

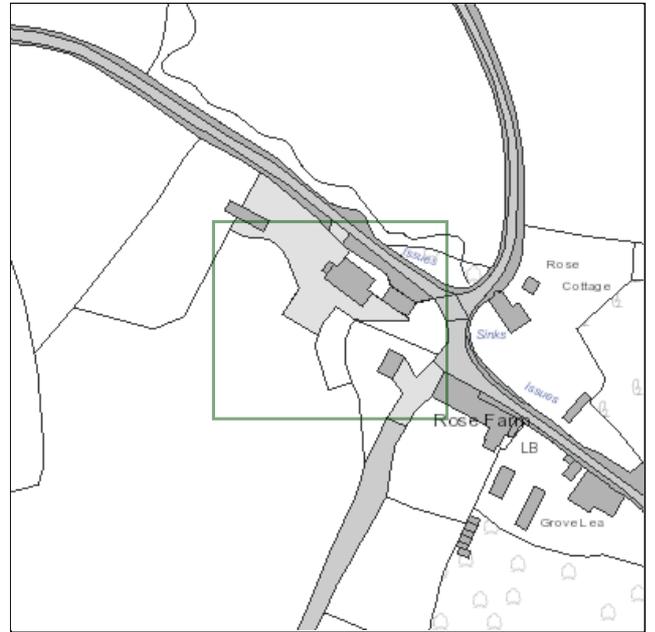
Ward Axminster

Reference 20/1633/FUL

Applicant Mr & Mrs J Bostock

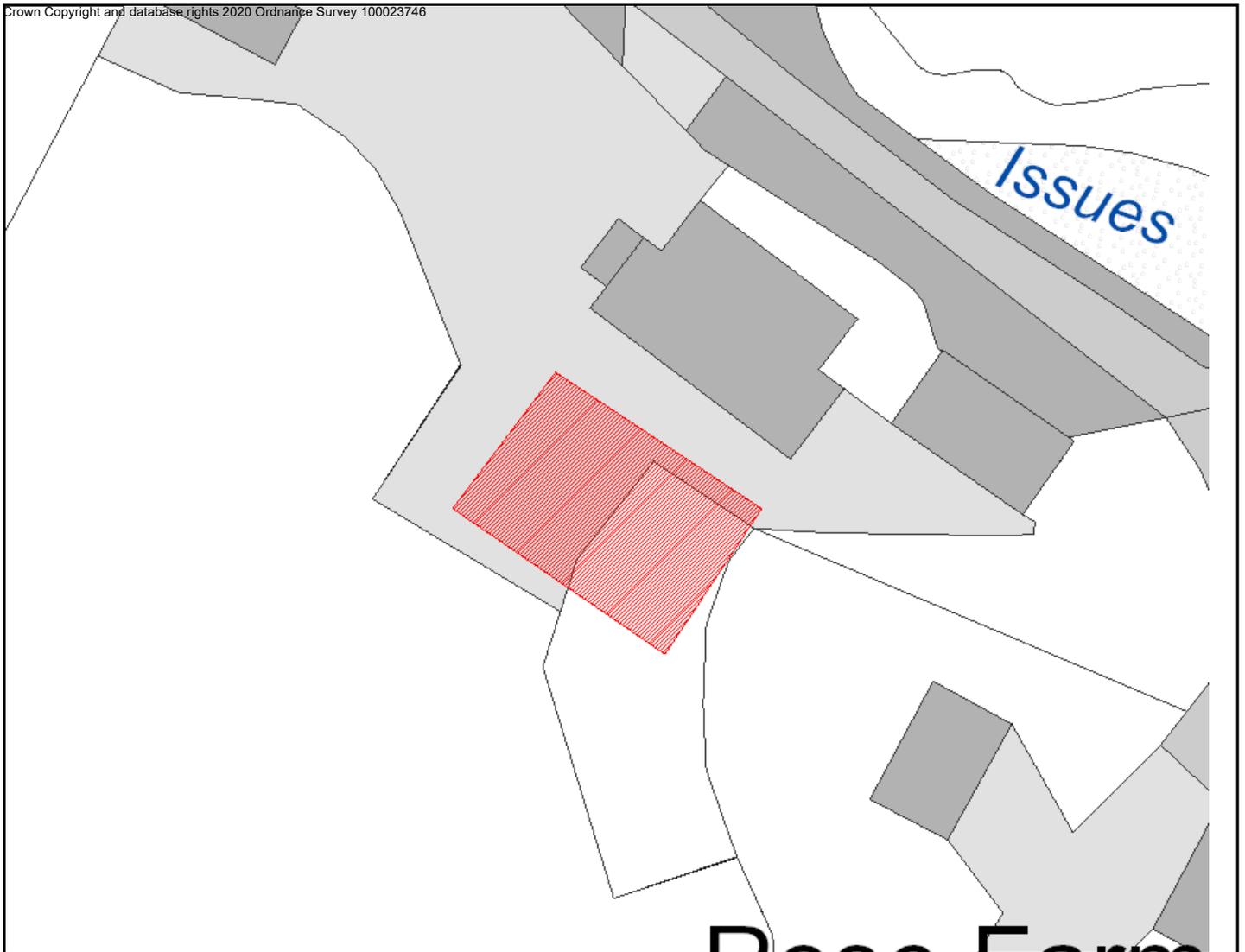
Location Rose Farm Wyke Axminster EX13 8TN

