

Application No: **6/8/14/102**

Grid Ref. 293250 138727

Applicant: Mr R Webber, Shearwell Data Ltd, Putham
Wheddon Cross, Minehead, Somerset

Location: Shearwell Data Ltd, Putham, Wheddon Cross, Minehead, Somerset

Proposal: **Proposed replacement agricultural building, associated yard area and landscaping. Proposed re-submission of part of approved application 6/8/12/105. (1591m²). As per additional plan 20.05.14. (Full)**

Introduction: DESCRIPTION OF THE SITE, PLANNING HISTORY AND EXISTING USES

The application site lies in open countryside to the south and south-east of Wheddon Cross and Cutcombe. The area is characterised by open grazing fields on valley sides with the fields bounded by hedgebanks. There are some copses of trees and more extensive areas of woodland in the wider area.

At the present time there is one large building and one smaller building on the site. The larger building accommodates Shearwell Data Systems in the north-western end of the building and the south-eastern section is a livestock shed. They are internally connected. The building has sheeted elevations and roof.

The main building has an approximate gross external area of 2,895sqm. This is made up of 1,424sqm of office and production space over two floors and approximately 1,358sqm of ground floor agricultural floorspace, with an extra 113sqm of mezzanine space. A smaller sheeted building to the west of the main building measures approximately 278sqm. (This building has now, with planning permission, been converted and extended from agricultural use to business use).

The business element falls within the B1 Business Use Class and is a mix of production, office, and research and development space. Approximately 50 full-time and 10 part-time staff are employed in the business on the site. The business is a supplier of visual and electronic ear tags, bolus, farm software and electronic identification (EID) to aid identification and management of cattle, sheep and other livestock both in the UK and internationally. In association with the business is the National Livestock Management Database which is a central repository for farm information, providing secure off-site backup electronic data facilities to farmers and the industry.

A tarmac car park is located immediately to the north-west of the main entrance to the building and is cut into the slope of the hill and accommodates about 50 car parking spaces in an informal way.

The site is accessed via a concrete and fenced drive across an open grazing field which connects to Popery Lane. Adjoining the access onto Popery Lane is an intersection with the Coleridge Way Bridleway and Lower Park Lane. A pair of semi-detached houses lies in the vicinity at this end of Popery Lane. Popery Lane is a single width lane, with occasional passing places, and connections with the main road network by the Cutcombe First School.

Past the Shearwell access is the group of dwellings at Putham. They share the access to the Shearwell site.

In terms of planning history, a sheep and cattle building was originally permitted in June 1985 under Application 6/8/89/111. This was the original permission that allowed a building for farming purposes.

In 1992 an application for the change of use of 6 of the 10 bays of the barn to light industrial was submitted. At this time the use was explained as the supply of mail order goods, woodwork/joinery, design and supply of agricultural buildings and stables and an animal tagging business. The application was approved on 9 September 1992.

An application to extend the sheep shed was submitted under Application 6/8/95/110. This was approved in February 1996.

In 2001 (application 6/8/01/103) permission was granted for a further extension to the sheep shed for agricultural purposes.

The detached building was permitted in 2006 (applications 6/8/06/103 and 6/8/06/104) for agricultural purposes.

The result of these permissions was a mixed use of the main building, a combination of livestock shed in one section and the business element in the other. Subsequent internal and external changes, with the necessary planning permissions as required, have seen the business element expand.

APPLICATION 6/8/12/105

Application 6/8/12/105 was submitted in May 2012. As originally submitted the application proposed:

Proposed re-development of the site to replace an existing agricultural building and workshop lean-to with a purpose built B1 office, research and development and light industry workspace (2,159m² gross external area), 40kw roof mounted solar photo voltaic array, change of use and extension of existing agricultural storage building to B1 light industry (371m² gross external area), extension of car park, erection of replacement agricultural building (1,758m² gross external area) and associated yard area, landscaping together with the provision of a new access drive (approximately 830m) from the B3224 to existing business building including crossing Public Bridleway No. WL 6/22.

This application was the subject of extensive reports to Committee, a site visit and considerable discussions. The Committee will be aware of the details leading up to an approval of the application for the business extension, business conversion, car parking extension and access road, following the withdrawal of the proposals for the agricultural building. It is however, helpful to summarise the processing of this application, the considerations and conclusions reached as they do assist with the

determination of the present proposals.

This application proposed to demolish the agricultural floorspace in the main building and extend the business space over the same footprint. This is a linear building of approximately 78m in length. It was the end 50m agricultural section of the building which was to be demolished and replaced with business space. The agricultural storage building was permitted to be converted to business use with an extension of approximately 3m to the rear. This would extend the floor space from 278sqm to 371sqm.

The car park was proposed under this application to be extended from approximately 55m in length to 90m in length. The width of approximately 30m would remain and the capacity would increase from approximately 50 cars to approximately 90 cars.

A significant component of the application was the provision of an access road from the B3224 across fields to the business and farming site. The proposals included visibility splays and details of the 3.05m width road (6m at the access) as it passed across grazing fields, including a bridleway before dropping down to the Shearwell site. The plans showed passing bays and landscaping proposals.

As originally submitted the application proposed a detached agricultural building to the north-east of the Shearwell building. At that time the proposed building measured approximately 72m in length and with an approximate width of 23m. There was a wider section of the proposed building at the western side where the width increases to approximately 27.5m to accommodate a livestock handling area. The height of the building had been reduced from the original submission by the applicant with the eaves lowered from approximately 4.6m (15ft) to approximately 4.3m (14ft). Also the roof pitch of the building had also been reduced from 15 degrees to 12 degrees. The approximately 23m wide section of the building proposed a ridge height of approximately 6.7m (reduced by 0.9m from the original submission) and the approximate 27.5m wide section of the building has a ridge height of approximately 7.2m (reduced by approximately 1m from the original submission). The ground floor area of the proposed building measured approximately 1,758sqm with an additional 125sqm of internal mezzanine. A total of 1,883sqm.

The proposed elevations were to be clad in vertical timber Yorkshire boarding over a base of concrete panels, with the exception of the western end elevation which was proposed to be finished in a dark grey metal ventair system, which it is said, reduces rain blowing into the building. The roof of the building was shown as anthracite cement fibre panels with a series of roof lights. The details explained that the Yorkshire boarding will be overlapped internally to reduce light escape from the building.

At that time the plans showed that the proposed agricultural building would have been cut into the slope of the hillside. The building was shown running parallel with a hedgebank, and on the southern side where the land rises, the

cut into the slope at the back of the yard area was between 3m and 4m depending on position. Stone finished yard areas were proposed around the building with a raised area to the southern side of the building to access the internal mezzanine. Large steel doors were specified to be finished in a dark grey colour and were shown at each ends of the proposed agricultural building. The site of the agricultural building was proposed to be located partly in the field to the west of the present car park, but it also extended through a section of hedgebank and projected approximately 50m into the adjoining field. With the section of yard proposed to the western end of the barn, the proposed building would have extended up to the hedgebank of the next field boundary. From the northern yard section of the new agricultural building, to the south-east corner of the yard to the extended business building, the site would have extended over a distance of approximately 330m.

The application was originally reported to the Committee on 4 September 2012. This was an interim report setting out the issues and the Committee deferred the application to undertake a site visit on 17 September 2012. The application was reported back to the Committee on 6 November 2012 with a detailed report setting out all the issues for consideration.

There was considerable scrutiny of the proposals and a significant element of the debate centred on the justification for the size of the agricultural building proposed and its landscape impact. These matters are pertinent to the present application under consideration and form an important part of the planning history to take into account.

By way of background the applicants run a farming business that operates on approximately 669 acres of land. This consists of Putham (64 acres – which in the latest submission the agent has explained excludes the Shearwell's premises, the existing farm buildings and the agricultural land required to deliver planning permission 6/8/12/105), Lower House Farm (145 acres), Weekfield Farm (190 acres), Goosemoor Farm (240 acres) and rented land (30 acres). Additionally it is explained that a further 200 acres was taken as grass keep during the 2013 grazing season.

The case was made in the application submissions that the Putham land was farmed in conjunction with the land and buildings at Lower House as a single unit. The two areas of land are close but not contiguous.

The agent had submitted a detailed analysis of stocking rates and building sizes to seek to justify the need for the agricultural building proposed on the Putham holding. Also it was explained that the existing approved agricultural floorspace at Putham was 1749sqm and the application sought to replace this with a floorspace of 1,883sqm. There was also the case put that there was a need for an agricultural building at Putham so that there was the ability to trial and demonstrate products in conjunction with the Shearwell business.

The Authority sought independent agricultural advice from Smiths Gore. This concluded that based on the combined Putham and Lower House holdings

the size of the building was justified, however, were only the Putham land to be considered then a replacement barn in the region of 650-750sqm would be required.

