

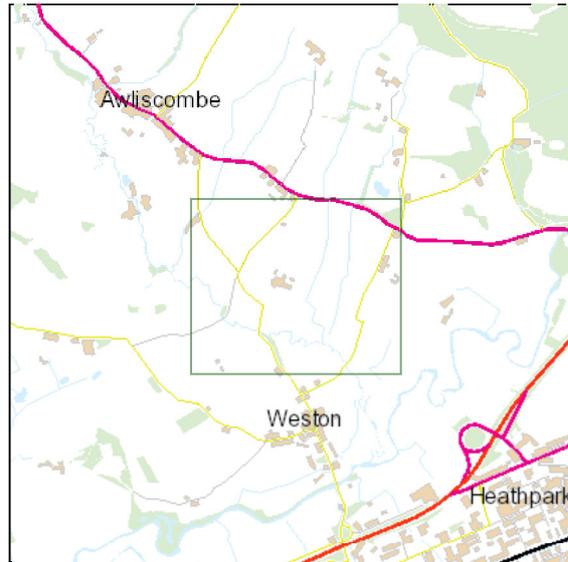
Ward Dunkeswell And Otterhead

Reference 20/2082/FUL

Applicant Mr and Mrs Summers

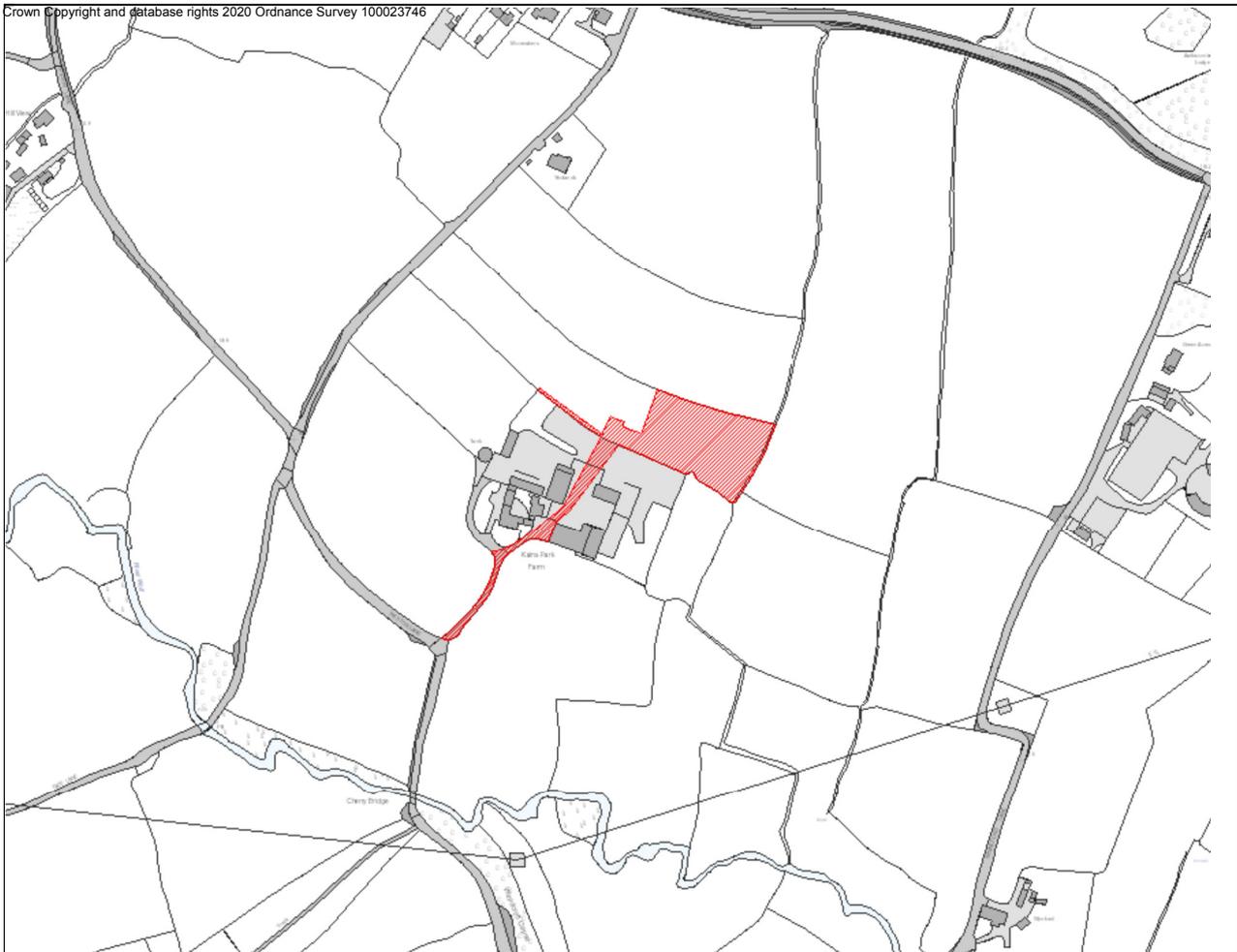
Location Kains Park Farm Awliscombe
Honiton EX14 3NN