Proposal Erection of agricultural barn.



RECOMMENDATION: Refusal

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		Committee Date: 7th January 2021
Axminster (Axminster)	20/1633/FUL	Target Date: 22.10.2020
Applicant:	Mr & Mrs J Bostock	
Location:	Rose Farm, Wyke, Axminster, EX13 8TN	
Proposal:	Erection of agricultural barn.	

RECOMMENDATION: Refusal

EXECUTIVE SUMMARY

The application is to be considered at the Planning Committee as the officer recommendation conflicts with the view of a Ward Member.

The proposal is for a large portal framed building for agricultural purposes, namely the storage of vehicles and equipment, haylage and bedding. The site is in the countryside within the hamlet of Wyke and is outside of any AONB area. It is located near a public highway, a short distance to the west/northwest of two Grade II listed buildings, Rose Farm and Rose Cottage (both of which are dwellings). Despite partial screening by vegetation, a fence and outbuildings, existing buildings and equipment within the site are partially visible in both close and distant views from public viewpoints.

Very limited information has been provided about the agricultural operations taking place or intended to take place on the land and how the equipment to be stored relates to this and it is unclear why existing buildings cannot continue to be used to store some of the equipment listed in the application details. On the basis of the information submitted it is therefore not considered that a genuine agricultural need exists for the proposed building.

The conservation officer advises that the building would harm the rural setting of the two listed buildings, which contributes to their significance, noting that this has already been diminished by changes on the land in the vicinity of the application site over time.

Axminster Town Council and two Ward Members object to the proposal on the basis of lack of justification, impact on listed buildings and concerns about flood risk. Other objectors raise similar concerns. Some representations of support have been received stating that similar development in the locality sets a precedent and citing a need to store equipment securely, community benefits

associated with the equipment storage and that haylage is produced on the applicant's land.

Given the visibility of the proposed building, its scale, the impact on the setting of listed buildings and the lack of agricultural justification for it the recommendation is that the application be refused.

CONSULTATIONS

Local Consultations

Parish/Town Council

15/9/20

AXMINSTER TOWN COUNCIL OPPOSES THIS APPLICATION ON THE GROUNDS THAT THERE DOES NOT APPEAR TO BE A CLEAR AGRICULTURAL NEED FOR SUCH A LARGE BUILDING. THE VIEWS OF THE CONSERVATION OFFICER SHOULD BE SOUGHT REGARDING ANY IMPACT THE PROPOSED BUILDING WOULD HAVE ON THE SETTING OF THE ADJACENT LISTED PROPERTIES.

10/11/20

AXMINSTER TOWN COUNCIL HAS NOT CHANGED ITS VIEWS IN THE LIGHT OF THIS ADDITIONAL INFORMATION AND REMAINS OPPOSED TO THIS PROPOSAL.

