

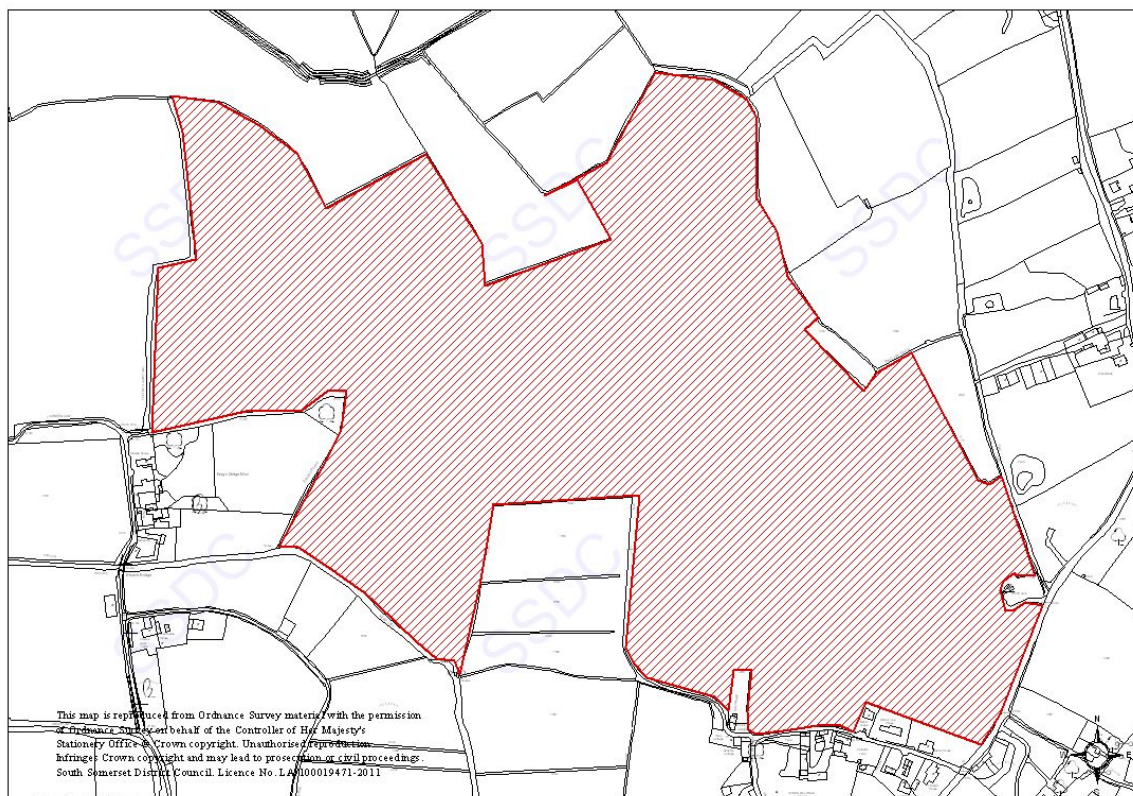
## Officer Report On Planning Application: 11/00702/FUL

<b>Proposal:</b>	The demolition of existing dwellings and erection of 2 No. replacement dwellings, conversion of barns to dwelling and garaging and construction of new farmstead comprising barn, dairy, dwellinghouse, yards, informal track, slurry store, silage clamp and siting of a mobile home (Revised applications 08/05297/OUT, 08/05169/REM and 08/03872/FUL) (GR 349011/130546)
<b>Site Address:</b>	Land At Manor Farm, Littleton Road, Compton Dundon
<b>Parish:</b>	Compton Dundon
<b>WESSEX Ward (SSDC Members)</b>	Ms P Clarke (Cllr) Mr D J Norris (Cllr)
<b>Recommending Case Officer:</b>	Linda Hayden Tel: 01935 462534 Email: linda.hayden@southsomerset.gov.uk
<b>Target date:</b>	25th May 2011
<b>Applicant:</b>	R E Fewings And Son
<b>Agent: (no agent if blank)</b>	The Town And Country Planning Practice Ltd Home Orchard, Littleton, Somerton TA11 6NR
<b>Application Type:</b>	Major Other f/space 1,000 sq.m or 1 ha+

### REASON FOR REFERRAL TO AREA NORTH COMMITTEE:

This application is reported to the Committee at the request of the ward members with the agreement of the chairman as local residents have supported the proposal contrary to the officer's recommendation.

