

## Officer Report on Planning Application: 16/02689/FUL

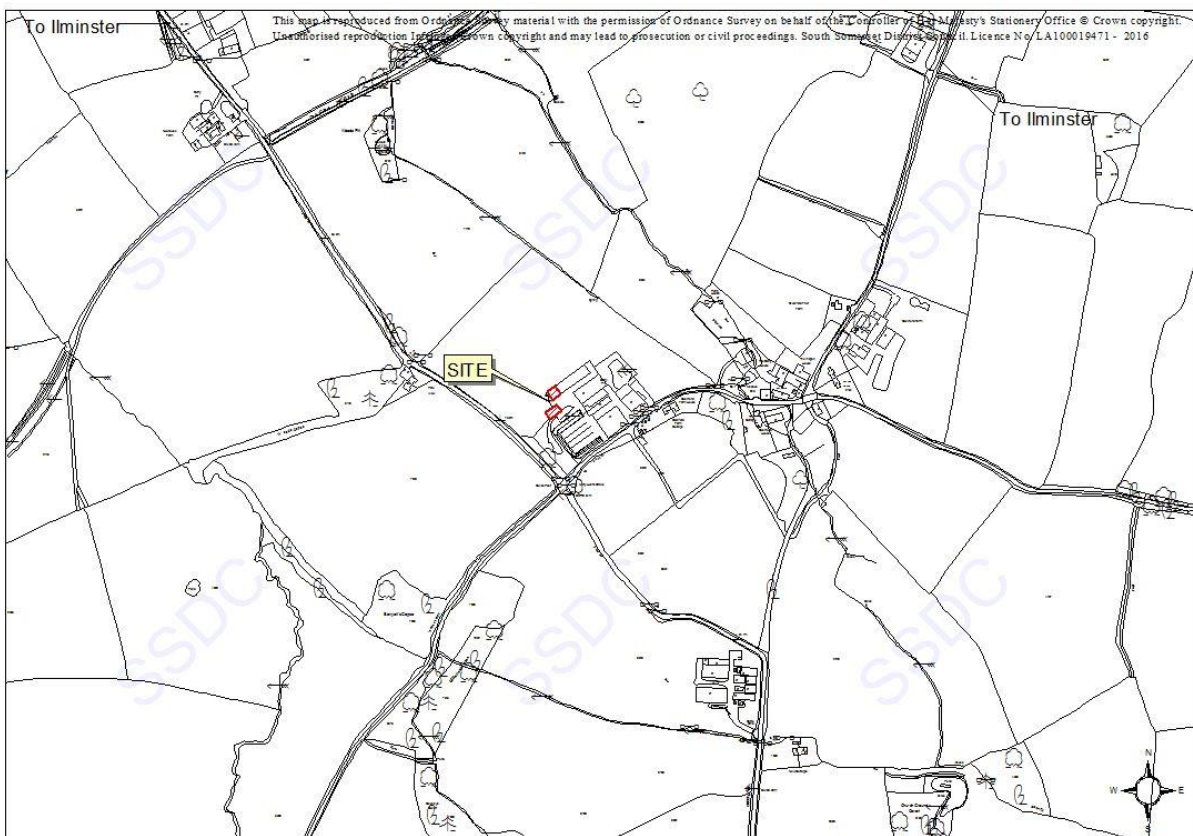
<b>Proposal :</b>	Proposed erection of a new agricultural (cubicle) building to house livestock and erection of an extension to existing implement/store building
<b>Site Address:</b>	Land at Oxenford Farm, Oxenford Lane, Dowlish Wake
<b>Parish:</b>	Knowle St Giles
<b>WINDWHISTLE Ward (SSDC Member)</b>	Cllr S Osborne
<b>Recommending Case Officer:</b>	Andrew Gunn Tel: (01935) 462192 Email: andrew.gunn@southsomerset.gov.uk
<b>Target date :</b>	29th August 2016
<b>Applicant :</b>	Mr & Mrs D Osborne
<b>Agent: (no agent if blank)</b>	Mr PAUL ROWE CAPARO 11 Mervyn Ball Close CHARD TA20 1EJ
<b>Application Type :</b>	Minor Other less than 1,000 sq.m or 1ha