Proposal Erection of agricultural building,
construction of yard area and
associated works.



RECOMMENDATION: Approval with conditions

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		Committee Date: 2nd December 2020
Dunkeswell And Otterhead (Awliscombe)	20/2082/FUL	Target Date: 03.12.2020
Applicant:	Mr and Mrs Summers	
Location:	Kains Park Farm Awliscombe	
Proposal:	Erection of agricultural building, construction of yard area and associated works.	

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EXECUTIVE SUMMARY

This application is before Members as one of the applicants is an employee of East Devon District Council.

The development proposed is the construction of an agricultural building to be used for rearing and fattening beef cattle. This represents a re-entry to livestock farming after the business diversified from dairy farming into storage, first of agricultural machinery but more recently into caravan storage and letting storage space in containers. Since that aspect of the business took off, the agricultural land has been used for growing and selling grass for grazing and cutting.

The proposed building is a typical modern livestock building and would have concrete and timber walls with a fibre cement roof. It would measure 24.4m by 27.4m with an eaves height of 4.9m and a ridge height of 8.1m. The eastern end would be raised by just over a metre owing to the slope of the field. At the western end there would be a concrete hardstanding and a hardcore track leading to a new gate into the storage yard which would provide access to the highway.

All of the existing buildings are in use for commercial or farm storage and none are suitable for the proposed use in terms of their size, construction or their location within the storage area. Nevertheless, in landscape terms the proposed building would be well related to the existing buildings and would not appear unduly prominent or out of character. The nearest dwelling is about 200m away and would not be adversely affected by noise, smells or fly nuisance.

Subject to protection of boundary trees and hedgerows, a suitable drainage scheme and closure of the redundant field access, the proposal is supported.

CONSULTATIONS

Local Consultations

Dunkeswell And Otterhead - Cllr David Key
I support the application for an agricultural building.

Parish/Town Council
The Parish Council have no objections to this application and fully support

Technical Consultations

Health and Safety Executive
Do Not Advise Against, consequently, HSE does not advise, on safety grounds, against the granting of planning permission in this case.

Other Representations
None received.

PLANNING HISTORY

Reference	Description	Decision	Date
07/1903/COU	Change of use of buildings to storage of agricultural machinery	Approval retrospective (conditions)	08.11.2007
16/2551/FUL	Expansion of existing storage and distribution site including revisions to planning permission 07/1903/COU to allow storage of caravans, boats, trailers, machinery and vehicles ; caravan wash bay; 25no storage containers for self store use; and associated works including re-cladding of existing storage building.	Approval with conditions	11.01.2017

POLICIES

Adopted East Devon Local Plan 2013-2031 Policies
Strategy 7 (Development in the Countryside)

D1 (Design and Local Distinctiveness)

D3 (Trees and Development Sites)

D7 (Agricultural Buildings and Development)

EN5 (Wildlife Habitats and Features)

EN14 (Control of Pollution)

EN22 (Surface Run-Off Implications of New Development)

Government Planning Documents

NPPF (National Planning Policy Framework 2019)

National Planning Practice Guidance

Site Location and Description

Kains Park Farm is located a short distance to the south east of Awliscombe off Weston Lane which is a well-used lane providing access to the A373 from the south. It sits in a low lying undulating landscape characterised by small to medium fields divided by hedgerows with many hedgerow trees. The Blackdown Hills AONB is about 300m to the north. The existing farm buildings and yard have a well-established commercial use for storage purposes, including storage in containers and caravan storage.