### SITE DESCRIPTION AND PROPOSAL



This application relates to the entire farm site comprising land and buildings known as Manor Farm, in Littleton Lane, Compton Dundon. The farm sits within the centre of the small hamlet of Littleton, 2km to the south of Compton Dundon. Land to the west of the lane is within Flood Zone 3. There is a footpath which runs north-south across the centre of the site and the track to the West Hill site is partly designated as a restricted Byway and can only be used by agricultural traffic

The farm comprises 120 acres with an additional 400 acres rented annually. The farm is run as a specialist dairy, beef and sheep unit comprising 175 dairy cows and 125 followers, 250 beef cattle and 400 ewes with their lambs. It is operated over two sites; the main site within the centre of the hamlet which comprises two dwellings, yards, sheds, milking parlour, silage clamp and slurry store; and the newer site (West Hill) which is located along a lane and is situated to the north-west of the farmyard this comprises a large cattle shed, dirty water lagoon and a mobile home (which currently has no planning permission). The farm is family run with three generations of the family being involved in the running of the farm.

This application is the culmination of a number of applications that have been submitted over the preceding five years in an attempt to improve the running of the farm. The farm's location within the hamlet is physically constrained by existing neighbouring residential development and rising land at the rear. The site is close to residential properties and there have been issues with regard to mud, muck and traffic movements in the hamlet.

The proposal is for the entire relocation of the farm holding from the current site in the centre of the hamlet to the West Hill site to the north-west of the current site. The current site already benefits from permission for the replacement of the existing dwellings and the conversion of a barn into a residential unit. The relocation would therefore be financed by the sale of the existing site with the permissions for redevelopment. The application also seeks to address the need for appropriate facilities for slurry and the lack of permission for the existing mobile home and cattle barn. As such the main proposals are:-

1. Demolition of existing dwellings and erection of two replacement dwellings.
2. Conversion of barns to dwelling and garaging.
3. Construction of new farmstead comprising barn, dairy, dwellinghouse, yards, slurry store, silage clamp and siting of mobile home.

Amended plans have been submitted showing the inclusion of a separate informal track within the southern boundary for access to the proposed dwelling and mobile home. In addition, the slurry store has been increased in size and additional landscaping included.

The application documentation includes an agricultural appraisal; farm infrastructure report; plot valuations; and landscape proposals.

## **RELEVANT HISTORY**

08/05297/OUT - The erection of 2 No. agricultural workers. abeyance consideration

08/05169/REM - The erection of two replacement dwellings (Reserved matters of outline application 06/01447/OUT). Approved 2009

08/01878/OUT - The erection of 2 No. agricultural workers. Withdrawn 2008.

08/01882/FUL - The erection of an agricultural building incorporating milking parlour, yard and feed silos. abeyance.

07/03924/OUT - The erection of two dwellings on land adjacent to existing farmyard. Refused 2007 as unjustified development in countryside.

07/02663/AG1 - Formation of an agricultural access track at western end of Little Lane to bypass difficult bend. Allowed 2007.

07/01500/AGN - The formation of an agricultural track. Determined additional details required 2007.

06/04693/OUT - The erection of two dwellinghouses and associated access. Refused 2007 as unjustified development in countryside.

06/01447/OUT - Replacement of two existing dwellings. Approved 2006.

06/01456/FUL - Conversion of barns to dwellings and garaging, demolition of agricultural sheds. Approved 2006.

