and an intervening building between which means that the impact will be minimal. Stowey Farm House is approximately 150 metres away from New House Farm

and given that distance is not affected by the proposal. The SSDC Conservation specialist has been consulted and confirms this:

"New House farm, the proposed development site, lies across the road from the Grade II listed C18 Haystore in the farmyard at Stowey Farm, Stowey Road, Fivehead and East of the Grade II listed Stowey Farmhouse.

The impressive stone built hay store is aligned N-S and North of another outbuilding. There is no direct intervisibility between the listed building and the existing barns. The development site is screened by trees and hedges along the boundary which are to be retained.

I have been to site and can confirm that I do not consider the proposal have a negative impact on the setting of the listed buildings."

Ecology

The objectors concerns regarding ecology (including the submission for the Somerset Wildlife Trust) are duly noted but the SCC Ecologist has examined the submitted ecological appraisal from Richard Green Ecology and have suggested a number of conditions which are recommended below. It is considered via a professional ecologist therefore that the development can proceed without undue adverse impacts on ecology and that the principle is acceptable.

Response to objectors concerns (not already covered above)

Diesel pollution - this would be dealt with by the Environment Agency should diesel affect the surrounding rhyme network

Helicopter noise - this is out of control of the applicant and whilst may well be an existing issue - it would be unreasonable to use this as a reason for refusal based on accumulative noise.

Impact on bridleway - there would be an impact on the bridleway if this was to revert to a working farm - there are no complaints when the farm was up and running and it is difficult to see why there would be if this application was to be approved (given the noise control measures in place)

Conclusion

The proposal by reason of size, scale and materials, is acceptable as it respects the character of the site and its surroundings, and has no detrimental impact on local ecology, residential amenity or highway safety. As such, the proposed development is considered to accord with the aims and objectives of policies SD1, TA1, TA5, TA6, EQ2 and EQ4 of the South Somerset Local Plan and the aims and objectives of the NPPF.

RECOMMENDATION

To grant permission subject to appropriate conditions.

01. The proposal by reason of size, scale and materials, is acceptable as it respects the character of the site and its surroundings, and has no detrimental impact on local ecology, residential amenity or highway safety. As such, the proposed development is considered to accord with the aims and objectives of policies SD1, TA1, TA5, TA6, EQ2, EP5, SS3, EQ3 and EQ4 of the South Somerset Local Plan and the aims and objectives of the NPPF.

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

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

All prefixed 200

- 01 - Existing site and block plan
- 02 - Site plan including topographical survey
- 03 - Proposed site plan
- 04 - Building 1 existing
- 05 - Building 2 existing
- 06 - Building 1 proposed
- 07 - Building 2 proposed
- 08 - Site visibility
- 09 - Stowey Lane to Stowey Road visibility splay

Noise management plan

New House Farm - Oct 2019 Ecological Appraisal

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

03. Prior to occupation of the development hereby permitted the proposed access over at least the first 6 metres of its length, as measured from the edge of the adjoining carriageway, shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. Once constructed the access shall thereafter be maintained in that condition at all times.

Reason: In the interests of highway safety and in accordance with Policy TA5 of the South Somerset District Local Plan.

04. The area allocated for parking on the submitted plan, drawing number 200-03, shall be kept clear of obstruction at all times and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety and in accordance with Policy TA5 of the South Somerset District Local Plan.

05. At the proposed access there shall be no obstruction to visibility greater than 600 millimetres above adjoining road level within the visibility splays shown on the submitted plan, drawing No 200-08. Such visibility splays shall be constructed prior to the commencement of the development hereby permitted and shall thereafter be maintained at all times.

Reason: In the interests of highway safety and in accordance with Policy TA5 of the South Somerset District Local Plan.

06. Prior to the commencement of the change of use, the applicant shall, at their own expense, appoint a suitably qualified acoustic consultant with a remit to examine the premises / land and identify what measures, if any, may be necessary to ensure that:

- Compliance with all other consent conditions relating to noise emitted from the site, is achievable and
- Harm to amenity to noise sensitive receptors is unlikely to result.