Proposal

Planning permission is sought for an agricultural building for the purpose of establishing a beef enterprise that would involve rearing and fattening high quality cattle. The building would be located in the field on the north side of the storage yard and would measure 24.4m by 27.4m with an eaves height of 4.9m and a ridge height of 8.1m. Owing to the slope of the site, ground levels would be raised at the eastern end by slightly more than a metre. At the western end a hard standing area would be constructed in concrete with a larger hardcore area beyond that and a track connecting to a new gateway into the storage yard. The materials used would be concrete and timber for the walls and fibre cement sheets for the roof.

ANALYSIS

The main issues for consideration are the acceptability of the principle of development, assessment of the visual impact of the building and impact upon residential amenity.

Principle

Policy D7 of the Local Plan supports new agricultural buildings in the countryside where there is a genuine agricultural need and subject to a number of other criteria (assessed below).

There are a number of buildings around the farm yard which are used for commercial storage in accordance with earlier permissions or are still used for agricultural storage.

However, none are suited to the proposed activity for a number of reasons. Primarily the commercial storage provides an important income to the farm, the loss of which would be to the detriment of the farm business as a whole. In addition, the buildings would need significant upgrading and improvement and no single building is of a suitable scale. They also share space with the storage yard which is used by people accessing their caravans or storage containers and this is not compatible with the activity associated with keeping livestock.

By way of further background, the farm comprises 39 acres of owned land and a further 11 acres of rented land nearby. Historically the farm operated as a dairy unit, and diversified into agricultural contracting and haulage. After milk production ceased the farm diversified into storage, starting initially with farm machinery and then expanding into other forms of storage. Farming activities are now limited to growing and selling grass for grazing and cutting.

The applicant now seeks a return to keeping livestock at the farm, underpinned by the financial success of the storage business. Having regard to the lack of suitable and available buildings on the farm, the need for a new building is accepted.

Visual Impact

Policy D7 states that proposals should be well integrated with its surroundings and closely related to existing buildings, being of appropriate location, scale, design and materials so as not to harm the character, biodiversity and landscape of the rural area particularly within the AONB.

Although not located within the existing yard, the building would be closely related to the farm and would be seen as an expansion of the established group of buildings. Views from the surrounding road network would be screened or partially screened by land form, hedgebanks and trees. Where views are possible, they are likely to be of the timber walls and roof and would be against a backdrop of the existing farm. From higher ground, including from the AONB, the building would not appear out of scale with its surroundings or isolated in the landscape.

There are a number of trees around the perimeter of the field in which the building would be located. The precise siting of the building has taken these into account and would avoid intrusion into the root protection areas. A condition requiring protective fencing during the construction work would be necessary, however.

The field is also bounded by hedgerows and some removal is required to facilitate access. By way of compensation it is proposed to close the existing access in the southern boundary of the field and plant native hedge species. This approach has been informed by an ecological assessment which found that the proposal would have a negligible impact if timed appropriately. To ensure that development takes place in accordance with the ecologist's recommendations a condition is necessary.

The design and scale of the building has been determined having regard to the welfare of the livestock and overall it is considered appropriate for its setting.

Amenity Impact

Policy D7 states that proposal should not be detrimental to the amenity of nearby residents on grounds of smell, noise or fly nuisance.

The nearest neighbour is Yeolands which is just under 200m to the north-north-west and there are other dwellings at least 300m away on all sides of the site. None are considered to be in such close proximity that they would be adversely affected by noise, odour or fly nuisance.

Other matters

Policy D7 also require a suitable access and drainage provision.

With regard to access, the proposal may lead to a small increase in traffic movements but this would be minor relative to the volume of traffic using the roads leading to the site. There are also suitable passing places and therefore the additional traffic can be safely accommodated on the lane.

With regard to drainage, initial discussions have indicated that clean run-off would drain to a ditch on the boundary of the field which then runs into the River Wolf and joins the Otter about 800m south of the site. To avoid the hard surfacing leading to an increase in the run-off rate compared to the natural rate of run-off from the field it is necessary to secure details of a drainage scheme. In this instance it may be appropriate to provide an attenuation basin between the building and the ditch but details of appropriate measures can be secured by condition.