04/00185/AGN - Demolish existing cowshed and replace with new milking parlour. Determined planning permission is required.

902474 - The erection of a slurry store and installation of a dirty water irrigation system. Approved 1990.

## **POLICY**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S54A of the Town and Country Planning Act 1990 and requires that decisions must be made in accordance with relevant Development Plan documents unless material considerations indicate otherwise.

Saved policies of the Somerset and Exmoor National Park Joint Structure Plan Review 1991-2011:

STR1 Sustainable Development  
STR6 Development outside towns, rural centres and villages  
Policy 5 Landscape Character  
Policy 49 Transport Requirements of New Development

Saved policies of the South Somerset Local Plan 2006:

ST3 Development outside development areas  
ST5 General Principles of Development  
ST6 The Quality of Development  
EC3 Landscape Character

PPS1 Sustainable Development and Climate Change  
PPS25 Development and Flood Risk  
PPS 4 Economic Growth  
PPS7 Sustainable Development in Rural Areas  
PPG 13 Transport

Other material considerations  
South Somerset Sustainable Community Strategy

Goal 5 High performance local economy  
Goal 8 Quality Development  
Goal 9 Homes  
Goal 11 Environment

## **CONSULTATIONS**

In response to original plans:-  
Compton Dundon Parish Council - Recommend approval.

COUNTY HIGHWAY AUTHORITY:- observes that the application includes agricultural buildings and for two agricultural worker's dwellings. While this may be justified by farming need, the Highway Authority notes that the existing farm dwellings would be lost to market housing and new dwellings are to be constructed to meet the agricultural need. This effectively means two additional dwellings in the countryside that would not normally be supported on sustainability grounds.

Notwithstanding the justification the Highways authority points to the poor geometry of Littleton Lane and the substandard nature of the junction of Littleton Lane and the B3151 and any increase in the use of the junction is considered unacceptable. It is understood that efforts to improve the junction in terms of its width and visibility have foundered on land ownership and listed building issues.

While the junction remains unimproved, the Highway Authority recommends refusal on the grounds of the increased use Littleton Lane, which by reason of its restricted width, poor alignment and sub standard junction with the B3151, is considered unsuitable to serve as a means of access to the proposed development.

ENVIRONMENT AGENCY - notes that the current farm setup means that a great deal of time and effort is required to haul and spread slurry and dirty water simply to avoid the site being overwhelmed. Any significant rainfall event carries the threat of pollution to nearby watercourses. The Agency therefore welcomes plans to build a replacement dairy unit to modern standards. This will enable the farm to make the best use of agricultural manures and slurries and minimise any impact on the local water environment. Conditional approval is recommended.

Following residents concerns about the size of the proposed slurry store on the original plans, the Environment Agency recommends that the proposed lagoon be enlarged and the method of construction altered to ensure that the lagoon meets the relevant requirements. If the lagoon is not constructed to these standards it could be prevented from being brought into use. It is recommended that the lagoon provides at least 5 months storage for the maximum number of cows that would be kept.

Similar issues may be relevant to the silage clamp which would require detailed construction plans and drainage. It is suggested that such details could be resolved by the planning condition. However, the increase in size of the lagoon required to meet the SSAFO Regulations may alter the site design / layout which may need resolution prior to any permission being granted.

LANDSCAPE OFFICER - no objection, providing the proposal is deemed to be justified in which case the submitted landscape details would need to be fine-tuned to ensure the integration of the farmstead into the wider landscape. The issues that would need to be addressed are:-

1) The east boundary of the farmhouse plot (as defined by a new hedge) should be no further than 40 metres from the edge of the drove, to establish a suitable scale for the farmhouse plot relative to the wider landscape pattern, and to restrain domestic growth up the slopes of West Hill;

2) That same east boundary hedge should be extended northward to meet with the existing field hedge, to both credibly tie the new farm boundary hedgerow into the landscape pattern, and to provide a plot for a potential second dwelling, should a case be made to upgrade the mobile home to a permanent residence, and;

3) The planting in the northwest corner of the site should be bulked up, to form both a wooded backdrop as viewed from Littleton, and a foreground buffer as seen from the north. The planting should infill the area between the slurry store and the hedge to both west and north, and this northward infilling should be extended across to infill between the silage clamp and the north boundary hedge, for at least half the width of the silage clamp.

