

PLANNING COMMITTEE

Wednesday 6th August 2008

This application is reported to Members because 9 objections and a petition have been received.

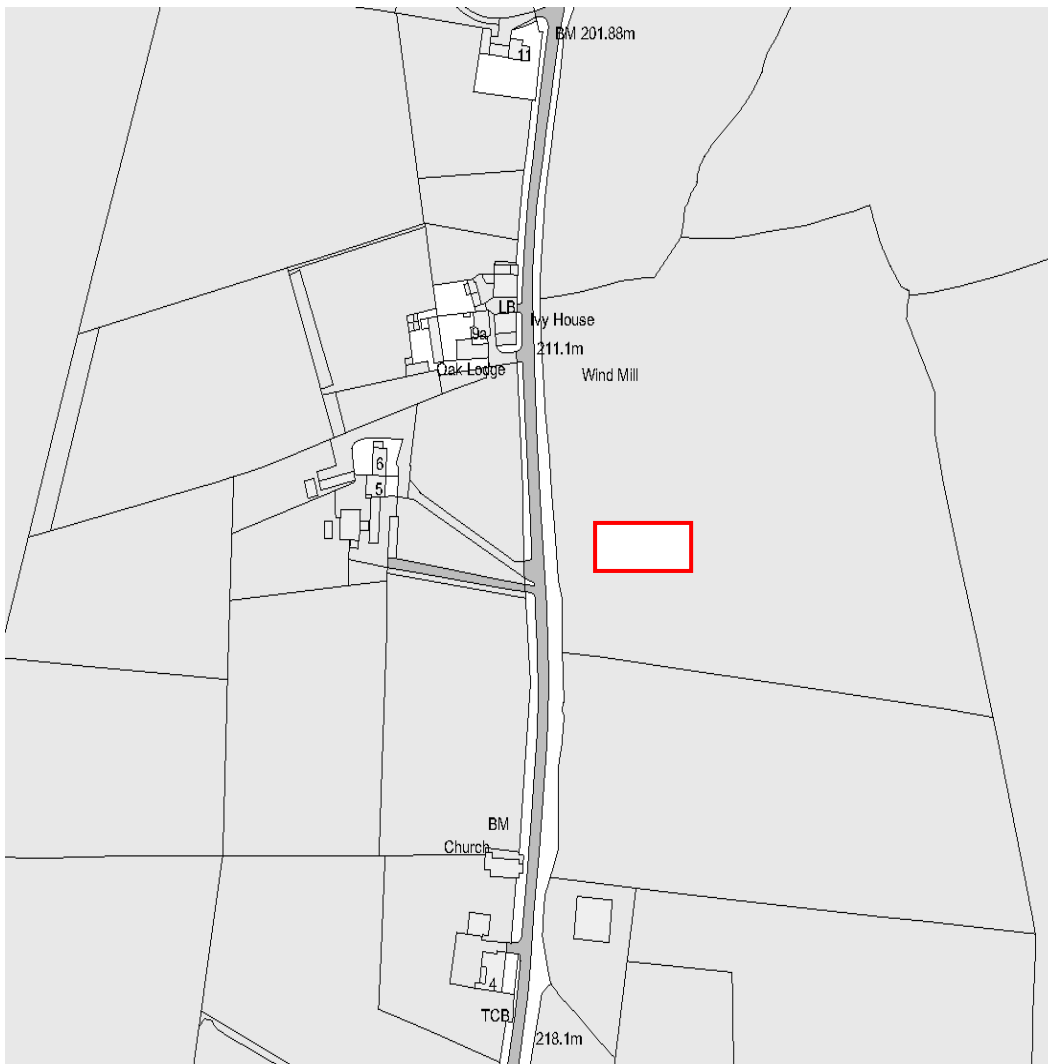
Case Officer - Charlie Colling

Windmill - 6/2008/0197/DM

Members will recall that this application was deferred at their planning committee meeting on the 9th July 2008. The officer's recommendation remains the same and Members should now be in a position to determine the application.

The application is for a general purpose livestock building (retrospective) at Mill House Farm, Windmill for Mr B Sewell (15 May 2008).

THE SITE:



The holding is situated on the east side of the road through the hamlet of Windmill, approximately 400 metres to the north of its junction with the C32 (Nettlebed lane). The settlement of Windmill does not have development limits and the site would therefore be considered as being within the open countryside. The nearest residential properties known as 5 and 6 Windmill, are situated on the opposite side of the road approximately 90 metres to the west of the site.

THE PROPOSAL:

Retrospective planning permission is sought for the erection of an agricultural building to house livestock at Mill House Farm, Windmill. Planning permission was granted in 2007 for the erection of a building in the same position as that proposed in this application. This building was however erected 1.1 metres higher than that shown on the approved plans. The applicant has now submitted this application in order to regularise the situation, with the ridge height of the building being 5.3 metres instead of the 4.2 metres previously approved. The general design, siting and footprint of the building remain unchanged.