In terms of landscape impacts the Head of Conservation and Access had set out her considerations in a detailed report. Her key conclusions were that:

“Overall, the proposals are substantial and will change the character and appearance of the application site as it is seen in the wider landscape. In terms of the individual elements, the proposal to demolish and rebuild a large section of the existing Shearwell building is likely to have a positive impact on the landscape at this site and on surrounding views into the site. The proposal to extend the car park is unlikely to have negative visual impacts. The proposals to construct a new access road can largely be mitigated across the length of the track but at the entrance the impacts will be adverse and significant. Finally, the proposed new agricultural building is considered to have an adverse visual impact in a number of views of the site, mainly due to the scale of the structure. The proposed hedgebanks help to mitigate these impacts. A smaller building or series of smaller buildings with broken outlines and roof lines is likely to be easier to integrate into the landscape.

To conclude, the scale of the proposals, and in particular the replacement agricultural building and the improved vehicular access, will result in adverse visual impacts, despite the proposals being carefully designed and landscaped to reduce their effect. It is acknowledged that the overall impact is restricted to a limited number of viewpoints and it will be necessary for the Committee to weigh up the scale and harm of the landscape change against other planning considerations in coming to its conclusions on the overall acceptability of the scheme.”

At the November 2012 Meeting the Committee debated all the issues. An extract from the minutes summaries the Committee’s deliberations;

"In relation to the farming justification for the replacement agricultural building, it was questioned whether additional agricultural building space could be achieved through the utilisation of existing structures at the applicant’s holding at Lower House Farm. It was also noted that farming practices on Exmoor had developed over time and continued to evolve; and that an independent report had concluded that the applicant had demonstrated a functional requirement for the building which relied on the current farming system adopted over the combined landholdings of Putham Farm and Lower House Farm. It was therefore suggested that any grant of planning consent should be subject to the signing of a legal agreement to tie the replacement agricultural building to this combined landholding. It was noted that without such an agreement, and were the larger part of the landholding at Lower House Farm to be separated from the land at Putham Farm, the size of the proposed agricultural building could not be justified in planning terms.

Taking account of Local Plan policies on employment and economic

development, it was considered that the proposals would allow expansion of an established family business, with potential to achieve increased job opportunities in the greater Exmoor area. It was also noted that the local community as represented by the Parish Council supported the application."

The Committee minute also explains;

"It was acknowledged that a development of the size and scale proposed would cause change to the character and appearance of the landscape. Having considered the application in detail, including photomontages of the proposed replacement agricultural building, the majority of Members considered that the landscape impact would not be unacceptable or of such a degree that it would violate the first purpose of the National Park to conserve and enhance the natural beauty of the area.

A motion to refuse planning consent was defeated. A motion to grant planning consent subject to the signing of a legal agreement to tie the replacement agricultural building to the applicant's wider landholding at Putham Farm and Lower House Farm was carried by a majority."

The resolution was that planning permission be granted subject to the signing of a Section 106 Agreement to tie the replacement agricultural building to the applicant's wider land holding at Putham and Lower House Farm and subject to a series of conditions.

Officers then sought to progress the Section 106 Agreement with the applicant. Discussions took place over a number of months and a further report, regarding the clauses in a proposed S106 Agreement, was reported to the Committee in March 2013. The applicant and his advisers set out their case that the barn was a replacement, had been agreed as justified on agricultural grounds, was acceptable in the landscape terms and therefore an agreement was not necessary or met the statutory tests for such an agreement. Nevertheless the applicant in acknowledging the resolution of the Committee offered to sign an agreement to tie the new building to the land at Putham and 140 acres of other specified land (initially identifying the land at Lower House) to ensure there was a single farmed unit of a size to justify the barn. It was proposed, in the event that the land fell below the combined acreage there would be the ability to reappraise, and if necessary remove, part of the structure.

The Committee was unwilling to agree to this form of the legal agreement because it did not include the buildings and dwelling at Lower House. It was argued that the original justification for the agricultural building was because the Putham and Lower House were farmed as a single farm unit and the floorspace at Putham had only been agreed on the basis of the two units together. On this basis the Committee declined to accept the proposed wording of the S106 Agreement and re-affirmed their original resolution seeking a S106 Agreement tying the new barn to the land at Putham and the land and buildings, including dwelling, at Lower House.

Following this Committee Meeting the applicant reappraised his options and withdrew the agricultural building and related yard element from the application. The revised planning application was reported to the Committee Meeting on 4 June 2013. The application was recommended for approval and the Committee granted planning permission. Included in that report was an explanation from the agent that;

“In the interests of being transparent with the Authority, our client intends to submit a separate application for an agricultural building in due course. The content of that application and the siting of the building will be subject to a review that is currently being undertaken. As mentioned previously, our client does not want any issues relating to the agricultural building to delay the formalisation of the consent that has already been given for the Application as now amended. Members will, of course, have the opportunity to assess any future application for an agricultural building against policy at that time.”

The planning permission was issued after the June meeting. The Applicant has submitted, and had agreed, details pursuant to the various conditions to be able to start work on parts of the development. For instance, the detached farm building has been converted and extended. It is now lawful to construct the access road as any conditions concerning this aspect of the approval have been cleared. There are phasing conditions which require the access road to be operational before the main business extension can commence.

THE PRESENT APPLICATION PROPOSALS – APPLICATION 6/8/14/102.

This application proposes to erect an agricultural barn on land to the north-west of the Shearwell building and present car park. The building is cut into the hillside with the building proposed parallel to an existing hedgebank.

The building is shown with a total length of approximately 60.1m. An approximate 23.2m length of the building is proposed to be about 27.5m wide with approximately 7.2m to the ridge. The remaining 36.9m will be approximately 22.9m wide and 6.7m to the ridge. The elevations will be Yorkshire boarding with a dark grey ventair metal finish to the western end gable. Access doors are located in each gable with yards at either end. Passage ways are proposed along the sides of the building with the southern passageway raised up in the central section to allow access to the 113sqm mezzanine section of the building. The roof would be clad in fibre cement sheeting with a colour of Anthracite.

The ground floor of the building is proposed to measure approximately 1,478sqm with the mezzanine area of 113 sqm. A total of 1,591sqm of floorspace.

The plans show the rooflights concentrated on the southern roofslope, facing the rising hillside. The papers explain that in addition to fewer rooflights on the north facing roof slope they are also set lower on that roof elevation to benefit from the screening from the established hedge. Internally it is proposed to fit downward light reflectors to all internal lights to minimise

upward light loss.

The yard areas would be finished in stone. The building and yard areas will drain from roof guttering and yard gullies to two stone soakaway chambers. A section of north-south hedgebank will be removed to accommodate the proposed building. The plans show a replacement hedgebank running parallel with the proposed building further to the south.

In comparison with the original submission, which was considered by the Planning Committee under Application 6/8/12/105, the agricultural building is 12.2m shorter in length. The footprint of the building is now proposed to be 1,478sqm compared to the previous 1,758sqm – a reduction of 280sqm.

The application is accompanied by a lighting assessment, flood risk assessment, excavated material assessment, revised photomontages and agricultural justifications for the size of the agricultural building.

Consultee Response:

CUTCOMBE PARISH COUNCIL: The Parish Council met on 15 April and resolved to fully support the application.

EXTON PARISH COUNCIL: No comment received

WEST SOMERSET COUNCIL: No comment received

SCC - ENVIRONMENT DIRECTORATE: No comments.

ENVIRONMENT AGENCY SOUTH WEST: No further comments to those given under Application 6/8/12/105. The Agency had previously raised no objection to all the previous proposals providing the recommendations of the technical reports submitted with that application were followed. The Agency has subsequently agreed to the clearance of the relevant conditions attached to the earlier permission.

EXMOOR SOCIETY: The landscape issues around new Agricultural Building were effectively placed beyond further discussion when the initial application was approved, albeit subject to a 106 Agreement. I am not sure that our committee understood the significance of this and why the applicant was not prepared to sign it.

The Society recognises that there is to be some reduction in size, mass and area of concrete of the proposed new building and welcomes this. We have studied the agent's justification for a building of this size, but would wish to see an independent report to confirm the validity of these figures.

WSC: ENVIRONMENTAL HEALTH - no additional comments to those previously submitted. These concerned Air Quality, contaminated land, drainage and relationship to residential properties. It was commented that "the proposed agricultural building to the north is at the closest proximity to the properties off Popery Lane. It is felt that the distance between the two would not greatly impact on the residents of Popery Lane in terms of light, dust and noise". It was commented that the Environmental Statement did not consider potential noise impacts and therefore this could be referenced in an informative.

SOUTH WEST WATER: No comment received

WESSEX WATER AUTHORITY: No comment received

WESTERN POWER DISTRIBUTION: No comment received

AVON AND SOMERSET POLICE: No further comments to add to those made under Application 6/8/12/105. These centred around the proposed business building but also regarding the need to ensure that landscaping did not impede natural surveillance.

