

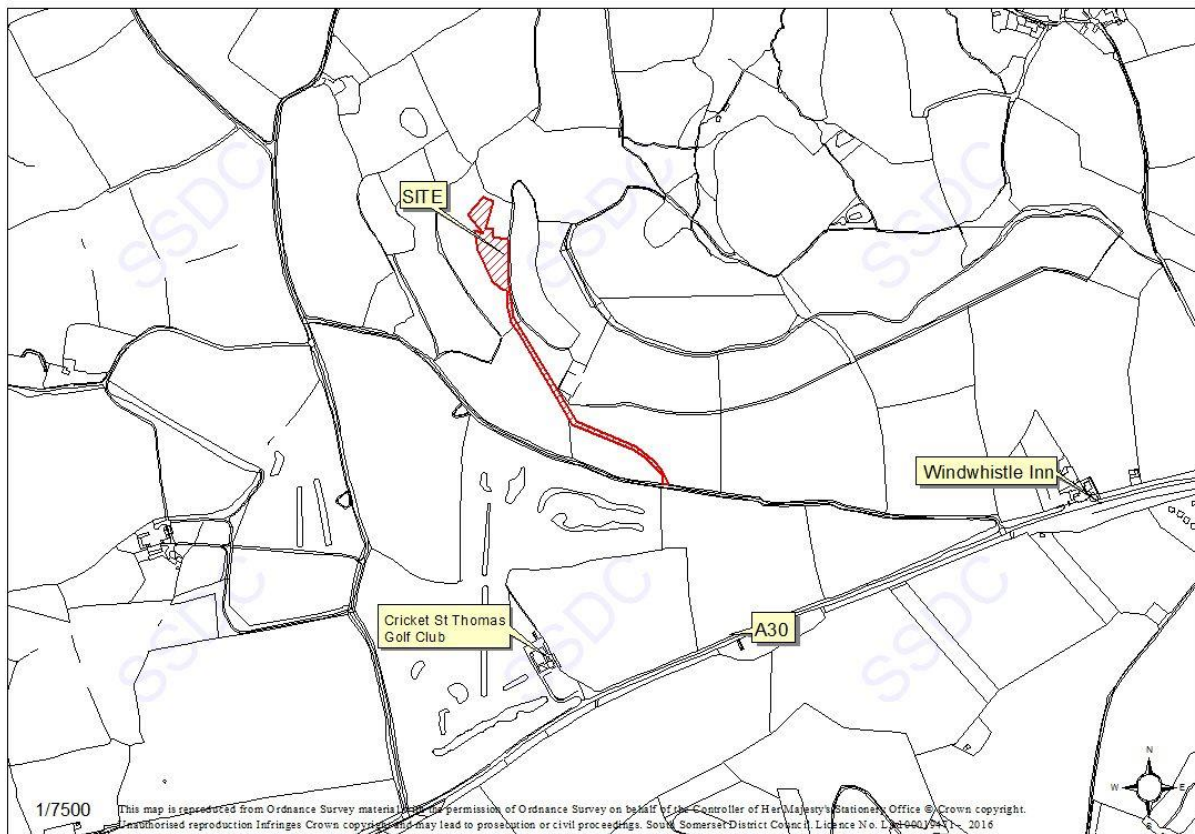
## Officer Report On Planning Application: 15/05537/FUL

<b>Proposal:</b>	The erection of an agricultural store and animal care building and associated vehicular access track from New Lane. (GR 336994/110112)
<b>Site Address:</b>	Land OS 0005 At Knight House Farm New Lane Cudworth
<b>Parish:</b>	Cudworth
<b>WINDWHISTLE Ward (SSDC Member)</b>	Cllr S Osborne
<b>Recommending Case Officer:</b>	Mike Hicks Tel: 01935 462015 Email: mike.hicks@southsomerset.gov.uk.
<b>Target date:</b>	16th February 2016
<b>Applicant:</b>	Mr Simon Saunders
<b>Agent: (no agent if blank)</b>	
<b>Application Type:</b>	Minor Other less than 1,000 sq.m or 1ha

### REASON FOR REFERRAL TO COMMITTEE

With the agreement of the Chair and Ward member to consider the relevant planning issues.