Axminster - Cllr Andrew Moulding

21/9/20

I can certainly see that there is a need for vehicles, implements and machinery to be stored away, to improve the appearance of the farm setting.

In days gone by, a full agricultural appraisal would have been called for in order to ascertain that there is an agricultural need.

On balance, I do not consider that the proposed barn would damage this rural setting.

15/11/20

I confirm my original recommendation - that this application should be approved
I therefore recommend that the application should be approved.

Axminster - Cllr Ian Hall

28/9/20

I recommend refusal as there is not a strong justification for need.
Is it possible that we can have a site visit?

7/11/20

We need a site visit please

13/11/20

I object, subject to a site visit.

Axminster - Cllr Sarah Jackson

25/9/20

Having given this application due and proper consideration, I am currently minded to object to the plans as the barn seems out of keeping with the surrounding buildings, not least the listed building nearby, and appears overly large for the need put forward. The plans submitted do not convince me as to the genuine agricultural need cited nor have the underlying issues with flooding in the area been addressed to my satisfaction. I would, of course, defer to Officer's reports on that point, and look forward to reading their recommendations in due course. I will, of course, keep an open mind in that regard.

09/12/20

The officer's report both confirms and validates my concerns. My position, therefore, remains unchanged and I recommend refusal of this application.

Technical Consultations

Conservation

19/10/20

CONSULTATION REPLY TO PLANNING EAST TEAM
PLANNING APPLICATION AFFECTING LISTED BUILDING

ADDRESS: Rose Farm, Wyke, Axminster

GRADE: II APPLICATION NO: 20/1633/FUL

PROPOSAL: Erection of agricultural barn.

BRIEF DESCRIPTION OF HISTORIC CHARACTER/ ARCHITECTURAL MERIT:

There are two listed buildings in the immediate vicinity of the proposal. Together they form a small informal group at the junction of Wyke Lane and Abbey Gate Lane. The surrounding land is countryside with a number of farms, some listed eg Wyke Farm, in the nearby locality. There is a concentration of mature hedgerow and trees around this grouping and forming field boundaries.

Rose Farm is listed Grade II
Rose Cottage is listed Grade II

Their significance is derived from their age (dating from C17 & C18), vernacular character and appearance and their rural setting and the use of traditional materials.

HOW WILL PROPOSED ALTERATIONS AFFECT HISTORIC CHARACTER OF BUILDING AND ITS SETTING:

This application relates to the construction of a large rectangular portal framed building, measuring 18m long x 9m wide with a low-pitched roof, approximately 6m high. Constructed in concrete block, beneath treated vertical Yorkshire boarding and a low pitched black corrugated roof sheeting containing translucent roof lights. The

structure is intended to provide undercover storage for the applicant's machinery, haylage and bedding.

The structure is to be located behind a very domestic close boarded fence adjacent to the lane which currently screens a collection of timber sheds, loose boxes, stabling and farm machinery stored in the open and served off an existing access onto Abbey Gate Lane. The proposed building is to be added to this group.

Looking at the historic photographs from 1947 to the present day, it appears that there have always been some structures on this area of land. In addition, the historic OS map dating from 1951 confirms this. However, the number of buildings and extent of the landuse as stabling, sheds, loose boxes, machinery etc appears to have grown considerably. Such incremental change can often result in a detrimental impact on the surrounding land and this case the setting of the listed buildings. The rural green agricultural setting noted on historic maps has been continually eroded to the extent where it has severely diminished this setting. The introduction of this large agricultural barn will further erode the character and appearance of the area and will have an impact on the setting of both properties. In particular views from the east from Wyke Lane coming towards Rose Farm, where the structure will be prominent in the landscape and when approaching from the north past Rose Cottage which frames the lane (Wyke Lane) with the mature trees opposite and opens out into the junction of the two lanes.

It is considered that the barn will result in some harm to the setting of the listed buildings.

PROVISIONAL RECOMMENDATION - PROPOSAL
UNACCEPTABLE

13/11/20

Amended plans received 30th October 2020:

The amended plans and additional information has not altered my previous comments.

It is still considered that the barn will result in some harm to the setting of the listed buildings.