ROW AND ACCESS - ENPA: There are no public rights of way directly affected by this development. However, I should make you aware that public bridleway WL6/22 passes close to the application site and carries the Coleridge Way which is a promoted long distance route. It may be possible to see the development site from some points along this bridleway although it is a sunken lane and so for the majority of its length, the development would not be visible to users of the bridleway.

HEAD OF CONSERVATION AND ACCESS - ENPA: The Head of Conservation and Access advises;

Background

The application is for the erection of an agricultural building. The building would be free standing and a replacement for the existing barn space that would be lost with the construction of the large extension of the business space on the wider site.

My original comments on the proposals, which also included a new access road, redevelopment of an existing building, car park and landscape works, are set out in the papers presented to Members in November 2012.

At the time I concluded that with regard to landscape and visual effects of the development, the main areas of concern were the new access road and the size of the proposed new agricultural building. The current application, and my comments below, relate only to the new agricultural building.

Comments

The site lies in open countryside. The landscape is of gently rolling hills with a relatively small field pattern with boundaries of hedgebanks. There are views into the site from across the valleys and more distant views from moorland. There is a dispersed pattern of development in the wider area with some farm buildings and houses, although these are generally discreetly located.

The proposed agricultural building is substantial and it is difficult to assimilate such a building into the landscape. However, there is a well established hedge along the northern boundary of the proposed barn and, if this was maintained and allowed to grow up further, would help reduce the impact of the building in the landscape, particularly from the areas around the Church.

The land rises to the south and so from many viewpoints the new building has a backdrop (see various photomontages) However where the viewer is on lower ground (eg viewpoint 5 near Kersham Wood), the building appears on the skyline. The proposal to form a further hedgebank to the south is welcomed. In relation to the previous proposals considered by the Authority, the reduction in building mass is small, but is welcomed. Reducing the length by approximately 12m is helpful although at around 60m in length this is still a very substantial new building. The reduced impact is most clearly illustrated in viewpoint 19 – the view from Cutcombe Church where it is apparent that the building is shorter and less dominant in the landscape.

As I explained in my original comments, it is my view, in comparison with the original submission, that the lowering and flattening of the roof makes little overall difference to visual impact and may in fact make the building appear less “barn like” and more industrial (having a flatter roof). The colour and texture of the roof is of greater importance.

It is difficult to assimilate this size of building within this landscape. However, there are no other adjoining sites that are considered to be preferable and the application proposes a logical approach to accommodating this agricultural building in conjunction with the present Shearwell building.

The landscape and visual impact assessment carried out by Acorn is thorough, although as with the 2012 assessment, I judge that some of the sensitivity assessments and impact assessments may have been underplayed. For example at the view from the church (19) I would suggest that the receptor is of very high (not high) sensitivity and that there is an obvious change in the view (a Moderate magnitude of impact and therefore the significance of visual impact will be Substantial). While I accept this will be mitigated in the long term with planting, in the short term (next 5 - 10 years) the building will be very apparent. In the longer term, the screening and backdrop will help to soften and ameliorate this.

Conclusion

In this proposal, as in the previous application, the proposals are substantial and will change the character and appearance of the application site as it is seen from a number of public viewpoints. These are illustrated in the various photomontages. However the current proposal is less damaging than that already considered by the Planning Committee and therefore, if it is judged that this size of building can be justified on this holding, I would not wish to raise an objection to this application on landscape grounds.

ARCHAEOLOGIST - ENPA: No comment received

WILDLIFE CONSERVATION OFFICER - ENPA: A condition should be imposed to the effect that the development shall be carried out in strict accordance with the recommendations at 5.2.2 on page 6 of the Ecological Assessment Report (dated January 2012) prepared for Shearwell Data Ltd by Richard Green Ecology Ltd and submitted with the application. The paragraph referred to contains mitigation proposals in the event that any hedgebank removal is necessary in connection with the development. Although the Report is over two years old I consider it unlikely that the ecology of the site will have changed so radically as to render its conclusions invalid.

Public Response:

3 letters of objection 1 other letter

One letter from a local resident explaining that they have no objection whatsoever and commenting that it is a disgrace to think what this business has been through in trying to bring jobs for local people.

Three letters of objection making the following points;

1.All the lambing for all the farms appears to take place at Putham, with the resultant on-

EXMOOR NATIONAL PARK PLANNING COMMITTEE

going vehicular movement of livestock to and from other farms. It seems surprising that the application specifically says that there will be no vehicles of any sort associated with the proposed sheep shed.

2.If approval is granted, a further application can be expected to cater for the actual livestock numbers – thus a section 106 agreement is even more essential.

3.The support for the application comes from Wheddon Cross and further afield and not from those most affected.

4.Whether an applicant can fund a proposed development or not should not be taken into account when considering a planning application. However, with extensive business, land and property holdings in their possession, and at their disposal it seems inconceivable that Shearwell should claim that a Section 106 Agreement would jeopardise their ability to fund their business. The latest public accounts showed profit has been over £1m in the last 2 years.

5.Other companies operating in the same field do not need a farm location. The business use should be on a properly planned industrial estate and not be on National Park farm land.

6.It cannot be claimed that it is sited in a National Park to aid employment as the majority of workers will come from outside.

7.The application showed a photo of a squalid rubbish dump towards Putham, this is now worse than ever and no action has been taken to resolve this or consideration of the people at Putham.

8.Whilst ENPA has allowed Shearwell to achieve a dramatic increase in the value of their property, which is valid in planning terms, the local residents have not been protected, and the properties at Putham have been reduced in value with no compensation.

9.A number of “agricultural ties” at the former Putham Farm were in recent years, transferred from house to house, until finally being dropped to allow the applicant to purchase Lower House Farm. There is no point for the agent to suggest that Putham now be farmed in isolation when the available dwelling and resources to support the barn are now well established at Lower House Farm.

10.A remote building of approximately 1,400sqm purporting to support a high tech IT company to “trial and test its products close to its premises” does not require housing for 320 ewes and their 1.5 head lambs. The proposal may look well placed on a plan, but in reality the contours of the land place them in full view for miles around and its remoteness from the farm dwelling, particularly at lambing time, will generate noise, light and never ending visits day and night by vehicles. Management of the livestock will not be dealt with by IT technical staff on a 8-5 basis, but by the agricultural workforce and family based on Lower House Farm. The section 106 agreement is well thought out, fully appropriate and should remain.

11.The agent seeks to demonstrate additional space for the barn, approximately twice that calculated by Smiths Gore, by specifying “carrying out repairs and maintenance work

on machinery and equipment” – the very same purpose put forward to justify retention of the built, without planning permission, structure at Lower House the subject of a recent CLEUD application.

12. It is questioned whether the conditions relating to Application 6/8/12/105 have been complied with before works commenced on site.

13. The access road has not yet been put in – this was the most immediately important item and the road from the village has been wrecked. It is virtually impossible to get to and from the village by car at some times of the day because of the volume of traffic. It can also be extremely dangerous to walk to and from the village because of the width and speed of not only the cars, but also vans, lorries and farm vehicles that service Shearwell throughout the day.

RELEVANT HISTORY

6/8/95/110	Extensions to Existing Sheep Shed (Part Retrospective)
Full	Approved
	06 February 1996
	Same Site
6/8/95/109	Retention of Covered Shelter for Existing Industrial Premises (Retrospective Application)
Full	Approved
	06 February 1996
	Same Site
6/8/92/104	Change of Use of Barn to Light Industrial
Full	Approved
	08 September 1992
	Same Site
6/8/95/105	Retrospective Application: Alterations to Roof
Full	Approved
	14 August 1995
	Same Site
6/8/89/111	Erection of sheep/cattle shed.
Full	Approved
	16 June 1989
	Same Site
6/8/12/105	Proposed re-development of the site to replace an existing agricultural building and workshop lean-to with a purpose built B1 office, research and development and light industry workspace (2,153m² gross external area), 40kw roof mounted solar photo voltaic array, change of use and extension of existing agricultural storage building to B1 light industry (371m² gross external area), extension of car park, landscaping together with the provision of a new access drive (approximately 830m) from the B3224 to existing business building including crossing Public Bridleway No. WL 6/22 supplemented by an Environmental Statement received 18/05/12. A per additional and amplified information dated 08.08.12, 24.09.12, 08.10.12, 22.10.12 and 10.05.13.
Full	Approved
	11 June 2013
	Same Site

Most Relevant Development Plan Policies:

EXMOOR NATIONAL PARK LOCAL PLAN 2001-2011

LNC1 General National Park Policy
LNC2 Lighting
LNC8 Protection of Best Agricultural Land
LNC12 Exmoor Biodiversity Action Plan Areas
LNC13 Mitigation and Compensation for Nature Conservation Sites Affected by Development
LNC14 Protected Species and Habitats
CBS12 New Development
A1 Agriculture and Forestry Development
U8 Reduction of Flood Risk from New Development
TR3 Traffic and Road Safety Considerations for Development

In terms of the National Planning Policy Framework (NPPF) key advice in relation to this application explains:

The NPPF sets out a presumption in favour of sustainable development. It explains that there are three dimensions to sustainable development, economic, social and environmental roles. It explains that the roles should not be undertaken in isolation and;

“to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. The planning system should play an active role in guiding development to sustainable solutions.”