### SITE DESCRIPTION AND PROPOSAL



The application is made for a two storey animal care building and associated hardstanding and means of access. The proposed building would be part of a new farmstead located on the northern slopes of the Windwhistle Plateau. The new farmstead would be in addition to the existing buildings at the northern end of the holding which are accessed via Cudworth as

the demolition of these is not formally part of the proposal. However the applicant has suggested that some reduction in the amount of existing buildings could be considered. It would be situated within the northern corner of a pasture field. The field is bound by woodland to the southern and northern edges which are connected by a hedgerow. The site is at an elevation of 165 metres and provides sweeping views across the district in a northerly direction. There is a public right of way (CH9/21) that runs through the site connecting the hamlet of Cudworth with the head of Windwhistle Hill.

The holding comprises approximately 101 hectares. Traditionally the holding has been managed from existing farm buildings and farmhouse at Knightshouse farm at the bottom of Windwhistle Hill. These are located approximately 550 metres to the north and are accessed from their northern side through the village of Cudworth. The existing buildings consist of a range of stone built and modern agricultural buildings.

There is a grade II\* Listed Building (St Michaels Church) which borders the land holding and is approximately 140 metres to the north of the existing agricultural buildings. There are two Scheduled Ancient Monuments within this vicinity, fish ponds to the south of the church which border the existing agricultural buildings and a medieval village approximately 150 metres to the east.

The woodland adjacent to the proposed site is classified as an 'ecological network' and is also a County wildlife site.

The proposed farmstead comprises an animal care/storage building, 2 open fronted livestock buildings and a concrete yard. The three elements have been applied for under three applications as follows:

15/05534/FUL- The erection of a general purpose agricultural building and vehicular access

15/05535/FUL- The erection of a general purpose agricultural building/concrete yard and vehicular access

15/05537/FUL- Animal care building and vehicular access

There is a concurrent application for an agricultural workers dwelling under reference 15/05536/FUL.

The proposed animal care building would be 2 storeys in height. It would have a dual pitched roof with a maximum height of 6.8 metres. The building would have a maximum width and depth of 20 by 14 metres respectively.

External materials could consist of flint to the walls, timber boarding to the first floor and grey corrugated metal sheeting to the roof. The footprint of this building has increased in order to accommodate a reconfiguration in the other proposed buildings within the farmstead.

## **SITE HISTORY**

90/00905/OUT (Outline Application)- The erection of a farmhouse- Permitted with conditions. There is a concurrent application for an agricultural workers dwelling under reference 15/05536/FUL.

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

For the purposes of determining current applications the Local Planning Authority considers that the relevant policy framework is provided by the National Planning Policy Framework and the South Somerset Local Plan 2015. The Local Plan was adopted by South Somerset District Council in March 2015.

The National Planning Policy Framework (NPPF) is a material consideration.

South Somerset Local Plan Policies

SD1- Sustainable development

EQ2- General Development

EQ4- Biodiversity

EQ5- green Infrastructure

EQ6- Woodland and Forests

EQ7- pollution Control

HG9- Agricultural workers dwellings

TA5- Transport impact of new development

TA6 Parking Standards

National Planning Policy Framework (March 2012)

Chapter 1- Building a strong, competitive economy

Chapter 3- Supporting a prosperous rural economy

Chapter 4- Promoting sustainable transport

Chapter 11- Conserving and enhancing the natural environment

National Planning Practice Guide (2013)

The following sections are of most relevance-

Determining a planning application

Rural housing

## **CONSULTATIONS**

### **Landscape Officer:**

Response to amended plans:

We now have a number of amendments before us, which from a landscape perspective, have made some useful changes to the proposal;

(a) Amended access drive.

My initial response identified the access proposal off New Road to be significantly adverse, both in the point of access, and its intrusion across undeveloped upper hillside. This is now removed from the scheme, with the new proposal intending an approach from the north, rising gradually from Knights House farm, to cross two fields to reach the application site. The access will be expressed as a stone track, which will have capacity to blend in to the agricultural landscape, with sections visible to local walkers, but otherwise relatively unobtrusive. Whilst there remains a negative impact, I consider it minor adverse, and this change to be a substantive improvement on the initial proposal.

(b) Re-sited farm building group.

The building group is relocated circa 20 metres to the south, and reconfigured to result in a slight reduction in both the building footprint, and in its profile, such that the office building no longer projects above the ridge elevation of the other buildings in the group. This shift will marginally reduce the visual profile of the buildings as viewed from the northern approaches, and allow space for greater substance to the landscape mitigation, which I view to be improvements over the initial site arrangement and building mass.

(c) Additional planting proposals.