Foul water would be kept separate from clean water run-off by means of straw bedding. To ensure this separation is maintained a condition is necessary.

Finally, the site is within the consultation distance of a high pressure gas pipeline which is about 150m south east of the site. Given the nature of the proposal and the distance from the pipeline, the Health and Safety Executive has not objected to the proposal.

CONCLUSION

Subject to conditions to secure tree protection, suitable drainage and hedge planting, the proposal is in conformity with Policy D7 and is therefore supported.

RECOMMENDATION

APPROVE subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission and shall be carried out as approved. (Reason - To comply with section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the approved plans listed at the end of this decision notice.
(Reason - For the avoidance of doubt.)

3. (a) Prior to the commencement of any works on site, a scheme for the protection of the retained trees and hedges shall be produced in accordance with the principles embodied in BS5837:2012, which provides for the retention and protection of trees and hedges growing on or adjacent to the site shall be submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in complete accordance with the approved protection scheme.

(b) No operations shall be undertaken on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and / or widening or any operations involving the use of motorised vehicles or construction machinery) until the protection works required by the approved protection scheme are in place.

(c) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved protection scheme.

(d) Protective fencing shall be retained intact for the full duration of the development hereby approved and shall not be removed or repositioned without the prior written approval of the Local Planning Authority.

(Reason - A pre-commencement condition is required to ensure retention and protection of trees and hedges on the site during and after construction. The condition is required in the interests of amenity and to preserve and enhance the character and appearance of the area in accordance with Policies D1 - Design and Local Distinctiveness and D3 - Trees and Development Sites of the Adopted East Devon Local Plan 2013-2031.)

4. No development shall take place until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. Unless it is demonstrated that it is unfeasible to do so, the scheme shall use appropriate Sustainable Drainage Systems (SuDS). The drainage scheme shall be designed so that there is no increase in the rate of surface water runoff from the site resulting from the development and so that storm water flows are attenuated. The development shall be carried out in accordance with the approved scheme.

(Reason - The details are required prior to commencement to ensure that they fit efficiently within the site layout, protect water quality and minimise flood risk in accordance with Policy EN22 - Surface Run-Off Implications of New Development of the East Devon Local Plan 2013-2031 and the guidance contained within the National Planning Policy Framework.)

5. The site shall be drained on a separate system of foul and surface water drainage, with all clean roof and surface water being kept separate from foul drainage.
(Reason - To prevent pollution of the water environment in accordance with the requirements of EN14 (Control of Pollution) of the East Devon Local Plan.)
6. All foul drainage, including foul surface water run-off shall be disposed of in such a way as to prevent any discharge to a well, borehole or spring or any watercourse, including dry ditches with a connection to a watercourse.
(Reason - To prevent pollution of the water environment in accordance with the requirements of Policy EN14 (Control of Pollution) of the East Devon Local Plan.)
7. Development shall be carried out in accordance with the recommendations of Protected Species Survey prepared by Richard Green Ecology Ltd dated 4 August 2020.
(Reason - To ensure that the development conserves wildlife habitats and protected species in accordance with Policy EN5 - Wildlife Habitats and Features of the East Devon Local Plan 2013-2031.)
8. The new access in the southern boundary of the field shall not be created until a scheme for the blocking up of the existing field access is submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include an earth bank planted with native hedgerow species. The scheme shall be implemented in the first planting season following the creation of the new access in accordance with the approved details.
(Reason - To ensure that the loss of hedgerow to create the new access is compensated by new planting in the interests of biodiversity in accordance with Policy EN5 - Wildlife Habitats and Features of the East Devon Local Plan 2013-2031.)

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 works proactively with applicants to resolve all relevant planning concerns; however, in this case the application was deemed acceptable as submitted.

Plans relating to this application:

4	Proposed Combined Plans	28.09.20
3	Proposed Elevation	28.09.20
1	Location Plan	28.09.20
2 issue 2	Proposed Site Plan	08.10.20

5 issue 3

Sections

08.10.20

List of Background Papers

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