National Park purposes should be given greater weight in the planning process than the presumption of favour of sustainable development.

The NPPF comments in paragraph 28: Supporting a prosperous rural economy

Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development.

To promote a strong rural economy, local and neighbourhood plans should:

- support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings;
- promote the development and diversification of agricultural and other land-based rural businesses;
- support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres; and
- promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public

houses and places of worship.

In relation to National Parks paragraph 115 states;

“Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads.”

EMERGING EXMOOR LOCAL PLAN

GP1 General Policy; National Park Purposes and Sustainable Development

GP2 Model Policy

GP3 General Policy; Major Development

CE-S1 Landscape Character

CE-D1 Protecting Exmoor's Dark Night Sky

CE-S2 Biodiversity

CC-D1 Flood Risk

SE-S4 Agricultural and Forestry Development

AC-D1 Transport and Accessibility Requirements for Development

Observations:

The application proposes the erection of a substantial agricultural building located in the same position as the agricultural building considered under Application 6/8/12/105. In considering that application the Authority came to conclusions on planning issues that are still relevant to the considerations in this case. The present application, while substantial, has a footprint 280sqm smaller than the previous agricultural building proposals.

It was accepted that matters of run-off, ecology, lighting impacts, materials and impact on the amenities of adjoining properties had been satisfactorily addressed. The present application building, which is slightly further from the closest neighbours, addresses these matters in the same way and officers continue to be satisfied with the technical details submitted with the application.

It is considered that there are two main planning issues that require detailed consideration, firstly whether the landscape impact is acceptable and secondly whether the size of the agricultural building can be justified on this site.

LANDSCAPE

In terms of landscape impact, Policy LNC1 requires that proposals be compatible with the conservation or enhancement of the natural beauty, wildlife and cultural heritage of Exmoor. Policy A1, concerning new agricultural buildings requires, inter alia, that there would be no unacceptable adverse impact on the landscape, wildlife or historic environment of Exmoor. These policies mirror the first Purpose of the National Park and the NPPF requires that great weight be given to conserving landscape and scenic beauty in National Parks.

The Emerging Local Plan has similar policies that require proposals to conserve and

enhance the National Park.

The application barn is a substantial building with a footprint of 1,478sqm and a length of 60.1m. It is sited across the bottom slope of two fields and will require the removal of a section of hedgebank. Nevertheless the building is proposed to be cut into the slope and there is an established hedgebank along the northern side of the site, running parallel with the building. The hedge element has significant quantities of holly that provide a year round screen. The papers explain that it is proposed to allow this hedgebank to grow up to 6.5m in height.

Revised photomontages have been submitted with this application. These will form part of the presentation to Committee. The site is visible from the Kersham Hill to the south-east and from this view the building will be cut down in the hillside with the expansive and higher views of Dunkery in the distance. It is from the Cutcombe Church area, across the valley to the north, that there are the main views of the building.

The submission includes revised photomontages of the barn in the landscape from a number of key viewpoints. From the views back across the valley from the north the reduction in length of the building, by 12.2m, is the material change with the plans compared to the previous submission. The building will be cut into the hill side and set behind an established hedgebank that the applicant has indicated would be allowed to grow up. As the Head of Conservation and Access has explained this is a substantial building that is difficult to assimilate in the landscape, nevertheless she comments that the shorter building is less dominant in the landscape than the previous proposal. Her conclusion is that "the current proposal is less damaging than that already considered by the Planning Committee and therefore, if it is judged that this size of building can be justified on this holding, I would not wish to raise an objection to this application on landscape grounds".

When the Committee considered the previous proposals for a barn on this site, which were virtually identical, save that the proposed building was approximately 72m long rather than the present approximate 60m in length, it was resolved to grant planning permission subject to a Section 106 Agreement. It should be noted that this resolution was subject to the understanding that the barn would be linked to the Lower House Farm site such that the two units of land would continue to operate as a single farm unit. In conclusion, having regard to the reduced length of the building in relation to the previous proposals (which were considered acceptable in landscape terms by the Authority), the nature of the proposals which show the proposed barn set into the hillside behind the established hedgebank, the proposed hedgebank further up the hillside to the south and the conclusions of the Head of Conservation and Access, it is considered that the impact of the proposed building is satisfactory in the landscape.

FARMING JUSTIFICATION

The agent has set out a detailed analysis to justify for the size of the proposed agricultural building.

The agent has explained "that the smaller replacement building that is now proposed is justified to support the farming business run at Lower House Farm and Putham. The detail provided shown on Drawing 21 also demonstrates that there will be a shortfall of

approximately 106sqm of floor space to store straw and a shortfall on the space required to housing breeding ewes (82 ewes short) farmed at Lower House and Putham”.

The agent has further set out:

“In their determination of application 6/8/12/105, the Authority also requested Smiths Gore to provide advice on the size of the building reasonably necessary to support a farming enterprise on the 64 acres at Putham (which excludes Shearwell premises, the existing farm buildings and the agricultural land required to implement planning permission 6/8/12/105) if it was farmed in isolation. The Authority were advised that Putham would require a building in the region of 650sqm to 750sqm. That size of building does not however, allow for adequate operational space or adequate feed space within the building. If Putham were farmed in isolation undercover floor space would also be required for storing farm machinery, carrying out repairs to farm machinery and equipment, and general storage for seeds, fertiliser and other items. It would also be reasonable to allow for grasskeep to be taken. At the existing stocking rate and after a pro-rata allowance for grass keep based on the existing area taken and total area farmed, Putham would have the capacity to be stocked with approximately 290 ewes, 78 ewe lambs and 9 rams. Based on those figures and after allowing reasonable space allowances for the purposes outlined, Putham would justify an agricultural building with a footprint in the region of 1,400sqm.”

The agent also explains that the barn is sited at Putham because it allows the applicants to work the farming business and Shearwell together and it also because it provides Shearwell with the ability to trial, test and to demonstrate its products and services close to its premises.

In addition to the analysis undertaken by the agent the applicant has also sought advice from ADAS as to whether the space calculations are appropriate. Included in the submissions is a letter written by the ADAS Principal Livestock Consultant who explains that she has been a livestock consultant with ADAS for almost 30 years and has advised on a wide range of beef and sheep farmers on housing and husbandry of their stock.

She advises that the specifications for the internal layouts “appear to be satisfactory and in line with current building recommendations and space allowances for breeding sheep and cattle. The storage areas for straw and fodder are adequate given that Mr Webber currently feeds baled silage (stored outside), but it is likely that more fodder storage and additional space would be needed if hay was the main forage”.

The adviser comments that the “0.64 livestock units per acre is a reasonable stocking density for a commercial farming system operating on improved land in this area. It compares with the stocking density rate for cattle and sheep that ADAS operated when running the nearby Liscombe Experimental Husbandry Farm”.

The letter concludes by explaining that;

“the existing farm buildings that will be lost to accommodate the Shearwell development are necessary for livestock housing and form an integral part of the existing farming system. The proposed replacement floor space is therefore necessary for the existing Lower House Farm and Putham farming enterprise. Likewise, based on the existing

stocking rate and after making allowance for space for farm machinery and other equipment, and operational space in the building, the proposed floor space could also be justified if Putham was farmed as a separate unit”.

The Authority has sought independent agricultural to advise whether the size of the building is appropriate in this case. The advice from Smiths Gore is attached to this report and Committee Members will be able to study the report in full.

It will be noted that Smiths Gore comment that the level of machinery storage and nature and type of equipment show seems excessive and that it is common place across Exmoor to use contractors to undertake operations such as hedge trimming, mowing, baling and wrapping. Similar comments are made in respect of the grass keep land that is taken and also that no provision appears to be have been made for the dual functionality of agricultural buildings.

The report accepts that the applicant is used to having a large amount of space which for most farmers will be utilised and that a smaller building may force adjustments to farming operations.

The report, in paragraph 7.3, comments that it is understood “the applicant requires the agricultural building space at Putham Farm so that Shearwell Data Ltd can use the facility to trial, test and demonstrate its products. Taking into consideration the nature of the business of Shearwell Data Ltd it is understandable that the Applicant would require a high standard of sheep accommodation and livestock handling facilities. Therefore, it would be recognised that the applicants would have a requirement for a building larger than the reasonable needs of a typical Exmoor holding”.

The Smiths Gore Report sets out conclusions in Section 8. These are that there would be very few (if any) Exmoor holdings of 64 acres with 1,478sqm of agricultural building space. It is concluded that when considering the reasonable needs of the holding, in comparison to other agricultural holdings on Exmoor, the building seems excessive. There are also similar comments in respect of the allowance for machinery and other storage areas.