Further planting is added to the plan, particularly in the vicinity of the new farmstead, to play down building presence, and I acknowledge this to be positive. I would recommend some changes to the proposed planting mixes, but this is not pertinent at this stage. I also acknowledge the positive intention of local-species orchard planting to the east of the site.

In the 4th paragraph of my initial response, the landscape case against the siting of the farm buildings is set out, and it remains pertinent to provide a case for refusal, LP policy EQ2. However, I acknowledge that the weight of the landscape objection is now lessened by these latest changes, particularly to the site access, as (a) above. I accept that the holding will benefit from fit-for-purpose buildings to assist farm management, and to that end, have suggested that a more landscape-sympathetic siting would be to build upon the established farm building group by Knights House Farm, in a manner that would not compromise the adjacent heritage assets. This solution remains the favoured landscape option, but I understand that it does not best capitalise on improvements that can be gained for improved management of the stock and the farm enterprise. Ultimately that is one for the planning balance, but if you are minded to support this revised application, then some reduction in the farm building form at Knights House Farm should be sought, to gain some balance from the overall proposal.

First response:

The above applications intend the potential relocation of the main farmstead from its current location to the south of Cudworth church (where the current farmhouse - not in the applicant's personal ownership - and building group are to remain) to a pasture field between the northern ends of Higher and Old Woods. It intends the construction of 3 agricultural buildings; a farm store/office; a temporary dwelling; and two hard-surfaced yards. It is sited adjacent the corner of a pasture field, contained on either side by woodland, on a relatively level platform circa 165m aod, where the steep scarp slopes of the north face of Windwhistle Hill merge into the rolling land of Windwhistle's foothills. The site is divorced from existing built form, the nearest being the host farmstead, 0.55km to the north. A new site access is proposed, coming off New Lane, at the head of Windwhistle Hill circa 205m aod, and descending northwest across the open upper escarpment.

The recently published PPG (Natural Environment) has re-iterated the necessary role of landscape character assessment in planning for change due to development without sacrifice of local character and distinctiveness. An understanding of landscape character is also utilised to help determine a view on what may - or may not - be acceptable in terms of development in any particular landscape. Characterisation is about what is distinctive and particular in a place, and these qualities of place are matters to which planning weight is given when assessing the potential impact of new development, along with the need for any proposal to conserve and enhance local landscape character, and reinforce local distinctiveness, to comply with local plan policy EQ2. This policy guidance provides the planning context for this landscape evaluation:

The landscape of the northern face of the Windwhistle plateau is characterised by a steep, folding scarp, with a landcover of pasture fields, and extensive woodland blocks - some of which are fragments of ancient semi-natural woodland - that cover much of the main, upper escarpment. From the toe of the escarpment, the gradient eases into a broader, undulating landform, formed by the incision of the River Isle's headwater streams, which create a series of north-south valleys separating mixed rolling agricultural land. Other than the singular hamlet of Higher Chillington, 2 km to the east, the main Windwhistle scarp is characterised by a lack of development form, and it is notable that the local farms and hamlets all lay at a lower elevation, below the spring-line, and are located on the lower Windwhistle foothills to

the north. This is the broad landscape context within which this proposal is located.

Turning to the application site, the development proposal lays within a landscape pattern that is long-established - indicated on the Somerset Historic Environment Record as anciently enclosed (pre-17th century) farmland. It is characterised by its meadow context; woodland setting; and the steep, sheltering hillsides to the south. The hillsides and woodland bring a strong sense of enclosure to the site, which with its lack of development presence, and separation from the characteristic pattern of local farm settlement, establishes a strong sense of remoteness by South Somerset standards, which is both distinctive, and becoming increasingly rare. The introduction of a group of farm buildings into this deeply rural landscape, will establish built elements where development form is far-removed, to erode the unspoilt and locally distinctive character of the area. The introduction of building, and vehicular, nightlight to both the farm site and its access across the face of the upper scarp, within what is a dark-sky location, similarly erodes the tranquil character of this part of the Windwhistle scarp. Additionally, visibility becomes an issue when a proposal is either incongruously scaled or located, and in being sited in a location that is served by, and thus visible from, the well-used local rights of way network, the building complex will be seen as visually intrusive. I would assess this aggregation of landscape impacts to be both significant and adverse, which in substantively eroding local landscape character and distinctiveness, does not meet the requirements of policy EQ2. The suggestion of a new access off a narrow rural lane, with its incongruous bellmouth access - 7x the width of New Lane; the loss of circa 30 metres of hedgerow; the obtrusive level of that access relative to the falling slope, which will be circa 600mm above the general ground level circa 12 metres into the field, to then cross steeply-falling, highly-visible, non-developed land, is also considered a significant adverse landscape impact, to similarly tell against this application.