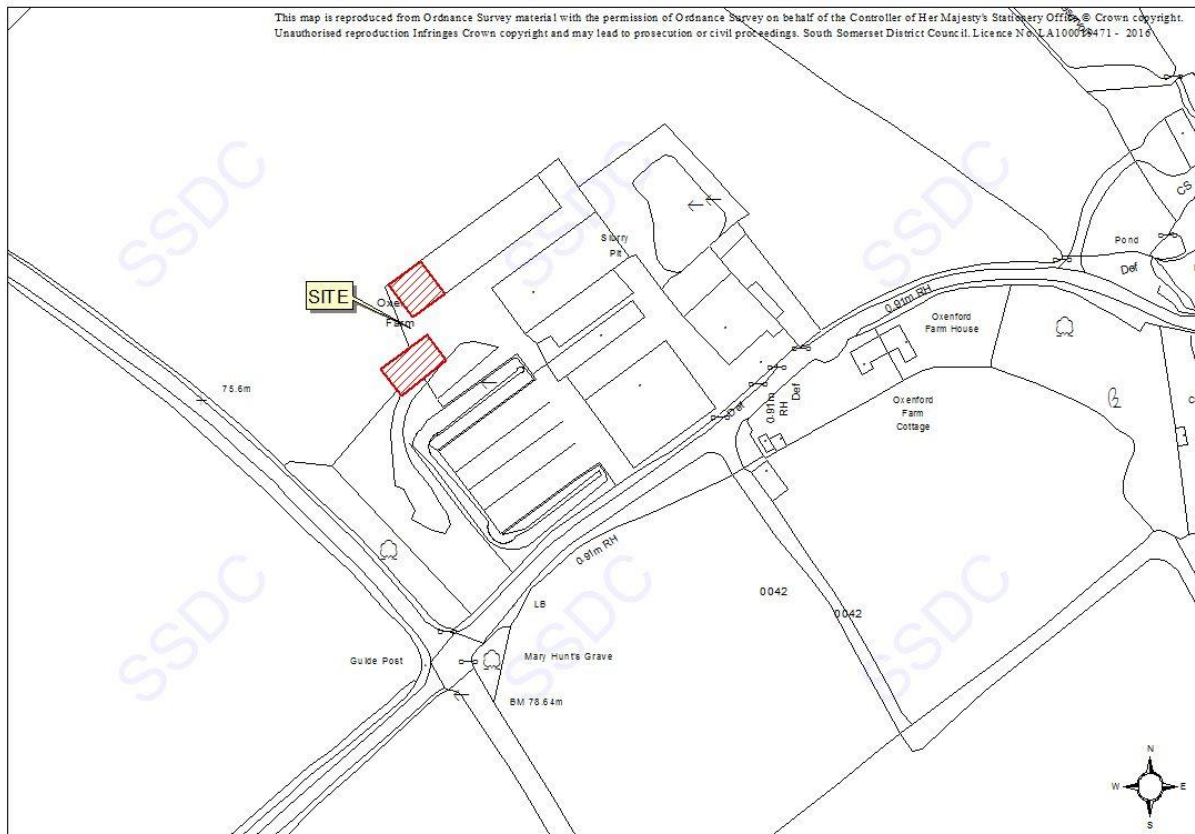
### REASON FOR REFERRAL TO COMMITTEE

The applicant is a District Councillor.

### SITE DESCRIPTION

Oxenford Farm is located on the northern side of Oxenford Lane, Dowlish Wake, approximately 1.5 km to the south of Ilminster. The site contains a number of agricultural buildings.





## PROPOSAL

This application seeks consent for the erection of a new agricultural building to house livestock and the erection of an extension to an existing implement/store building at Oxenford Farm. The new building will be located along the western boundary of the existing farmyard, to the north of a silage clamp and to the south and west of existing agricultural buildings. The building will measure 18.5 metres x 9.5 metres with a ridge height of 4.9 metres. The building will have a traditional dual pitched roof and have timber clad walls, steel supports and a grey corrugated fibre cement roof. It will sit on an area currently formed of a mix of hardstanding, vegetation and outside storage.

The building to be extended is located on the north west side of the farmyard and is currently used as an open storage area. The building will be extended at its western end by 12 metres resulting in a total building length of 54.4 metres. The height will be retained at 7 metres. Materials will match the existing building with timber clad walls, concrete panel dwarf walls and a corrugated cement fibre roof. The southern elevation facing into the yard will be open sided.