COUNTY RIGHTS OF WAY OFFICER - notes that public footpaths L 7/3, L 7/4, L 25/6, L 25/7 and restricted byway L 7/47 cross the site. Considers that the surface of restricted byway L 7/47 to be of sound construction for the likely public use and does not require any improvement. A photo record has been taken of it's current condition and should the condition of the track deteriorate as a result of private use at any time henceforth, then the damage will need to be repaired back to the current standard by whichever party is responsible.

With regard to the proposed upgrade of footpath L 7/3 to a bridleway, notes that it would be advantageous to resolve what is a cul-de-sac restricted byway and thus allow a through route for horse riders. The applicant needs to be aware of his responsibilities with regard to the gates on footpath L 7/3 (and any other rights of way on his land that may be out of repair) to ensure they are easy to use.

It should also be noted that the applicant will need to demonstrate to your authority, that he has the authority or means to provide private vehicular rights for residential access. Failure to provide any vehicular rights with the property would mean that future owners would be driving illegally on a Restricted Byway; a criminal offence under s34 Road Traffic Act 1988.

RIGHTS OF WAY (SSDC) - notes that the existing access track was created in the Compton Dundon Inclosure Award for agricultural access to the new enclosures. The hedgerows are therefore protected by the relevant Act and therefore are not subject to the Hedgerow regulations so cannot be removed as some other hedgerows in the countryside could be in certain circumstances.

This access track is a Restricted Byway and not a footpath and it is a criminal offence under the Road Traffic Act 1988 to take a motor vehicle onto a public right of way without lawful authority in either case. The applicants could provide their own private access across their fields adjacent to the eastern hedgerow of the Restricted Byway.

AREA ENGINEER - no objection but recommends consultation with the Environment Agency and District Drainage Board regarding control of pollution/runoff from proposed farmstead area.

PARRETT INTERNAL DRAINAGE BOARD - advises that development should not normally be within 9 metres of a watercourse under their control. Request the imposition of a condition requiring additional details with regard to disposal of surface water.

ENVIRONMENTAL PROTECTION - requests a condition to seek appropriate lighting.

In response to amended plans:-

COMPTON DUNDON PARISH COUNCIL - Recommend approval.

LANDSCAPE OFFICER (SSDC) - no further landscape issues.

RIGHTS OF WAY - notes that informal track has been included as requested.

Any further responses will be reported at the meeting.

## REPRESENTATIONS

In response to original plans:-

23 representations were received in response to the original plans: 12 in support with 11 responses objecting to the development. The supporting responses make the following comments:

- Applicants are a hard working family running a farming business which is to be passed down through generations; they should be encouraged.
- This proposal will secure the family for the future and also allow it to be kept as a family run business.
- The new position of the buildings will satisfy neighbours also new facilities will be preferable to the original tired surroundings.
- There will no longer be any movement of dairy cows and there will be fewer farm vehicle movements on surrounding roads.
- The existing buildings are insufficient for the animal's welfare and wellbeing as they are dilapidated and old; animal welfare is increasingly important.
- We need to produce more food for a growing population in the future and this should be locally produced to decrease energy use.

Farming and Wildlife Advisory Group (FWAG) - notes that despite the implementation of good practice measures the major issue is the location of the farm and the fact that during the main livestock housing period (October - March) the lack of containment for yard washings will inevitably impact upon the condition of adjacent access road. Supports the relocation of the dairy unit and main livestock onto an alternative site that has a dedicated access, equipped with suitable surface drainage provision to minimise the risk of channelling surface water toward the main access road. This help safeguard the future of this important family farming business and help deliver wider environmental benefits through improved land management.