The report explains that “farming is a very diverse industry and no two farms are the same. It is therefore difficult to accurately define what the reasonable needs of the holding are. In the figures stated above, if the handling system and raised slatted floor system were added in then a building in the region of 1,100sqm (11,836sqft) to 1,200sqm (12,912 sqft) could be justified”.

The final paragraph from the Smiths Gore explains;

“In this instance taking into consideration that Shearwell Data Ltd will use the building for demonstrations, trials and testing. It would be important for the company to have the appropriate facilities to provide demonstrations to their global customer base. Therefore, the needs of the buildings are ‘over and above’ the reasonable needs of a typical Exmoor Farm. With this in mind, potentially a larger building could be justified.”

The agents acting for the applicant have made comments in response to the report from Smiths Gore. They explain that when the timely turnout of ewes with lambs at foot is not

possible due to adverse weather conditions, the demand for housing is often greater than the space available. The point is also made that sometimes there are factors beyond the farmer's control that result in a need for floor space that is beyond the scope of the space allowances and text book standards to identify. The agent explains that the lambing percentage at Putham this year is greater than last year's figure due to a significant number of triplets being born. It is explained that this has resulted in approximately 150 lambs needing to be hand reared in an area that has taken 18m by 14m (252sqm) in the existing building". The case officer noted this area was in use when he undertook his site visit.

The agent also notes that the Smiths Gore report indicates that no provision appears to have been made for the dual functionality of the proposed barn. The agent comments that the applicant's farming policy does allow for dual functionality of building space. The agent gives the examples of the space that is used to store straw is also used to store fertiliser when straw reserves are depleted and sufficient space is available for that purpose. It is explained that as floor space becomes available as fodder and straw is used, it is used for accommodating lambs at foot and orphan lambs.

The agent also comments that the Smiths Gore "figures do not appear to allow for a central feed passage and a feed bunker for storing grain. Adding these areas to their figures together with slatted floor area and handling area, increases the floor space at that stage of their assessment to circa 1,450sqm".

Smiths Gore has been asked to comment on these further submissions.

Looking at all these details there is much analysis from the various technical experts as to the justification for the building floorspace. There are a number of considerations that need to be borne in mind. The original Smiths Gore Report accepted that an agricultural building of 1,883 sqm was required on the combined Putham and Lower House Farm holdings. The agent still makes the case that the building is required across both holdings and additionally that were the Putham site to be farmed in isolation the application barn now proposed could be justified solely on the Putham land. In these circumstances, the agent argues that there is now no justification to consider linking the barn to Lower House Farm by way of S106 Agreement.

Previously on the Putham site, with the main barn, with its mezzanine, and detached farm building, there was a total agricultural floorspace of approximately 1,749sqm. The 2012 application proposed a larger agricultural floorspace than previously existed at the Putham site. The agricultural building under application 6/8/12/105 proposed a total floorspace of 1,883sqm, and increase of 134sqm over the existing at that time. This was justified on the basis of the link with Lower House Farm and this led to the Committee resolution that the two areas of land and buildings needed to be linked by S106 Agreement.

There are strict tests set out in the Community Infrastructure Levy Regulations 2010 which limit when a planning obligation (S106 Agreement) can be used. The tests are that a planning obligation has to be;

- 1.Necessary to make the development acceptable in planning terms,
- 2.Directly related to the development, and

3. Fairly and reasonably related in scale and kind to the development.

It should also be noted that the Emerging Local Plan Policy SE-S4 sets out criteria to assist with the determination of proposals for agricultural and forestry development. One element of the policy indicates that when considering agricultural buildings “the National Park Authority will consider attaching a condition to require the removal of agricultural and forestry buildings when they are no longer required and the reinstatement of the land and/or will consider tying the agricultural building(s) to the associated land holding to ensure there is a viable land holding related to the building(s) in the future”.

The National Planning Practice Guidance also provides background to the use of Planning Obligations and an analysis of appeals concerning agricultural worker’s dwellings and recommendations to tie them to the land holding indicates that the use of S106 Agreements in these circumstances should only be used in exceptional cases.

In the present case a total floorspace of 1,591sqm is proposed and this is 158sqm smaller than has previously been approved and operated at Putham. The previous farm buildings were not tied to the land and it is a material consideration that the proposed floorspace is less than previously approved and been used for farming purposes on the holding. This reduces the justification for the requirement of a S106 Agreement compared to the previous considerations.

The agent further argues that the application barn of 1,591sqm can be justified on the Putham land such that if this farmland was separated from Lower House this size of farm building would be required to farm the holding. The case for the applicant and their advisers is set out in detailed submissions. These have been checked by Smiths Gore who on their analysis suggests that a building up to 1,200sqm could be justified. This is less than proposed, however, the agent disputes this analysis explaining why the calculations and on site farming practice justify the further proposed space. Smiths Gore do acknowledge that a larger building may be necessary on this holding because of the link to Shearwell and the benefits of trialling and demonstrating products and they accept that “potentially a larger building could be justified” than concluded by their analysis.

In summary, it is necessary to take all the information and advice into account in coming to a conclusion as to whether the barn could be justified on the Putham holding were it farmed in isolation. Calculating the precise floorspace for a farming activity cannot be a precise science as the needs of the farm will vary from time to time depending on the farming method, storage requirements and whether contractors are used to undertake activities or they are undertaken in house. The proposed application building is substantial but is smaller in area than the buildings that have been used to serve farming on this site in the past. When the last extension to the sheep shed was permitted in 2001, the applicant farmed 84 acres at Putham. It is understood that 20 acres were sold in November 2003. The detached agricultural building was permitted in 2006.

The applicant has farmed the Putham land over a long period and will be aware of his farming needs. It should also be noted that the Principal Livestock Consultant at ADAS has also examined the proposals and advised that the size of building is justified on the Putham land. The Smiths Gore report accepts that a larger barn than they advise could be justified if the connection with Shearwell was to be considered. As has been said before, importantly, the proposed agricultural building has a footprint of 158sqm smaller

than previously approved and operated from farm buildings at Putham. Taking all these matters into account it is considered that the balance falls to conclude that the size of building is necessary for the farming operations on Putham Farm. The present buildings are not tied to the land and it is concluded that a requirement to link the proposed building by S106 Agreement to the land, especially when they have a smaller floorspace than previously approved, would not meet the legal tests required for a planning obligation in this case.

CONCLUSION

The application proposes a substantial building, however, it is a replacement for existing floorspace that has been permitted and used at Putham. The conclusions are that the proposed building is acceptable in the landscape and that, on balance, following an analysis of all the expert comments in respect of farming operations that the size of the building is justified. For the reasons set out, including that the present farm buildings are not linked to the holding and that the replacement building has a smaller floorspace than buildings previously approved and operated, it is concluded that the tests for a S106 Agreement are not met in this case.

It is however, recommended that conditions be attached to ensure that the building be removed if it becomes redundant to agricultural purposes and that the use is controlled to agricultural purposes only. Other conditions recommended concern the need to maintain the hedgebank boundary and to control lighting on the site. Subject to these conditions, the application is recommended to be approved.

Recommendation:

Approve subject to the following conditions

1. 1 Time limit for commencement of development (3 years)
2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 1, 2r6, 5r5, 6r4, 7r2, 8r2, 13r3, 17r2, 21r3, 22, 23r1 and 26.
3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking and re-enacting that Order with or without modification), the agricultural building hereby permitted shall be used only for agricultural purposes as defined in Section 336(1) of the Town and Country Planning Act 1990, with the exception of incidental research and development, and the display of products to visitors to the adjoining business building.
4. The agricultural building hereby permitted shall be removed from the site and the land reinstated to its former condition within three months, if within 10 years of substantial completion the building becomes redundant to agricultural use and the Local Planning Authority have not previously granted planning permission for an alternative use. Within one month of the substantial completion of the building the applicant shall notify the Local Planning Authority in writing of the date of substantial completion.