I accept that the holding will benefit from the introduction of fit-for-purpose buildings to assist future farm management. In the face of this landscape objection, is raised the need to look for possible alternatives, by which the landowner's main objectives can still be achieved. I agree with the application D&A statement that there are few ready options, and having walked the site, the only alternative that works in landscape terms is the redevelopment of the current farm site; its extension south; and use of the current access. As built form is already established in this location, and the site characterised by the existing farm building forms, the landscape impact would not be so extensive as would result from this application proposal, providing building scale, form and finish is strictly controlled, and there is no footprint spread toward, or increased visual intrusion upon, the heritage assets to the north and east.

Should you consider there is a case for the proposal as submitted, that would over-ride the weight of the landscape objection, and then I consider it essential that a number of amendments to the proposal are sought, to lessen visual impact, and provide a level of enhancement, as is required by policy EQ2:

- 1) The grouping and varied heights of the proposed farm buildings is sensible, and potentially helps to play down massing impacts, yet having the tallest building - the store/office (ridge height almost 9.00 metres above lower yard level) - at the more visible edge of the complex, and at a raised elevation, will appear obtrusive, and potentially draw the eye. I would suggest either the height is reduced, or the building shifted south to the opposite corner of Building 1, to appear less obvious in the approach from the north. I would also suggest that the 1st floor windows are removed from the north elevation, for these are uncharacteristic of a traditionally-styled farm building range; and aligned along the most prominent part of the building group's elevation, will project both an incongruity; and nightlight.

- 2) I note from consultation responses that the suggestion of the complex being shifted further south, to a more visually contained location, has been mooted. Whilst this does not

deal with the major impacts I have outlined above, I do agree that in shifting the farmstead further south along the woodland's side, it would appear less imposing as viewed from the north as approached on the local rights of way, and this would be beneficial.

3) Whilst the proposal for screen planting to the south of the buildings is welcomed, I consider that a more comprehensive approach is needed to landscape mitigation. To that end, I would suggest further hedgerow enclosure of the upper yard, linking into other woody features, is essential to provide both visual and physical containment of the farmstead. Further planting to consolidate the existing landscape pattern, in relation to both the track, and the farmstead, should also be agreed pre-determination.

4) The access off New Lane appears over-scaled alongside the narrow, enclosed width of the lane itself, and there is little that can be done to modify the incongruous ground profile of the access track. There is similarly little scope for a reduction in the size of the access. It may be possible to counter the worst excesses of the track's visual impact, by use of dark mortar tones; and washed, larger dark aggregate finishes.

5) There is an acknowledgement in the D&A statement of the sensitivity of the northern end of the holding, relative to the scheduled monuments and listed buildings located to the north and northeast of the present farmstead. Noting that the current farm buildings are now deemed inadequate, and that there will be limited use of them, and to compensate for the adverse impact of the new site, I believe there is scope for environmental enhancement in the removal of these buildings, with any necessary replacement (for hay storage) being of more restrained footprint and form, with appropriate landscape treatment, to thus present a more balanced scheme overall.

6) Finally, I am advised that - in acknowledging the applicant's highly successful auto business - some local apprehension has been expressed that the challenging terrain of the farm holding would be suited for testing off-road vehicles. I had similarly expressed such a concern at an earlier stage, for the introduction of such a use within this landscape would be both significantly adverse and damaging. We were subsequently re-assured by the applicant and his positive plans for both the land and woodland, that such use is not intended. However, aware that in a challenging economic climate, business needs may generate change, then to placate local concern, is there the possibility of the removal of PD rights of such use of land, such that the only vehicular use of the land is for the purposes of agricultural management only? I would welcome your thoughts and further discussion on this.

### **Parish Council:**

Third response (In response to most recent amended plans):

At the Parish Meeting on the 17th October, the amended plans were considered and discussed. Whilst some of the concerns of the parish have been addressed, there is still considerable concern that this development is proposed on an entirely greenfield site in a prominent position away from the main hub of the village and removed a considerable distance from the existing farm buildings. The impact on the beautiful hill that rises up to the iconic Windwhistle Ridge will be irreversible.