NFU - express full support for the application referring to PPS 7 and it's support for farmers and 'urge the council to support this application as it is required for our members business to grow and remain competitive, essential not only in a time when food production is again top of the agenda, but for the continued vitality of our rural communities.'

The objectors make the following comments:

- Damage to the landscape in open countryside away from main roads; unnecessary proliferation of development in open landscape.
- Effects of expanded operations to neighbours and on access.

- Degradation of the quiet lane amenity of the drove by increased traffic such as milk tankers , feed lorries etc. Concern about impact upon bridleway.
- Proposed landscape works are considered inadequate and will not provide an effective screen.
- Consider the agricultural building should have green cladding rather than the grey that is proposed.
- Part of the lane is unsuitable for two way traffic as it lacks a clear view of the road ahead, track has no passing places.
- The junction of Littleton Lane with the B3151 is not safe with restricted visibility & concerned about increase in traffic.
- Increase in dwellings will lead to increase in light pollution.
- Concern that applicant does not keep existing rights of way in good condition and farm dogs are allowed to roam freely.
- Concern that additional heavy vehicle movements will devalue property prices in the hamlet.
- Suggest the best way forward would be the provision of a separate farm access onto the main road as this will:-
  - Allow for bio security, as can control movements to and from the farm
  - Improved sight lines
  - Could be built to withstand wear and tear from farm vehicles
  - Eliminate steep hills and tight bends
  - Remove manure, slurry and mud from the hamlet
  - Allow for legal access to new houses.
  - Part of the track is a byway that can only be used by agricultural vehicles.
  - Proposed houses do not need to be so close to animal buildings.
  - Even if one house were allowed there is no justification for two.
  - There is a valid alternative site beside New Grange Farm that would minimise landscape impact; is away from flooding zone and has a better access.
  - Planning permission was granted for redevelopment of existing site to enable a move to a larger farm & how is it possible for the farm to now be sufficient to meet farmer's needs.
  - The proposed site does not provide biodiversity safety required by DEFRA.
  - A full agricultural appraisal should be obtained from specialists at the applicants cost to the Local Planning Authority's instructions.
  - Consider that the new houses will have extensive views and as such will be more valuable at re-sale.
  - Applicant has no regard for planning as he has already started to put up barns and placed a mobile home on site.
  - Proposed slurry store is significantly undersized.
  - Surface water drainage, parlour washings and manure handling do not appear to have been adequately addressed.
  - It appears that the lack of infrastructure existing at the current site is being proposed to be replicated at the new site.

In response to the amended plans an additional five letters have been received. A further letter of support and four letters from previous objectors who raise the following issues:-

- Concerns about heavy tankers/lorries/tractors accessing new farmstead through hamlet have not been allayed.
- Improvements to track at the point of joining Littleton Lane need to be detailed under this application as it is intended to be the sole access to the new farmstead.
- It should be written that farming must cease at the existing site within 'x' months of any planning approval rather than after the completion of farmstead and

- building work to give certainty over the future of the hamlet.
- Slurry is still not correct size for development.
  - Concern about where slurry is disposed of.
  - To use water lagoon for extra storage is not the right solution because both slurry store and lagoon are close to the flood zone and any excess will flow into surrounding water courses and kill wildlife.

## **APPLICANT'S CASE**

The following has been received from the applicant's agent:-

'It is understood that the Highway Authority is recommending the refusal of the application on the basis of the increase in movements across the junction of the B3151 with Littleton Lane. Those movements can only be attributed to the proposed farmhouse and mobile home. It is a matter of fact that there was no objection by the Highway Authority to the redevelopment of the existing farmyard with 2 replacement dwellings and a barn conversion, nor to the relocation of the farm buildings to the application site.