EXMOOR NATIONAL PARK PLANNING COMMITTEE

5. The existing agricultural building attached to the present business building (and shown within the blue lined application site area), shall be demolished and all resulting debris removed from the Putham and Lower House farm unit (as shown on Plan 23r1), unless incorporated into other authorised works, within 12 months of the substantial completion of the new agricultural building the subject of this permission.
6. In respect of the agricultural barn hereby permitted no further rooflights, other than those shown on the approved plan, shall be inserted into the roof of the barn without the prior agreement in writing of the Local Planning Authority.
7. Any gas, electricity, water, sewage, telephone and cabling services to any building on the application site shall be placed underground.
8. No floodlights or other forms of external lighting shall be installed within the red lined application site without the prior permission, in writing, of the Local Planning Authority.
9. The works on site the subject of this permission shall take place in accordance with the recommendations set out in the Ecological Assessment Report dated January 2012, unless agreed otherwise in writing by the Local Planning Authority.
10. The building shall be constructed and operated in accordance with the specifications set out in Section 5.2 of the "Lighting Assessment" dated February 2014, unless agreed otherwise in writing by the Local Planning Authority.
11. The development hereby permitted shall only be carried out in accordance with the approved Flood Risk Assessment by Harcombe Environmental Services dated 10/05/2012 and Acorn drawing number 13 r3.
12. The external doors to the agricultural building hereby permitted shall be finished in matt dark grey, or such other colour agreed in writing by the Local Planning Authority, and thereafter retained in that colour.
13. Prior to any construction, including groundworks, on site, protective fencing shall be erected to safeguard the hedgebank and hedge boundaries adjoining any construction work. The protective fences shall be in place through out the excavation and construction phases of the development.
14. The hedgebank to the north of the agricultural building hereby permitted, covering an approximate 120m length, shall be protected, maintained and managed such that it is not cut below 5m above ground level when measured from the ground on the southern side of the hedgebank.
15. The additional hedgebanks shall be constructed and planted within the first planting season following commencement of the works hereby permitted, unless an alternative timetable is agreed in writing by the Local Planning Authority. Once planted the hedge shall be maintained including the replacement of any plants that become diseased or die.

EXMOOR NATIONAL PARK PLANNING COMMITTEE

16. No material or spoil resulting with the excavation works in association with this permission shall be removed from the red lined site area shown for Application 6/8/12/105, other than via the improved vehicular access onto the B3224. Before any material or spoil is removed via the access onto the B3224, the sight line improvements set out on Plan 2446.02D (associated with application 6/8/12/105, shall be fully implemented.
17. No spoil or material resulting from the excavation works in association with this permission shall cross the Public Bridleway WL6/22 until details of the measures to control the safe passage of vehicles, whilst ensuring the safety of rights of way users, has been submitted to and agreed in writing by the Local Planning Authority. Once approved the vehicles crossing the bridleway with spoil or material shall be controlled in accordance with the agreed measures at all times.
 1. In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990, (as amended by the Planning & Compulsory Purchase Act 2004).
 2. For the avoidance of doubt and to ensure the development accords with the approved plans, especially in terms of siting and levels.
 3. To ensure that the site is only used for agricultural purposes and incidental uses related to the business use on the adjoining site so as to protect the amenities of the rural area where there is a policy of restraint.
 4. To ensure that the building does not remain within this National Park landscape if it becomes redundant to its farming use thus protecting the appearance of the area.
 5. To ensure that there is not a duplication of agricultural buildings on this National Park site.
 - 6, 10. In the interests of the amenities of the area in particular the need to protect the dark skies of the National Park.
 7. In the interest of the visual amenities of this National Park area and the character and siting of the building.
 8. To protect the amenities of this National Park location and in particular the dark night sky – a special quality of the National Park.
 9. To accord with best practice in the interests of wildlife and conservation.

EXMOOR NATIONAL PARK PLANNING COMMITTEE

11. To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
- 12, 15. In the interests of the visual amenities of the area.
13. To ensure that important hedges and other vegetation are protected during the works in the interests of the visual amenities of this National Park area.
14. In the interests of assisting with the screening of the agricultural building in views from the north.
16. In the interests of the amenities of the area and highway safety.
17. To ensure the safety of rights of way users.

Notes to Applicant:

MONITORING OF DEVELOPMENT

The applicant/developer is reminded that it is their responsibility to ensure that the requirements of each planning condition are met and that the works are undertaken in accordance with the approved plans. Any failure to meet the terms of a planning condition or work which does not accord with the approved plans leaves the applicant/developer liable to formal action being taken. The National Park Authority endeavours to monitor on site the compliance with conditions and building works. This has benefits for applicants and developers as well as the National Park. To assist with this monitoring of development the applicant/developer is requested to give at least fourteen days notice of the commencement of development to ensure that effective monitoring can be undertaken. The Planning Section can be contacted at Exmoor National Park Authority, Exmoor House, Dulverton, Somerset, TA22 9HL or by telephone on 01398 323665 or by email plan@exmoor-nationalpark.gov.uk.

CONDITIONS AND INFORMATIVES AND THE SUBMISSION OF FURTHER DETAILS Please check all the conditions and informatives attached to this Decision Notice. If there are any conditions which require submission of details and/or samples prior to work commencing on site it is vital that these are submitted and agreed in writing by the Local Planning Authority before work starts. Given the High Court's interpretation of the Planning Acts and their lawful implementation it is unlikely that the Local Planning Authority will be able to agree to a sample/details after the commencement of works if that sample/details should have been approved prior to commencement. If a sample/detail is not agreed as required prior to commencement and works have started then it is likely that this matter may only be able to be rectified by the submission of another application. To avoid delay, inconvenience and the need to submit a further application, please ensure that all appropriate details/samples are submitted and agreed at the specified time.

Please also note that due to other decisions of the High Court it is now not normally possible for the Local Planning Authority to agree to minor amendments to approved applications on an informal basis. The Department of Communities and Local Government have introduced a process whereby it is now possible to apply for a non-material amendment to a permission. This can deal with changes to plans which do not fundamentally alter the form of permission but are a variation to the approval. The appropriate form is available by request at Exmoor House or by downloading from the National Park Authority web site. Applications can be made via the Planning Portal.

Please ensure that works comply with the approved plans so as to avoid the possibility that works are unauthorised and liable for enforcement action.

16 April 2014

Mr D Wyborn
Head of Planning and Sustainable Development
Exmoor National Park Authority
Exmoor House
Dulverton
Somerset
TA22 9HL



Our Ref 1045242
Your Ref

Dear Mr Wyborn

Application: 6/8/14/102

Site: Land at Putham, Wheddon Cross, Minehead, TA24 7AS

Proposal: Proposed replacement agricultural building, associated yard area and landscaping. Proposed re-submission of part of approved application 6/8/12/105. (1591m²).

We write following your instructions dated 28th March 2014 in which you ask us to provide advice on the Proposed Agricultural Building at Putham Farm.

1.0 Confirmation of Instructions

Your instructions were sent by email dated 28th March 2014 in which you have asked us to provide advice on the following:-

1. Whether the now reduced size of the barn could be justified solely on the land at Putham, such that were the Lower House land and buildings to be sold, the barn at Putham would be of a size commensurate with the reasonable farming needs of the Putham Land.
2. Comment and analysis of the floor space requirements having regard to the grass keep that the applicant normally takes, in addition to farming the Putham land, and whether this would justify a larger building, and by approximately how much.
3. It would be helpful, if you disagree with the analysis set out in the papers with the application, to explain what elements/analysis of the building is larger than you consider reasonable.

*Abergavenny • Andover • Berwick-upon-Tweed • Carlisle • Cirencester • Clitheroe • Corbridge • Darlington • Dumfries
Edinburgh • Exeter • Fochabers • Haddington • Lichfield • Lincoln • London • Maidstone • Marlborough • Newmarket • Oxford
Perth • Peterborough • Petworth • Stamford • Stow-on-the-Wold • Taunton • Truro • Winchester • *Worcester • York
Associated companies in British Virgin Islands • Denver • Kuala Lumpur • Sabah • Brunei

**not ISO certified*

A list of partners is available from 17-18 Old Bond Street • London W1S 4PT • United Kingdom

Authorised and regulated by the Financial Services Authority.

Regulated by RICS



4. In summary it would be appreciated if you can advise on the range of building sizes for the Putham holding that could be considered reasonable in farming terms for this holding, with and without the typical grass keep land.

2.0 Basis of the application and summary of the farming policy.

- 2.1 We have assumed in providing our opinion that the farm holding and farming policy as previously described in planning application ref 6/8/12/105 have remained the same. However, I note in the Design and Access Statement that Armour Lane has been replaced with Weekfield Farm. The farmed area appears to be the same and so assume the farmed holding has not changed but Armour Lane has merely been referred to as Weekfield Farm instead.
- 2.2 Putham Farm is a grassland farm which extends to approximately 25.90 hectares (64 acres). We are aware the Applicant has obtained planning permission to convert the existing farm building space into B1 office/industrial space and therefore the farm holding will no longer have agricultural building space. The B1 office and industrial office space is occupied by Shearwell Data Ltd. Other than the buildings used the Applicant has no dwelling or other buildings on the holding that we are aware of.
- 2.3 The Applicant's farming enterprise is an intensive beef and sheep unit which is heavily reliant upon additional land taken on short term grazing agreements. From the letter dated 2nd October 2012, we understand the Applicants take approximately 200 acres of grass keep in total for 3 months of the year only. Of the 200 acres taken approximately 71 acres is apportioned to the Putham and Lower House on a pro rata basis.
- 2.4 From the figures previously provided we understand the stocking density for the whole farm unit (Putham and Lower House) is 0.64 LU/acre (which is higher than the industry standard of 0.42LU/acre for an upland sheep enterprise). When a pro-rata allowance is made, Putham has the capacity to be stocked with 290 ewes, 78 ewe lambs and 9 rams.
- 2.5 In September 2012 we were asked our opinion as to the size of agricultural building that would be reasonably necessary for the Putham Holding only. At the Applicants stocking rate at that time (0.64 LU/acre) it was calculated the holding would require an agricultural building in the region of 650 sq metres to 750 sq metres.