It was appreciated that changing the access to the proposed site by getting rid of the track from New Lane would be an improvement, along with the reconfiguration of the proposed buildings. However, the proposed two storey building still gives cause for concern as its use remains unclear and it is difficult to see how this suits a farming operation.

The change of orientation of the temporary dwelling, whilst shown on the plans, is not mentioned, therefore we were unsure why this has changed. The concern still remains (see parish response of 26th January) that the temporary dwelling should only be built if the other applications are passed, and then to ensure it is built simultaneously with the other buildings. The intended use of the existing buildings seem very vague. Please refer to the Parish response of 26th January 2016, where the Parish Meeting asks the council to consider a condition whereby the existing buildings, which are dilapidated and contain asbestos, are removed if the planning for the new buildings should be approved.

The view of the majority of parishioners at the meeting is that the existing site remains more suitable for developing a more up to date and appropriate range of buildings, as it would be developing what is, in effect, a brown field site.

Whilst the existing site remains more visible to many of the homes in the village, we have a responsibility to maintain the peace, tranquillity and beauty of the landscape.

Most of the concerns of the first two Parish responses remain (26th January and 29th March), and we ask that these are taken into consideration along with this response, when examining the amendments to these applications.

First response:

The parish support the idea of sustainable farming at Knights House Farm but raised the following concerns at the Parish Meeting held on January 7th 2016.

The application is for General Purpose agricultural buildings whereas the business plan states that the buildings will be used for a livestock enterprise. There are concerns that the proposed buildings are not suitable for livestock re design & ventilation particularly roof ventilation.

Concern re slurry, dung storage, & run off re water supply to village properties & risk of contamination. There are no facilities for this in the plan.

The parishioners have concerns that farm traffic will not be reduced as stated in the plan, due to the existing buildings at Knights House Farm still being in use for storage of fodder & bedding etc. according to Mr Saunders at the said meeting. This will involve tractors travelling through the village to the proposed new buildings and thus negating the benefits as stated in business plan of farm traffic reduction through the village. While there is a known track across the farm it is unlikely that this would be passable during the winter months when the proposed buildings will need to be serviced with fodder and bedding.

The Parish Meeting would ask the council to consider a condition whereby the existing buildings; which are dilapidated and contain asbestos, are removed if the planning for the new buildings were approved. We would also like consideration to permissible rebuilding of the original barns to be restricted.

There is a statutory duty to consider the impact this development will have on listed buildings & heritage assets, in conserving the natural environment. The proposed buildings are in the sight of St Michaels Church, The Old Vicarage, & the ancient monument, which includes the moat, carp ponds & site of medieval village. The footpath from New Road runs past the proposed site close to the General Agricultural Buildings the visible impact of the proposed buildings on views from public vantage points should also be considered.

With regard to the 4 applications for this site, there is concern that application 15/05536/FUL (siting of temporary Agricultural Dwelling) should not be considered unless the other applications are successful. There is also concern that the application 15/05537/FUL that consists of a 2 storey animal care Centre with 'storage' above' would be too visible and consideration should be given to reducing the height to 1 storey. The Parish Meeting would prefer a larger footprint on the Southside of the plan to house the storage facility; this would have a lesser impact on the landscape and would allay concerns of the Parishioners.

The buildings, if set back south approx.140m would sit in a natural dip and therefore be less visible and have a lesser impact on the listed buildings in its sight line.

Second response (in response to first set of amended plans):

Following the first Parish Response to this application, all the original concerns contained in that response remain. The proposed amendments to the plans are minimal and do not

address the concerns of the Parish.

The visibility of & need for the two storey general purpose building/ animal care centre with the upper floor being used for 'general storage' was again brought into question and while the roof line has been lowered it was still deemed preferred that the buildings, if passed should be single storey.

The Parish is supportive of sustainable farming at Knight's House Farm, and from the minutes at the meeting to discuss the amendments on 23rd March, it was apparent there would be a more favourable view if the applicant considered re-developing the original farm site, with the correct permissions and consideration to the historic sites and listed buildings nearby.

This view was unanimous at the Parish meeting held on Wednesday 23rd March although no formal vote was recorded. It must also be recognised that the site of the original buildings is far more visible to many of the residents' homes, but they would prefer any development and improvement to take place on what is, in effect, a brownfield site, rather than the proposed site, which would cause a huge and irrevocable change to a previously unspoilt and untouched landscape.