PROVISIONAL RECOMMENDATION - PROPOSAL
UNACCEPTABLE

Clarification 2/12/20

In accordance with the NPPF para 193 . When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

In this instance it is considered that the proposed large rectangular barn is likely to result in less than substantial harm to the significance of the designated heritage assets. However, this does not equate to a less than substantial objection. Great

weight must be given to an asset's conservation. This should therefore be weighed against any public benefits or other benefits that outweigh this harm.

Other Representations

Objections have been received from 2 parties raising the concerns listed below (concerns which do not relate to the proposed development or planning considerations are not listed):

- Adverse impact on residential amenity;
- The site is overpopulated;
- Impact on traffic flows and highway safety
- Impact on the natural environment;
- Harm to the setting of listed buildings in terms of the scale, design and materials of the proposal;
- Poor design, location, excessive scale and harm to the landscape;
- Flood risk without sustainability benefits which outweigh this;
- Lack of agricultural justification for the development (no agricultural activity on the land, the larger equipment proposed to be stored is used off the applicants land holding and could in any case be stored outside, the smaller equipment could be stored in existing buildings;
- Lack of parking provision;
- Inadequate information on topography and proposed changes to ground levels;
- Light pollution from lights affixed to the building;
- A waste management plan has not been provided;
- Inappropriate to the economic, social and wellbeing of the area.

With regard to procedural matters it is also stated that the application form was incorrectly completed with regard to (i) development having already commenced (ii) the presence of flood risk areas and a main watercourse. It is also stated that a flood risk and drainage impact assessment should have been provided with the application.

Support has been received from 2 parties who make the following points (points raised which are not relevant to planning or the proposal are not listed):

- The agricultural equipment to be stored is often used to help neighbouring land owners, benefiting the local community;
- Precedent has been set by similar buildings in the locality;
- The agricultural machinery needs to be stored securely;
- Haylage produced on the applicant's land is sold.

PLANNING HISTORY

The most relevant planning history is included within the table below:

Reference	Description	Decision	Date
85/P0399	Change Of Use To Mini Skip Hire Depot.	Approve	16/4/1985

91/P1072	Scrap Metal Sorting Area & Mini Skip Storage	Approve	27/9/1991
92/P1512	Renewal Of Temporary Planning Permission For Mini Skip Business	Approve	16/10/1992
94/P1626	Renewal Of Temporary Planning Permission For Mini-Skip Business	Approve	19/10/1994
03/P2527	Conversion Of Attached Barn For Residential Use (Listed building consent)	Approve	10/11/2003
03/P2528	Conversion Of Attached Barn For Residential Use	Approve	10/11/2003
06/2984/FUL	Erection of three stables and feed room	Approve	18/12/2006
08/1228/FUL	Conversion of adjoining barn into additional accommodation	Approve	23/6/2008
08/1230/LBC	Conversion of adjoining barn into additional accommodation	Approve	23/6/2008

POLICIES

Adopted East Devon Local Plan 2013-2031 Policies

TC2 (Accessibility of New Development)

TC7 (Adequacy of Road Network and Site Access)

Strategy 7 (Development in the Countryside)

Strategy 46 (Landscape Conservation and Enhancement and AONBs)

D7 (Agricultural Buildings and Development)

D1 (Design and Local Distinctiveness)

EN8 (Significance of Heritage Assets and their setting)

EN9 (Development Affecting a Designated Heritage Asset)

No draft neighbourhood plan for Axminster is currently available

Government Planning Documents

NPPF (National Planning Policy Framework 2019)

National Planning Practice Guidance

Site Location and Description

The site lies to the south of the town of Axminster on the western side of the hamlet of Wyke Green, which is located in the countryside, outside of the East Devon AONB. The development site is a partly levelled area to the southwest of an existing stable and outbuilding, within an existing yard which has some hard surfacing. Another stable lies a short distance away to the North West and another outbuilding lies to the east of the site, close to the dwelling known as Rose Farm (the applicant's dwelling). At the time of the site visit the stables appeared to be in use for equestrian purposes and vehicles, paraphernalia and items of plant were stored/parked within and around the yard area.