3.0 Proposed New Agricultural Building

- 3.1 The plans submitted by Acorn Rural Property Consultants propose an agricultural building of approximately 1,478 sq metres (15,903 sq ft) Gross External Area (GEA). The building will be 60.1m (197.17 ft) long with the first section being 27.43m (90 ft) wide and the second section being 22.86m (75 ft) wide.
- 3.2 The south, east and north elevation of the building will be clad with timber Yorkshire boarding above concrete panels. The west gable end will be clad with dark grey ventair cladding with an anthracite fibre cement roof.

4.0 Applicants Justification for Proposed Agricultural Building

- 4.1 The Applicants state that they require a building of 1,478 sq metres to allow for operational space within the building. They require additional space for the storage of farm machinery, carrying out repairs to farm machinery and general storage for seeds, fertiliser and other items.
- 4.2 The Applicants also state that the farm building is simply replacing the agricultural building space they previously had prior to conversions of the agricultural building space into B1 office/industrial space for occupation by Shearwell Data Ltd.

5.0 Analysis of the allocated floor space.

5.1 The Applicants have provided a proposed layout plan (Drawing 22) of the building which shows the allocated space for each component part based on the requirement of the holding for 64 acres. Our analysis of each component part is as follows:-

- Allocation of space for the lambing ewes: - The lambing ewes have been allocated a total of 349.5 sq metres (3,760 sq ft). These rates are in accordance with the industry recommendations as follows;
 - Pregnant ewes 61-75 kg recommended bedding area 1.2 sq metres per ewe.
 - Pregnant ewes 76 -90 kg recommended trough length allowance 0.5 sq metres per ewe.
- Allocation of space for ewe lambs:- The ewe lambs have been allocated 73.5 sq metres (791 sq ft) which provides 1 sq metre per ewe lamb for 30 ewe lambs and 0.9 sq metres per ewe lamb for 48 ewes lambs. The industry recommends bedding area for lambs from 12 weeks to 12 months is 0.75 sq metres per ewe lamb – 0.9 sq metres per ewe lamb. Therefore the Applicants have allowed slightly more than the industry recommendation.
- Allocation of space for the Rams:- The rams have been allocated a total of 22 sq metres (236 sq ft) which is 2.4 sq metres per ram. This is greater than the industry standard of 1.5 – 2.0 sq metres per ram bedded area.
- Individual lambing pens:- A total of 44 sq metres (473 sq ft) has been allocated for individual lambing pens. This lambing area within the building will only be used for approximately two months of the year (March – April) when the sheep are lambing. Usually individual lambing pens are not a permanent feature within a farm building but merely erected for the short period of time when a farmer is lambing. This allows dual functionality of the building to allow space to be used for fodder storage or machinery storage at other times of the year.
- Raised slatted floor sheep handling and fattening area: - A total of 113 sq metres (1,215 sq ft) has been allocated for fattening lambs. We do not know how many lambs are fattened but 113 sq metres would provide space for approximately 140 lambs. Please note the lambs kept for fattening which will use the slatted floor area have not been included in the Livestock Units allocation and included in the stocking density calculation.

- Machinery Storage:- The Applicants have stated that a total of 226 sq metres (2,431 sq ft) of additional storage area is required for machinery. When considering the reasonable farming needs of a holding of 64 acres and comparing this to other farms on Exmoor, the level of machinery storage and the nature and type of equipment shown seems excessive. Due to the cost and depreciation of machinery it is common place across Exmoor to use contractors to undertake operations such as hedge trimming, mowing, baling and wrapping.
 - I am aware that the Applicants have stated that the building is in support of the larger farming unit however a large proportion of the farmed area is grass keep. Under the terms of a grass keep arrangement it is the landowner and not the grazier who is responsible for the hedge trimming, fertilising and ground works etc... which would reduce the machinery requirement of the holding.
 - Straw Storage:- A total of 117 sq metres (1,285 sq ft) has been allocated within the building. It would be usual for a farmer to purchase straw in the summer to last through the winter. Some farmers purchase fodder throughout the winter so they can have more shed space for livestock. On Exmoor there is always a risk of bad weather therefore it is usual practice to purchase enough straw in the summer to last the winter.
 - General Storage, hay storage, feed storage and prep area:- 87 sq metres allocated (936 sq ft). The unit appears to feed concentrates and so it is likely that they would require some space for storage of feed etc. Concentrates are usually delivered in throughout the winter and therefore do not use up as much space.
- 5.3 Dual Functionality – The Applicant has provided the component parts of the proposed agricultural building. However, no provision appears to have been made for the dual functionality of agricultural buildings. For example, areas used to store fodder during the winter can also be used as floor space for ewes with lambs at foot. The greatest need for fodder space is at the start of winter and the greatest need for space for ewes and lambs is in the spring before they are turned out.

6.0 The Requirements of the holding with the additional Grass keep.

- 6.1 Previously we have been informed that the whole farming business takes an additional 200 acres of grass keep. When calculated on a pro-rata apportionment this provides an extra 71 acres of land for Lower House and Putham Farm. A further pro rata apportionment would allow 22 acres of grass keep for Putham. We understand the grass keep is only taken for 3 months of the year (letter dated 2nd October 2012)
- 6.2 The additional 22 acres of grass keep along with the 64 acres would support 45 LU (based on 22 acres for ¼ of the year only). This would allow approximately 350 ewes, 100 lambs and 10 rams to be kept on the holding. At the industry recommended space allowance and corresponding fodder requirement this would require an agricultural building in the region of 750 sq metres (8,070sq ft) – 850 sq metres (9,146 sq ft).

- 6.3 If the full 71 acres were taken into account (based on 71 acres for ¼ year and 64 for the whole year). The pro rata stocking density would be approximately 52 LU which would equate to 425 sheep, 121 ewe lambs and 12 rams, which would require a building in the region of 850 sq metres (9,146sq ft) to 950 sq metres (10,222 sq ft) .
- 6.4 The above calculations have taken account that the grass keep is only taken for three months. If the grass keep was taken for longer, based on the pro rata calculations, the holding would be able to support a greater number of stock.
- 6.5 The industry standards relate to the recommended space for housed livestock. We have then allocated space for fodder storage and extra space for machinery and other storage. Please note these calculations have not included an allocation for the livestock handling system (77 sq metres) or the raised slatted floor system (113 sq metres).

7.0 Comments and Points for Further Consideration

- 7.1 The application is to replace the current agricultural building space at Putham. There is general acceptance on farms, that no matter how much agricultural building space is available, farmers always seem to fill space. In this situation the Applicant is used to having a large amount of agricultural building space and therefore a smaller building may force him to adjust his system to fit the available space.
- 7.2 The building is designed as a specialist sheep shed, where lambing will take place. There is no dwelling on the holding to enable the Applicant to be on hand during the night to check the sheep.
- 7.3 We understand the Applicant requires the agricultural building space at Putham Farm so that Shearwell Data Ltd can use the facility to trial, test and demonstrate its products. Taking into consideration the nature of the business of Shearwell Data Ltd it is understandable that the Applicant would require a high standard of sheep accommodation and livestock handling facilities. Therefore, it would be recognised that the Applicants would have a requirement for a building larger than the reasonable farming needs of a typical Exmoor holding.
- 7.4 Included within the application is a letter of support from Kate Phillips the ADAS Principal Livestock Consultant. Within the letter Kate Phillips has stated that '*the proposed floor space could also be justified if Putham was farmed as a separate unit*'. The letter only states 'could also be justified', and provides no detailed evidence or analysis to support this statement.

8.0 Conclusions

- 8.1 We have been asked to consider if the proposed agricultural building at Putham could be justified solely on the land at Putham and if the building is of a size commensurate with the reasonable farming needs of the Putham land.
- 8.2 Farming is a very diverse industry and individual farmers adopt their own systems which all have different agricultural building needs. When considering other farm holdings on Exmoor which are of a similar size, there would be very few (if any) holdings of 64 acres with 1,478 sq metres of agricultural building space. In fact, there would be many larger holdings with proportionally less

agricultural building space. When considering the reasonable needs of the holding in comparison to other agricultural holdings on Exmoor, the building seems excessive.