The original farm site has been the centre of a farming business for hundreds of years and we see no reason that this should not continue to be the case.

#### **Highway Authority:**

In response to amended site access:

The application is an amended plan for an application that my colleague Mr Malcolm Jones commented on previously where the Highway Authority raised no objection. This current application has the proposed access on to Knights Lane which is to the north. This proposal would mean that no agricultural access would need to be constructed as the red line adjoins Knights Lane in a location where traffic flow is likely to be extremely low as Knights Lane terminates next to the red line on the plan. Knights Lane leads on a rural road that does not have a high traffic flow and due to its agricultural surroundings, is likely to have an existing level of agricultural traffic.

Taking the above into account, the Highway Authority does not wish to raise an objection to the proposal, however, should the Local Planning Authority grant planning permission then I would recommend that the following conditions are attached:

1. The area allocated for parking and turning on the submitted plan shall be kept clear of obstruction and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted.
2. The building hereby permitted shall only be used in connection with the working and management of the adjoining farmland. It shall not be used for any other purpose without the prior written consent of the Local Planning Authority.

#### **Ecologist:**

Most recent response in relation to submitted bat surveys: (The first and second responses are included as an appendix to this report).

I confirm I no longer maintain an objection to these applications following completion of bat activity surveys.

I agree with the 'Overview of the ecological survey results, mitigation and enhancements' (KP Ecology) and that the application site isn't particularly sensitive in terms of the bat species that forage and commute in and around the site, and that the proposed development is therefore unlikely to cause significant disturbance to any local bat populations.



Whilst it would still be preferable not to place such a development amongst features that are mapped as components of the local ecological network (as detailed in my original response of 12 January 2016), the proposed tree, hedge and orchard planting could be considered as appropriate mitigation. Provided this can be ensured (e.g. by condition) then I do not maintain an objection in this respect.

The only other matter I originally raised was that of the new entrance off New Lane and possible impacts of a visibility splay upon dormice. Due to the amended access arrangements this is no longer an issue.

**Environment Agency:**

We are not aware of any imminent plans to make everywhere under NZV designation. However, there is always the possibility that the NVZ designated areas will be altered or enlarged to encompass sites that haven't previously been with an NVZ area. We therefore always recommend that when farmers are considering constructing slurry/dirty water system they aim for the NVZ storage requirements.

Outside of NVZ areas there are not specific controls for solid manure storage, but drainage from solid manure heaps is considered to be 'slurry', so where this poses a risk to controlled water, it must be collected and contained. The code of good agricultural practice (CoGAP) recommends that stores should only be constructed with a sealed floor, and any containment tank used to collect drainage must meet SSAFO standards.

For field heaps follow the CoGAP advice, but where other storage is on permeable ground the risk to groundwater or other pollution pathways have to be considered to decide if it's acceptable. Normally such areas will be unacceptable as you can't collect and contain any drainage.

If field heaps are within an NVZ area then there are controls:

If you have poultry manure or other types of solid manure YOU MUST store them:

- In a vessel;
- On an impermeable base, with appropriate collection and containment of runoff;
- In a roofed building; or
- In an appropriately located temporary field heap. Field heaps must be of material that is stackable and doesn't give rise to free drainage.

Again, as good practice we would recommend that the NVZ guidance is followed even for those outside of current NVZ areas.

**Environmental Monitoring Officer:**

I've attached a map showing the location of the private water supplies within the vicinity of this planned development. The nearest one is approximately 600m to the north of the development so this is not of concern. All of the properties down in Cudworth are on private water supplies I believe, either spring chambers, wells or boreholes. Due to the location of the proposed development though being such a distance from the sources of these private water supplies it is unlikely to directly affect them. Associated activities with the new farm, such as location of manure heaps etc. may potentially cause issues if they are located close to the private water supplies.

**REPRESENTATIONS**

Following consultation, letters have been received from 16 nearby properties, 11 objecting, 3

making representations and 2 in support of the proposals. Representations have been received from The Ramblers objecting to the application. The following comments are made objecting to the proposal:

**Landscape considerations:**

- The site is inappropriate from a landscape perspective and will have an adverse impact on the tranquil character of the hillside and will have an adverse impact on users of the public right of way.
- The proposed site is impractical for future occupants.
- There is an existing site at the bottom of the hill which is more appropriate.
- Weather conditions at the proposed site are harsher (cold, misty, north facing) than at the bottom of the hill and therefore inappropriate for young animals.