It is also a matter of fact that the 130 acres served by Littleton Lane will need to be farmed in the future. There is no other access to this land. If the farmhouse and mobile home are not provided, a non resident farmer would need to access the land on a daily basis. It is maintained that this will generate a greater number of traffic movements than if the farmer and farm worker are resident. They will already be at their place of work and this will save a minimum of 4 movements per day.

The junction in question is not so hazardous that it cannot accommodate the small number of movements generated by the house and mobile home, particularly when compared to a non resident farmer. There has been one vehicle accident caused by a lorry exceeding the speed limit on the main road. There have been no personal injury accidents.

In addition, it has been demonstrated that it is essential for the operation of the farm that at least two workers are resident on site 24 hours a day and there has been no contention of this fact. Year round calving and lambing require 2 people to live on site. The farmhouse and mobile home are to accommodate these workers. If they are not permitted to reside on site, good animal husbandry regulations will not be met and the business will not be able to relocate and the numerous benefits will not be realised. Such benefits include improved farm efficiencies and viability, reduction of mud and muck on the highway (which has been a point of local consternation for years), improvement to the appearance of Littleton Lane. Significant agricultural redevelopment on Littleton Lane would then be necessary and difficult to resist given the use of the site for farming at present.'

The agent has responded to the comments of the neighbours and advises that if permission is not granted the farm will remain in situ and the farmer will invest in the existing site.

## **CONSIDERATIONS**

It is considered that the main planning considerations with regard to this proposed development are:

- 1) Principle of development



- 2) Highways impacts
- 3) Rights of Way issues
- 4) Impacts upon neighbouring amenity
- 5) Landscape/Environmental Impact

1) Principle of development

The principle of parts of the proposed development has already been accepted through the grant of planning permission. The proposal to replace the two dwellings at the existing farm site with two replacement dwellings has been granted planning permission and remains extant (08/05169/REM, expires January 2012). The conversion of the barn on the site has been lawfully implemented and as such will remain extant (ref. 06/01456/FUL). Therefore, these parts of the current application have already been deemed acceptable in principle.

The new development proposes the relocation of the main farm to the site at West Hill which will be financed by the sale of the existing site with the benefit of permissions for redevelopment. The West Hill site currently comprises a barn built under an agricultural notification (07/05166/AGN) with a further attached barn and a mobile home neither of which benefits from planning permission. This application proposes:-

- the retention of the barn extension (15m x 30m) and mobile home
- a new barn (30m x 60m) to include a milking parlour and living area for milking cattle during winter months
- a slurry store
- silage clamp (28 x 23)
- an agricultural workers dwelling (208m<sup>2</sup>) and garage (45m<sup>2</sup>)
- an informal track running along line of existing track to provide access to proposed farm dwellings

In principle, the formation of a new farm site in this location is supported by both Local Plan and national policy that seek to support farmers in rural areas. The development would benefit economic activity in the countryside therefore the expansion of farming activities (barns, slurry store and silage clamp) at the West Hill site is considered to be acceptable in principle.

However, further consideration has to be given to the principle of establishing residential development at the new site. The application is supported by an agricultural appraisal that establishes a need for in excess of 6 full time workers to support the farming activities on the holding. As such, there is clearly a requirement for appropriate accommodation on the farm. PPS7 advises that to justify a permanent agricultural dwelling, it has to be shown that it will support existing agricultural activities on well-established agricultural units. The following criteria, among others, also have to be met:

- There is a clearly established existing functional need
- The need relates to a full-time worker
- The functional need could not be fulfilled by another existing dwelling on the unit or any other existing accommodation in the area, which is suitable and available for occupation by the workers concerned.
- Other planning requirements e.g. in relation to access, or impact on the countryside, are satisfied.

Additionally a functional and financial test is necessary to establish whether it is essential for the proper functioning of the enterprise for one or more workers to be readily available at most times and to ensure that the farming enterprise is economically viable.