Rose Farm and another nearby dwelling, Rose Cottage, are both grade II listed and lie a short distance away to the east/southeast. Both listed dwellings are located near the junction of Wyke Lane and Abbey Gate Lane. The surrounding land is countryside and there a number of farms in the locality, with listed buildings being present at some of them e.g. Wyke Farm.

The development site is located near the bottom of a shallow valley and is on the edge of (but outside of) flood zones 2 and 3.

Proposal

The proposal would involve a small amount of additional ground excavation (some has already taken place) to create a level area and the erection of an agricultural building, as shown on the submitted plans. The building would have concrete block and timber boarded walls and a corrugated sheet roof, with integral translucent rooflights. It would be open fronted on its northeast side and have an opening on its western side. Since the application was first submitted the proposed building has been reduced in scale, through reducing its height by 1 metre.

Supporting information provided by the applicant indicates that the extent of the surrounding land owned by the applicant is 17 acres and that the applicant has user rights relating to an additional 7 acres. It is stated that the building is required for the efficient running of the holding, namely for the storage of the following: Agricultural machinery and trailers including 2 no. tractors, JCB digger, mule vehicle (i.e. a utility vehicle), hedge cutter, grass harrow and topper, chipper, crop sprayer, roller and trailer. It is also proposed that the building would be used to store haylage and bedding. It is stated that machinery is currently stored in the open, that indoor storage would prevent further deterioration and that there are no other suitable buildings on the holding or nearby which could meet the reasonable need for undercover storage.

ANALYSIS

The main issues for consideration are the principle of development, impact upon the area, impact upon heritage assets, flood risk and highway safety.

Principle

The proposal is for a building for agricultural use. LP Policy D7 states “New agricultural buildings and/or buildings intended for intensive agricultural activities that could give rise to adverse amenity, landscape, environmental or other impacts will be permitted where there is a genuine agricultural need for the development” and it goes on to list specific criteria which must also be met, including that it must be established that there are no other suitable buildings on the holding or in the vicinity which could meet the reasonable need.

The submitted information indicates that the applicant owns 17 acres of land (with user rights to another 7 acres nearby), however whilst the surrounding land appears to be agricultural pasture, very limited information is provided within the application to describe any agricultural activity undertaken on that land. In addition to the storage of machinery, submitted information refers to the need to store haylage and bedding within the proposed building, however it is not stated whether this is produced on the applicant’s land or brought in, and if the latter, what agricultural operation the haylage and bedding relates to.

It is accepted that even where agricultural land is not being used to raise a crop or livestock its lawful use may nevertheless be agricultural (i.e. in planning terms, given that this is one of the default planning land uses) and that maintenance activities may be required on it, however it is considered that the range of equipment that would be required solely for maintenance would be limited and proportionate to the scale and nature of the land holding. In relation to this, from the limited information provided and given the relatively small scale of the applicant’s landholding, it is difficult to understand why two tractors and a utility vehicle are required for agricultural purposes. It is also noted from the observations made during the site visit and from the applicant’s submitted photographs that some of the equipment proposed to be stored in the proposed building, namely the utility vehicle, crop sprayer and one of the tractors, are currently (or have previously been) stored under cover in existing buildings at the site. The application does not provide any explanation as to why this cannot continue. Taking all the above points into account, it is considered that on the basis of the information submitted there are other buildings on the holding could meet at least some of the stated need for undercover storage and that there is not a genuine residual agricultural need for a storage building at the scale proposed.

Character and appearance of the area and heritage interests

The area in and around the hamlet of Wyke has a rural agricultural character with and contains few dwellings or other buildings. Whilst the application site and its immediate surroundings (including existing buildings) are partly screened from public views by a roadside hedge, fence and existing outbuildings (one of which flanks the public highway) the upper parts of outbuildings, machinery and paraphernalia present within the site are visible from public highways, both at close range (above the hedge and through the access opening) and in approach views from different directions and it is considered that the upper part of the proposed building would similarly be visible.

The two listed buildings in the immediate vicinity of the site abut the public highway. As the Conservation Officer notes, these two buildings form a small informal group at the junction of Wyke Lane and Abbey Gate Lane and there is a concentration of mature hedgerow and trees around this grouping and forming field boundaries. Despite the

vegetation present, the listed buildings are clearly visible from the highway both at close range and in approach views from different directions, and from some viewpoints one or other of the listed buildings is viewed in the context of the application site.