## HISTORY

16/02690/FUL - Erection of an agricultural cubicle building (retrospective), Oxenford Farm (Pending application).

There have been a number of agricultural related applications at Oxenford Farm dating back to the 1950's.

## 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 decision must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise,

Relevant Development Plan Documents  
South Somerset Local Plan (Adopted April 2015)

SD1 Sustainable development  
TA5 - Transport Impact of New Development  
EQ2 - General Development

NPPF

Chapter 3 - Supporting a Prosperous Rural Economy.  
Chapter 11- Conserving and Enhancing the Natural Environment

## **CONSULTATIONS**

Parish Council:

No comments received. An oral update will be given to members in regard to any comments received.

Highway Authority:

Standing advice applies.

SSDC Highway Consultant:

No significant highways issues - no objection.

County Rights of Way: (summary)

The Rights of Way officer confirmed that a public right of way crosses through the farmyard and that the current proposal will obstruct the footpath. The proposal therefore either needs to be revised to prevent the obstruction or a diversion order applied for. The County Council do not object to the proposal subject to the applicant being informed that the grant of planning permission does not entitle them to obstruct a public right of way. Advice is given in respect of applying for a stopping up/ diversion order and that a note be attached to any consent advising of possible prosecution should construction occur on the public right of way.

Officer comment:

The applicant's agent is aware of the above response/advice and a diversion order will be applied for. It should be noted that the footpath is currently obstructed by both an existing silage clamp and the building to be extended along the northern boundary. Given that this is a working farm with large vehicles and livestock, it would make sense to divert the public right of way to the west and north of the farmyard through the adjacent fields.

## **REPRESENTATIONS**

None received.

## **CONSIDERATIONS**

The proposed new building and extension to an existing building are required to house livestock and farm machinery. It is considered that there is a need for the development to house livestock and to provide additional covered storage for agricultural machinery and tools.

The proposed extension will be located to the western end of the existing building and is considered to be of simple design, with matching materials. It will be located on an area currently used for outside storage. The extension is well contained within the farmyard and closely related to other agricultural buildings at Oxenford Farm. It is around 120 metres from the nearest residential property. For these reasons, it is considered that the extension is acceptable and would cause no adverse visual harm to its setting or harm to residential amenity.

The new building will be located along the western boundary of the existing farmyard, adjacent to a silage clamp and in close proximity to other buildings on site. It will have a simple rectangular form and materials (timber cladded walls, steel supports and a grey corrugated fibre cement roof) that matches existing buildings at the farm. It is also around 120 metres from the closest residential property. For these reasons, the building is considered to be acceptable and would cause no adverse visual harm to its setting or harm to residential amenity.

The proposal does not create any additional highway movements and will not alter the current farm access arrangements. The scheme therefore will not create any adverse highway issues.

The County Rights of Way officer has advised that the proposals would obstruct a Public Right Of Way. A diversion order will be sought to divert the line of the right of way around the east and north of the farmyard. A note will be attached to any consent to advise the applicant that the development should not be started until the necessary division order has come into effect.

### **SECTION 106 PLANNING OBLIGATION**

Not applicable to this application.

### **RECOMMENDATION**

Grant permission.

01. The proposed development by reason of its design, siting, materials and use will meet an agricultural need and will not cause any adverse harm to the visual amenity of the area, residential amenity or to highway safety. The proposal is in accord with Policies SD1, TA5 and EQ2 of the South Somerset Local Plan (adopted 2015) and Chapters 3 and 11 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 not be commenced until particulars of the materials (including the provision of samples where appropriate) to be used for external walls and roofs have been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the amenity of the area to accord with Policy EQ2 of the South Somerset Local Plan.

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

Drawings numbers: OBP10A, OBP9A, OBP7, OBP6OPB4, OBP5, OPB3, OBP2, OBP1.

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

### **Informatives:**

01. The County Rights of Way Officer has advised the following: Development, insofar as it affects a right of way should not be started, and the right of way should be kept open for public use until the necessary diversion/stopping up Order has come into effect. Failure to comply with this request may result in the developer being prosecuted if the path is built on or otherwise interfered with.