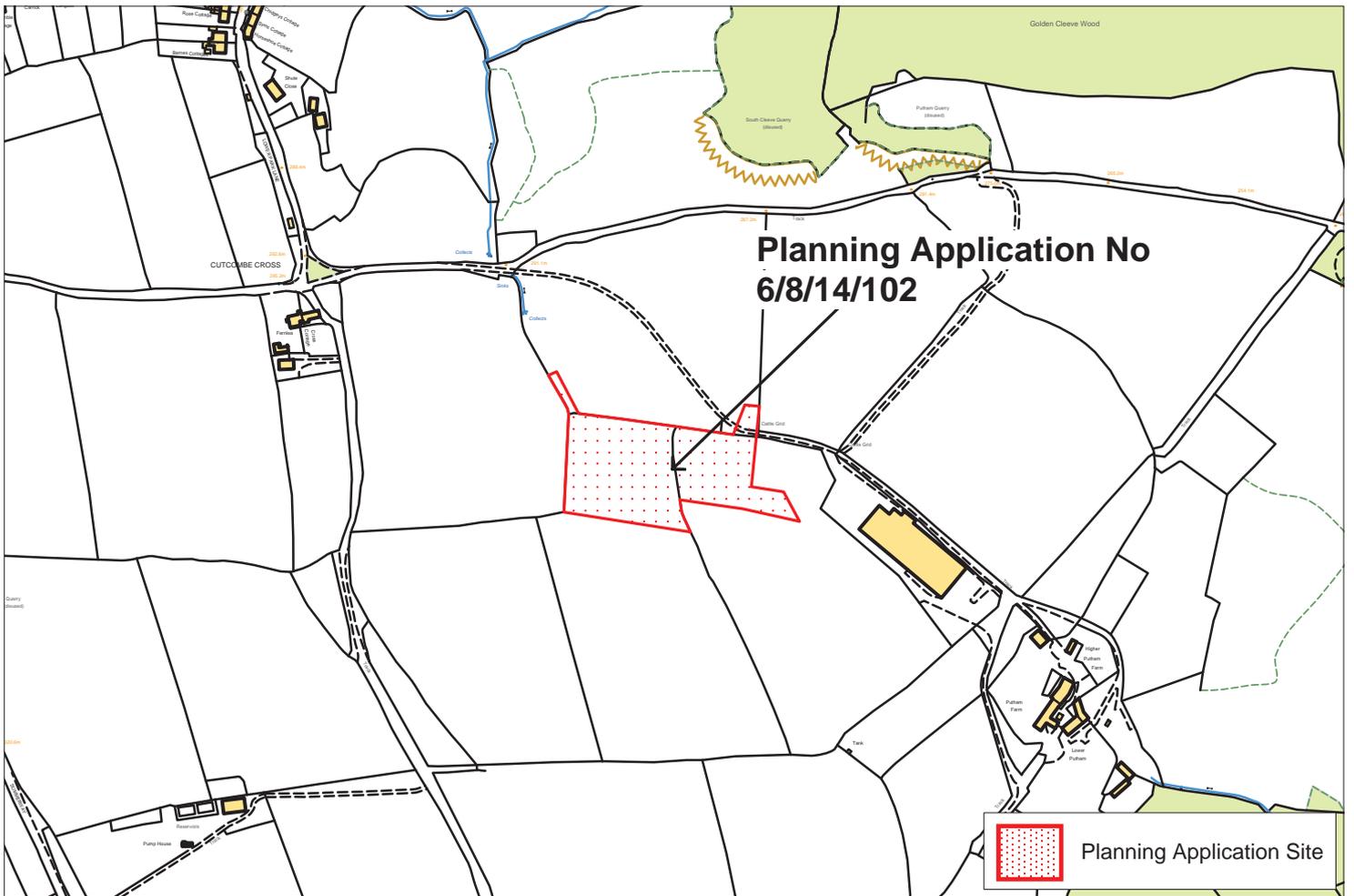
- 8.3 We have been asked to provide our comments upon the floor space requirements having regard to the grass keep that the applicant normally takes, in addition to the Putham land and whether this would justify a larger building. We have carried out our analysis in sections 5 and 6 above and generally the space requirement calculation are higher than the industry standard recommendations. There is also a large allowance for machinery storage and other storage areas which are not necessarily commensurate and justified with the size of the holding.
- 8.4 Farming is a very diverse industry and no two farms are the same. It is therefore difficult to accurately define what the reasonable needs of the holding are. In the figures stated above, if the handling system and raised slatted floor system were added in then a building in the region of 1,100 sq metres (11,836 sq ft) to 1,200 sq metres (12,912 sq ft) could be justified. We appreciate this is less than the building for which planning permission has been applied for.
- 8.5 In this instance taking into consideration that Shearwell Data Ltd will use the building for demonstrations, trials and testing. It would be important for the company to have the appropriate facilities to provide demonstrations to their global customer base. Therefore, the needs of the building are 'over and above' the reasonable needs of a typical Exmoor Farm. With this in mind, potentially a larger building could be justified.

We trust this letter address the specific points you have raised. Should you require any further clarification please do not hesitate to contact me.

Yours sincerely

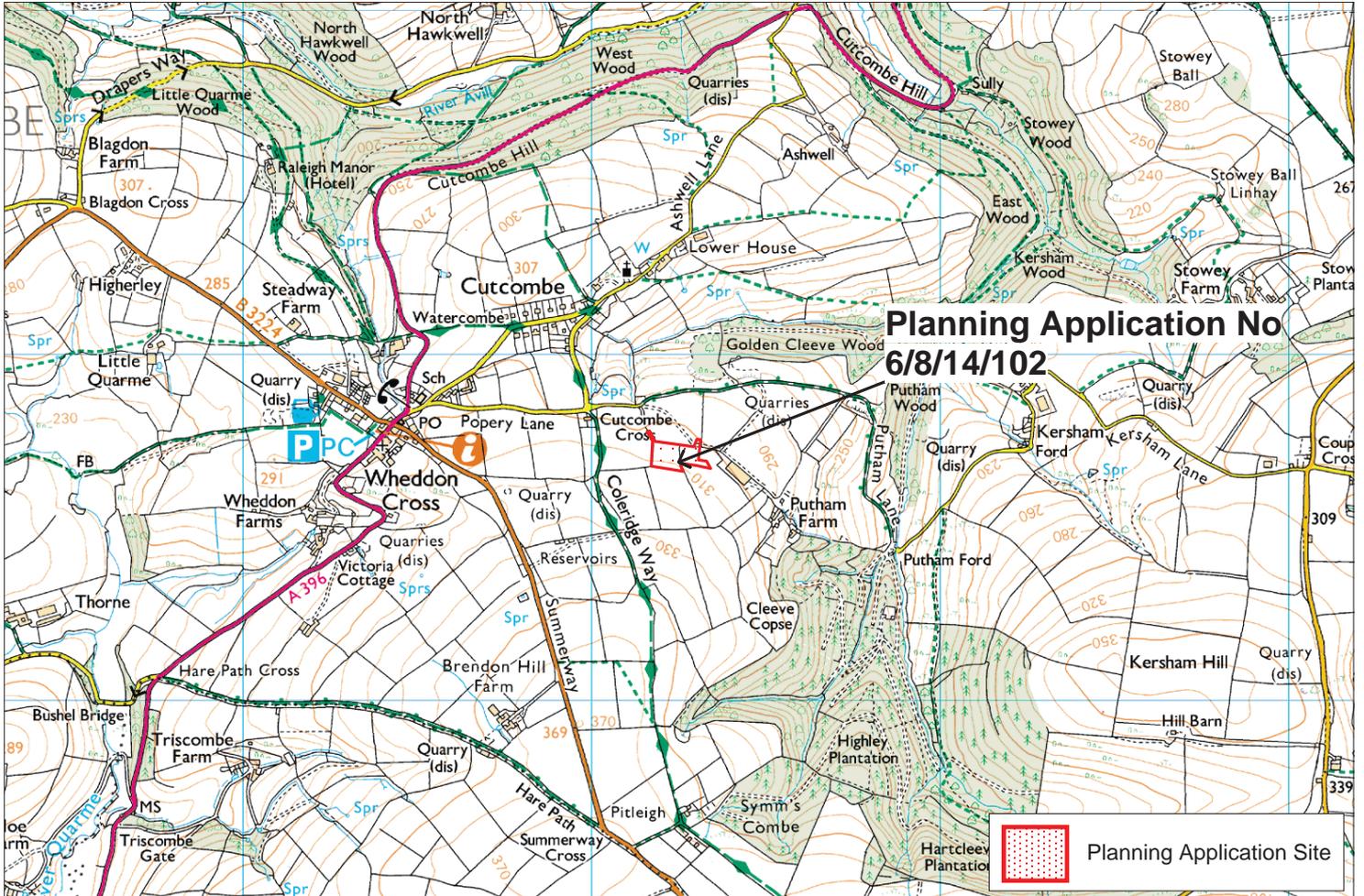


Toby Perry • MSc MRICS
Associate
e toby.perry@smithsgore.co.uk • t 01392 278466



Site Map
1:5000

Reproduced from an Ordnance Survey map with the permission of the Controller of HMSO © Crown Copyright reserved. Licence No 100024878



Overview Map
1:20000

Digital Mapping Solutions (OS Explorer Map) provided by Dotted Eyes.
© Crown Copyright 2006. All rights reserved. Licence number 100019918