Were it not for the proximity of the listed buildings, the visual impact of the proposed building would be considered acceptable, given that the site is not in the AONB, the simple agricultural appearance of the building, that it would be located close to existing buildings (and would be read as part of an existing group) and that it would be partly screened from view. Given the site's proximity to 2 listed buildings, however, special regard must be had to the impact of the proposal on them, including their setting. It is noted that the significance of the listed buildings is derived from their age, vernacular character, appearance, use of traditional materials and their rural setting. Taking account of the conservation officer's comments it is considered that the proposed building would alter the rural setting of these buildings, which has already been diminished by the development and land use to the west/northwest of them. Notwithstanding that the proposed building would be partially screened it would nevertheless be visible from public viewpoints particularly during the winter months when tree and hedge vegetation is thinner. It would be noticeably larger than the existing buildings at the site, both in terms of its height and footprint and it is considered that it would represent a significant addition to the quantum of built development at the site, resulting in less than substantial harm to the setting of the listed buildings nearby.

In light of the less than substantial harm, and in the absence of any public benefits from the proposal, the impacts upon the listed buildings is harmful and as such contrary to Policy EN9 and the guidance in the NPPF.

Flooding and Drainage

In response to an objector's comment it has been ascertained that there is no main river within 20 m of the site. The site abuts, but is not within, flood zones 2 and 3 no flood risk assessment was required to be submitted with the application and it is not considered likely that the proposed development would be at risk of flooding or that it would increase flood risk elsewhere.

In response to an objector's point that a drainage impact assessment should have been provided the Local Planning Authority's adopted validation checklist does not require that a Sustainable Drainage Strategy to be provided in applications of the type and scale proposed. It is considered that there is adequate space within the site to ensure that clean roof run off water can be drained within the site.

Access, Parking and Highway Safety

The proposal is for a building for agricultural use and given that the land holding can already be used for agricultural purposes it is not considered that the erection of a building would significantly increase vehicle movements in and out of the site or that it would increase traffic on the local highway network.

Other issues

As the barn is proposed to be used for storage in relation to agriculture it is considered unlikely that it would have any undue impacts in relation to impact on residential amenity or nuisance. The nature of the site where the proposed building would be erected is such that the erection of the building would be unlikely to have an impact on biodiversity.

CONCLUSION

On the basis of the information submitted it is not considered that a genuine agricultural need for the proposed building has been demonstrated and it is therefore not considered to be acceptable in principle. The proposed building would also result in less than substantial harm to the setting of two listed buildings and in this case it is not considered that this harm is outweighed by public benefits, such that on balance, the proposal is not considered to represent sustainable development.

RECOMMENDATION

REFUSE for the following reasons:

1. The proposed agricultural building, due to its large scale and location, would fail to preserve or enhance the rural setting of the adjacent listed dwellings. In the absence of sufficient evidence to demonstrate a genuine agricultural need for the proposed building, including evidence that no other suitable building(s) on the holding could meet all or part of any genuine agricultural need, it is considered that there is no public benefit that outweighs the identified harm and that the harm is therefore unjustified. The proposal therefore conflicts with the requirements of policies D1 (Design and Local Distinctiveness), D7 (Agricultural Buildings and Development), EN9 (Development Affecting a Designated Heritage Asset) of the Adopted New East Devon Local Plan 2013-2031, National Planning Practice Guidance and the National Planning Policy Framework.

NOTE FOR APPLICANT

Informative:

In accordance with the aims of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 East Devon District Council seeks to work positively with applicants to try and ensure that all relevant planning concerns have been appropriately resolved; however, in this case the development is considered to be fundamentally unacceptable such that the Council's concerns could not be overcome through negotiation.

Plans relating to this application:

1309.8A Proposed Combined Plans 30.10.20

1309.6A Proposed Combined Plans 26.10.20

1309.7A Proposed Combined Plans 26.10.20

Location Plan 03.08.20

List of Background Papers

Application file, consultations and policy documents referred to in the report.