The application meets the majority of these tests, the outstanding issue relates to the fact that there are existing dwellings on the old site. However, evidence has been submitted that the dwellings should be closer to the stock in order that any immediate needs for the animals can be quickly addressed. The application refers to an appeal decision where it was agreed by an Inspector that an existing dwelling 800 metres from a site was too far for the immediate needs of the animals to be addressed. A further case is quoted where the need for accommodation for two workers has been established on the basis of 80 cows. In this case, the existing dwellings are 650m from the proposed site for the new parlour/barns and they currently milk 175 head of cattle with a proposed increase to 250 within the next 24 months. The agricultural appraisal that accompanies the application addresses the criteria identified in PPS 7 and concludes that there is an essential requirement for two residential units on site in order to meet the functional requirement. Furthermore, the appraisal confirms that the accounts indicate that sufficient profit is generated to allow the business to develop further in the future and therefore meets the financial test of economic viability.

The appraisal advises that running the current site with dairy, beef and sheep enterprises causes problems with neighbours. In addition, the tired nature of the existing buildings renders the buildings unsuitable to comply with current welfare standards and modern farming methods. As such, the relocation of the farmstead to the new site at West Hill will allow for higher standards of animal welfare within modern buildings and should remove much of the nuisance associated with mud/muck/slurry from the centre of the hamlet.

In design terms, the proposed dwelling is of a traditional long house design with various lean-to additions. It is proposed to construct in a mix of render and natural Blue Lias stone with a concrete tiled roof. It is considered to be of an appropriate design that will form an appropriate part of the rural landscape. It is proposed to form a front courtyard for the dwelling and its curtilage will be established via a new hedge. In terms of the mobile home, this will be well screened by the existing farm buildings and the new dwelling and as such would have limited landscape impact. However, in view of it being a temporary structure it is considered that if permission were to be granted a temporary condition would be appropriate.

As such, it is considered that the principle of establishing two residential units (one mobile and one dwelling) at the new West Hill site is acceptable and in accordance with both national and local plan policy. Additionally, the removal of the existing nuisance from the centre of the hamlet is a material consideration that may weigh in favour of the proposals.

## 2) Highways Impacts

The County Highway Authority have raised a concern about the unsustainable nature of the proposal and objected to any increase in the use of the substandard access at the junction of Littleton Lane with the B3151.

With regard to the issue of sustainability, this application has to be viewed in light of the extant planning permissions that allow for two replacement market houses and the proposed barn conversion, both of which are accepted policy exceptions to the usual presumption against unsustainable residential development in the countryside. Furthermore there is considered to be an agricultural need for the house and mobile home. Accordingly it is not considered that the application is objectionable in sustainability terms.

Turning to the objection to a net increase in traffic movements it considered that it would be unreasonable to cite the additional farm traffic as farms benefit from agricultural permitted development rights that enable the erection of large buildings without the need

for planning permission. As such, the farm could expand without the need to apply for planning permission thereby triggering consideration of the impact of farm traffic.

However, it is clear that the new dwelling and mobile home would introduce additional movements and as such the highways objection is relevant. In this respect it is accepted that Littleton Lane is constricted with no possibility of improvement. The junction with the B3151 is constrained by a listed building and boundary wall, the removal of which would be objectionable.

Accordingly it is not considered possible for the applicant to address the highways officer's concerns and the proposal would therefore be prejudicial to highways safety contrary to local plan policy ST5 and policy 49 of the county plan.

#### 4) Rights of Way Issues

The restricted byway cannot be used to access the proposed dwellings and as such the plans have been amended to include a new track inside the hedge running along the byway. As such, this issue has now been resolved and the existing track will continue to only be used by agricultural traffic.

#### 5) Impacts upon neighbouring amenity

With regard to the proposed site for the new farmstead this is situated some distance from any neighbouring properties and as such it is not considered likely that the proposal will have any significant impact upon residential amenity. Furthermore, the removal of the farm holding from the centre of the hamlet will remove the nuisance of mud, muck and slurry that currently affect the road through the hamlet.