**Justification:**

- Knightshouse farmhouse was removed from the holding by the applicant when the site was purchased, contrary to Local Plan policy.

**Highways:**

- Concerns that the revised access will bring additional traffic through the village.
- The highway network surrounding the site is substandard.
- If permission is granted it should be on the condition that existing buildings at the bottom of the hill are removed to alleviate concerns of these being developed in the future.
- There is likely to be conflict between commercial vehicles and pedestrians on the public right of way.

**Other comments:**

- The proposed site would be isolated and not subject to surveillance from surrounding properties, hence more vulnerable to thefts.
- Concerns over effluent produced from the buildings. There is currently an issue with effluent discharge from the existing buildings.

The following comments are made in support of the proposal:

- The proposed buildings would be in a central position within the holding.
- The proposed buildings would provide protection from the weather and good security for livestock.
- Buildings will not affect anyone and will have minimal landscape impact.
- Application will benefit wildlife.
- People who want to get into farming should be supported.

## **CONSIDERATIONS**

**Principle of development:**

The applications have been substantially amended since the original submission. The amendments to the scheme are summarised as follows:

- Removal of vehicular access to the site from New Lane and installation of vehicular access from Knights House Farm.
- Re-siting of the new agricultural buildings approximately 20 metres to the south/amendments to design of agricultural building.
- Revised landscape mitigation in the form of additional planting.

The application site lies in open countryside. In terms of determining the application the key consideration relates to whether the proposal complies with the development plan and if not whether material considerations indicate that planning permission should be granted. In addition to this, the NPPF is a material consideration that is given enhanced weight where local policies are absent, out of date or silent on any given issue.

**Landscape Impact:**

The applicant has undertaken various alterations to the proposal in response to a strong objection by the Councils landscape officer. The removal of the access track from the top of Windwhistle Hill represents the most substantial improvement in landscape terms and the applicant has proposed additional landscape mitigation which can be secured via a planning condition.

As stated by the Councils Landscape officer, the site is very isolated and an area of very distinct and special character, due various characteristics such as the site topography and very isolated character. The landscape Officer states:

"the main Windwhistle scarp is characterised by a lack of development form, and it is notable that the local farms and hamlets all lay at a lower elevation, below the spring-line, and are located on the lower Windwhistle foothills to the north".

In the first response the Landscape officer further stated:

The hillsides and woodland bring a strong sense of enclosure to the site, which with its lack of development presence, and separation from the characteristic pattern of local farm settlement, establishes a strong sense of remoteness by South Somerset standards, which is both distinctive, and becoming increasingly rare. The introduction of a group of farm buildings into this deeply rural landscape, will establish built elements where development form is far-removed, to erode the unspoilt and locally distinctive character of the area. The introduction of building, and vehicular, nightlight to both the farm site and its access across the face of the upper scarp, within what is a dark-sky location, similarly erodes the tranquil character of this part of the Windwhistle scarp. Additionally, visibility becomes an issue when a proposal is either incongruously scaled or located, and in being sited in a location that is served by, and thus visible from, the well-used local rights of way network, the building complex will be seen as visually intrusive. I would assess this aggregation of landscape impacts to be both significant and adverse, which in substantively eroding local landscape character and distinctiveness, does not meet the requirements of policy EQ2.

This response highlights the visual sensitivity of this particular site and on the basis of the original plans it was considered that the impact would be significantly adverse.

The applicant has since made amendments to the proposals including the removal of the access from the head of Windwhistle Hill (New Lane) and this was one of the most harmful aspects of the proposal. Alterations have also been made to the farm buildings including re-siting 20 metres to the south, reduction in scale and lowering in height of the two storey 'office' building and the introduction of additional planting to mitigate the visual impacts.

The height of the animal care building has been reduced to be inline with the attached livestock buildings. Overall, the Councils landscape officer has stated that the combined effect of the alterations represent an improvement in the overall landscape impact of the proposals. The animal care building would provide office/storage space at first floor level. Whether the extent of this building and first floor space is absolutely justified is open to debate. There is an argument to say that some of the floor space proposed is not absolutely necessary at this early stage in the establishment of the business. The 'solid' nature of the construction would create a permanence to the building which may be more acceptable for a very established business and site rather than a proposed new site and business where the proposal is unique to the particular aspirations of the applicant. If the farming business were to cease in the future it could leave the building vulnerable to being used for other uses that are less compatible with this location.