The consultant shall submit a written report to the Planning Authority which shall detail all measurements taken and results obtained, together with any sound reduction scheme recommended and the calculations and reasoning upon which any such scheme is based. Such a report is to be agreed, in writing, by the Planning Authority and the approved measures shall be implemented in their entirety prior to occupation / reoccupation and use of any part of the premises, unless an alternative period for completion is agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenity of neighbouring residential properties and in accordance with Policies EQ2 and EQ7 of the South Somerset District Local Plan.

07. Once in operation the site training hours involving the use of plant and equipment likely to generate high levels of noise shall be restricted to the hours of 09.00 to 16.30Hrs Monday to Friday and no works expected to occur on Saturdays and Sundays.

Reason: In the interests of the amenity of neighbouring residential properties and in accordance with Policies EQ2 and EQ7 of the South Somerset District Local Plan.

08. Prior to occupation, a "lighting design for bats", following Guidance note 8 - bats and artificial lighting (ILP and BCT 2018), shall be submitted to and approved in writing by the local planning authority. The design shall show how and where external lighting will be installed (including through the provision of technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their resting places. All external lighting shall be installed in accordance with the specifications and locations set out in the design, and these shall be maintained thereafter in accordance with the design. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: In the interests of biodiversity and in accordance with Policy EQ4 of the South Somerset District Local Plan.

09. No vegetation removal works around the site shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of any trees, shrubs and scrub and tall ruderal vegetation to be cleared for active birds' nests immediately before works proceed and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: In the interests of biodiversity and in accordance with Policy EQ4 of the South Somerset District Local Plan.

10. A Biodiversity Mitigation and Enhancement Plan (BMEP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior commencement or prior to commencement of construction/conversion works. Photographs of the installed features will also be submitted to the Local Planning Authority prior to occupation: The content of the BMEP shall include the following:
- a. A 5 m buffer is to be installed around the hedges, e.g., using a stock proof fence, in the field used for construction machinery training, to reduce potential impacts on the hedges, in accordance with BS5837:2012

- b. A [Beaumaris Woodstone maxi bat box] or similar will be mounted under the apex of the west elevations of each barn, and maintained thereafter.
- c. Two bat boxes (Schwegler 1FF) will be installed in mature trees at the boundaries of the site to enhance roosting opportunities.
- d. One no. Schwegler 1B and one no. Schwegler 2H bird boxes will be installed on retained trees at the boundary.
- e. Installation of 4 x artificial swallow nesting cups, or similar, to be erected on a main beam of the open side barn/agricultural buildings, at a height above 3m
- f. A wildlife pond will be installed in the south-east corner of the site with shallow margins and a range of plant species to encourage a wide diversity of wildlife on the site.

As an additional option and suggestion a rough grassland margin could be allowed to develop around the other field in the south part of the site (not subject to the planning application), adjacent to hedges to provide habitat for invertebrates and reptiles.

Reason: In the interests of biodiversity and in accordance with Policy EQ4 of the South Somerset District Local Plan.

- 11. 1) Only two vehicles for the use of instructing students may be used at any time. This condition does not apply to vehicles used to transport students to and from the site.
- 2) Activities involving vehicles should not take place outside those modelled within the acoustic report.
- 3) Reversing alarms shall be deactivated for the purposes of training.
- 4) The silage clamp and earth banking shall be retained at the site. The silage bank shall be increased to height of 3m.
- 5) No machinery shall be operated within 160 metres of the nearest non-associated residential property.
- 6) No machinery shall be used on site outside of the hours of 08:00 - 18:00 Monday to Friday; 09:00 - 13:00 Saturdays and at no time on Sundays and Bank Holidays

Reason: In the interests of the amenity of the neighbouring residential properties and in accordance with Policy EQ2 of the South Somerset District Local Plan.