However, as the proposed site will still be accessed from Littleton Lane there will still be vehicles accessing the farm through the hamlet. The supporting statement notes that whilst productivity at the farm is proposed to increase this will not lead to an increase in vehicle movements as instead of part loads of consumables and tankers these will be filled and consequently no increase in movements is expected.

It is therefore considered that whilst the proposal will not remove vehicle movements from the hamlet this is an existing site that has been farmed for many years. Whilst it is understood that modern farming methods have led to increased movements and size of agricultural vehicles this is an accepted part of modern day farming and is not an issue that can be controlled through the planning system as the movements relate to an existing use. In all likelihood this farm could continue to trade from this existing site for many years and continue to expand at the West Hill site under the permitted development rights that exist for large farm holdings. As such, it is not considered that the works proposed in this application will adversely impact upon neighbouring properties to such a significant degree as to warrant a refusal of this application.

#### 4) Landscape/Environmental Impact

In landscape terms, if there is a justification for the relocation of the farm then the Landscape Officer considers that aggregating the built form around the existing building at the West Hill site is acceptable in landscape terms. It is accepted that this site has now been established as part of the farm through the erection of a building under 'agricultural permitted development'.

It is accepted that large farm buildings are part of the rural landscape and whilst there is a landscape impact it is acknowledged that farms will continue to expand and require larger buildings. The plans have been amended in accordance with the requests of the Landscape Officer and as such the development is considered acceptable in landscape terms.

In terms of environmental impact, it is important to note that many of the environmental requirements fall under the remit of the Environment Agency. Therefore, the issue of contamination of watercourses and issues regarding the appropriate size of the slurry tank and dirty water lagoon are ultimately a matter for the Agency. However, it is accepted that where planning permission is required for such works attempts must be made to ensure that appropriate provisions is made for such works.

Amended plans have been submitted to show a larger slurry store to ensure that adequate provision is made for the new site. Whilst the Agency's general support for the relocation of the farm to a purpose built site is noted their final response will be reported at the meeting.

With regard to the issue of light pollution, the Environmental Protection Officer has recommended a condition to require details of any external lighting to ensure that it is appropriate.

## **Conclusions**

It is accepted that much of the proposal has previously been considered acceptable subject to appropriate safeguarding conditions, which could be applied again. The new component (the farm-workers accommodation) is considered justified in principle, subject to suitable conditions to agree materials, restrict the occupancy and control permitted development rights.

As a whole the proposal to relocate the farmstead and redevelop the existing farmyard is considered welcome in principle, subject to appropriate safeguarding conditions to address the Environment Agency's and the landscape architect's concerns. It is considered that this would have significant benefits for residential amenity without introducing any new concerns in terms of over looking or loss of light.

However the proposal would result in a net increase of two dwellings using a substandard access which the County Highway Authority maintains would be prejudicial to road safety. Whilst the benefits of the proposal and lack of environmental and landscape objection are welcomed it is not considered that they can over-ride a fundamental highways objection and as such the application is recommended for refusal.

## **SECTION 106 PLANNING OBLIGATION/UNILATERAL UNDERTAKING**

If planning permission were to be granted an undertaking would be necessary to ensure:-

- 1) The phasing of development.
- 2) That all farming activities at the present site are relocated to the new site.
- 3) That the existing site is left cleared and tidy.

## **RECOMMENDATION**

Refuse planning permission

**SUBJECT TO THE FOLLOWING:**

01. The proposal would result in the increased used of Littleton Lane, which by reason of its restricted width, poor alignment and sub standard junction with the B3151 is considered unsuitable to serve as a means of access to the proposed development. As such the proposal would be prejudicial to highways safety contrary to saved Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review and saved Policy TP5 of the South Somerset District Local Plan.
-