The fundamental case for objection remains in relation to the siting of the farmstead and the

associated need for a dwelling that would result in this location. In particular the aspects of harm identified above result from the location of the proposed farmstead and as such the alterations to the configuration of the buildings and additional planting do not overcome such a fundamental and significant impact in landscape character terms. The amended scheme is an improvement over the original submission, however, it is considered that the uniquely tranquil environment would be adversely affected by the provision of a new farmstead by the physical presence of these buildings and associated activity, artificial lighting etc.

The applicant has made a case for the proposed site on several grounds and these are relevant in balancing the harm identified above. The proposed site is relatively central within the holding and is an improvement on the original farmstead in this regard. The applicant has also made a case that the proposed site is more sheltered than at the bottom of the hill due to the wind buffering provided by the woodland. A letter has been submitted by the applicants vet which supports the proposed site on this basis. The applicant has also submitted a letter from the Local Police Liaison Officer supporting the proposed site on the basis of farm security.

These aspects of the application provide some weight in favour of the proposed site, although it would be overstating the case to say that farming at the bottom of the hill is not possible as the location for most farmsteads in the locality have historically evolved to be in such positions. Overall, whilst the scheme has been improved, it is considered that the uniquely tranquil environment and special landscape character of this site would be harmed by the provision of a dwelling and associated farmstead. The associated development such as hardstanding, activity, lighting etc would exacerbate this harm. Additionally the development of the original farmstead at the bottom of the hill can be achieved in an acceptable manner taking into account the nearby heritage assets and landscape character. Given the fall back available to the applicant to farm the land it is considered that the landscape harm would not be justified. As such the proposal is contrary to Policy EQ2 of the South Somerset Local Plan (2006-2028).

#### **Ecology:**

The Councils ecologist original objected to the application on the basis of the potential sensitivity of the location from an ecological perspective. Concern was raised over the proximity to ecological networks, lack of evidence in the form of bat surveys as to the level of activity in the locality and associated potential impacts such as impacts on bats from artificial lighting.

The applicant has since carried out a bat survey which demonstrated that the site is not particularly sensitive in terms of the bat species that forage and commute in and around the site, and that the proposed development is therefore unlikely to cause significant disturbance to any local bat populations. Conditions can be imposed to achieve ecological enhancements such as landscaping and the provision of bat boxes. Additionally it would be considered necessary to condition details of external lighting in the event of planning permission being granted. Having regard to the above it is considered that the proposal would comply with Policy EQ4 of the South Somerset Local Plan (2006-2028).

#### **Residential Amenity:**

Having regard to the distance of the site from neighbouring properties it is considered that there would be no harm to the amenities of nearby occupiers as a result of the proposal in relation to noise, odour and disturbance.

#### **Highway Safety:**

The Highway Authority have commented that there is no objection to the proposed development. The rights of way department initially objected to the proposal as they thought

the public right of way would be obstructed but on closer inspection they since withdrew this objection.

The development would result in a section of the public right of way being surfaced. Given the relatively low level of traffic, good visibility along the right of way and ease for pedestrians and vehicles to pass one another, this aspect is considered to be acceptable. The rights of way department at the County Council would need to consider whether a temporary diversion is required during construction and would need to agree the finishing material of the vehicular access where it coincides with the public right of way. Having regard to the above it is considered that the proposal would comply with Policy TA6 of the South Somerset Local Plan (2006-2028).

**Conclusion:**

Having carefully assessed all of the relevant issues it is considered that the landscape harm outweighs the benefits of the proposal. The Councils landscape officer has considered that the area around the existing farm building group to the north of the site can be redeveloped whilst achieving an acceptable impact on landscape character and heritage assets. The proposal therefore does not justify the resulting landscape harm and as such the proposal is contrary to Policy EQ2 of the South Somerset Local Plan (2006-2028).

**RECOMMENDATION**

Refuse permission

**SUBJECT TO THE FOLLOWING:**

01. The proposal would be located in a prominent position on an isolated hillside location that is characterised by a strong sense of remoteness. The proposed dwelling and associated development would detract from the existing landscape character and would be contrary to the established pattern of existing development within the locality. Additionally there are other locations within the holding that can be developed without landscape harm resulting. As such there would be harm local landscape character that is not sufficiently outweighed by the merits of the proposal contrary to Policy EQ2 of the South Somerset Local Plan (2006).
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