PLANNING HISTORY:

6/2008/0197/DM – Erection of general purpose agricultural building to house livestock (pending)

AF/2008/0013 - Erection of shed to store hay/straw – approved 07/05/08

6/2007/0566/DM – Erection of general purpose agricultural building to house livestock and feed silo – Approved conditionally 16/01/08.

AF2007/0017 – Erection of livestock/feedstore – planning application requested 16/11/07

AF/2007/0008 – Lean to extension to existing agricultural building – approved 04/05/07

6/2005/0524/DM – Erection of general purpose agricultural building - approved 20/01/2006

PLANNING POLICY:

GD1 General Development Criteria
ENV1 Protection of the Countryside

REPRESENTATIONS:

Statutory and Internal Consultees:

Highways – no objections

Parish Council – no objection

Public Responses:

Neighbouring properties have been consulted and a site notice posted. Nine people have submitted an objection to the application and a petition containing 58 names has been received. The objectors raise a number of concerns regarding the use of the site,

the impact this has upon the landscape and the amenities of nearby residential properties, along with some comments in respect of the increased height of the building. Concerns in summary are:

- Problems with increase in traffic and tractors parking/blocking the road.
- Damage to grass verges.
- The applicant states this building is to enable them to increase stock due to an increased holding size. The applicant has simply rented more fields. Temporary rental is hardly reasonable cause for approval of 2 permanent structures.
- The building is used to intensively rear calves. Noise from the livestock is causing disturbance, during the night and early morning.
- Noise from machinery, tractors, dogs and traffic.
- Smell from the site.
- Impact on watercourses. An increase in the size of the site, increases the number of animals accommodated and the ultimately the waste they produce.
- Increase in flies and vermin.
- Visual impact – the building will have an adverse effect on the character and appearance of Windmill and the wider countryside.
- The buildings are unattractive and out of place
- Potential animal rights protests
- Fear of further expansion and intensification
- The Design and Access Statement states the building is 0.7 metres than that approved, this is incorrect.
- The applicant's intention is to apply for a dwelling on the site in the future
- Hares and curlews nested/lived in the field. The continued expansion will endanger these important wildlife habitats.
- Negative impact on the appearance of the village and outlook from nearby residential properties.
- The residents have been misled by Parish Councillors who notified us of a decision which they later changed their mind and did not notify us of the changes.
- The way in which previous applications have been handled, and 'mistakes' seem to have been dealt with by the authorities.
- How the council will be monitoring dangers from mud on the road, noise and damage to grass verges.
- The proposed building must be reasonable and appropriate to the size of the holding
- Animal welfare – intensive farming

PLANNING CONSIDERATIONS:

Retrospective planning permission is sought for the erection of an agricultural building to house livestock at Mill House Farm, Windmill. An application approved under delegated powers in 2007, granted consent for the erection of an agricultural building to house livestock in this location. However this building was not built in accordance with the approved plans in that it was erected 1.1 metres higher than that approved. As such, this application has been submitted to regularise the situation.

The overall design of the building remains unchanged in this application, with there being breeze block walling, Yorkshire boarding above and a roof of natural grey fibre cement panels.

The building would be sited adjacent to an existing general purpose agricultural building. The principle of this building accommodating livestock, the general design and its siting has already been established in the previous application. This application need only assess the difference in impact of the additional 1.1 metres in height of the building, as all other aspects remain unchanged from the previous approval.

It is considered that in terms of visual impact, the building which has been erected, although higher, would not have any more of an impact upon the appearance of the countryside than that which has already been approved. The additional height is not considered to have any significant noticeable effect on the nearby residential properties or the wider countryside. The proposals are therefore considered to accord with Local Plan policies GD1 and ENV1.

Members will note that there has been a high number of objections received in respect of this application, when considered in relation to the actual size of Windmill. The objections, on the whole, relate to the principle of the proposed building and the problems associated with the holding in terms of visual amenity, noise, smell, damage to grass verges, vermin, traffic, intensive farming and the impact on this rural location. It should be made clear that the assessment of this application needs to only address the difference in height of the building proposed and that which has already been granted approval on the site. In theory the applicant could reduce the height of the building by 1.1 metres and the building would be in accordance with the existing permission. Whilst the concerns of local residents are acknowledged it is not considered that refusal of this application on these grounds would be reasonable, given the existing permission for a livestock building previously granted on the site.

PLAN Nos AND DATE RECEIVED:

SL1 – Site Location Plan (received 15/5/08)

SL2 – Proposed Site Layout Plan (received 15/5/08)

Drwg No. G [3] – Proposed Elevations Plans (received 15/5/08)

RECOMMENDED: That Full Planning Permission be granted

1. The permission hereby granted relates only to the plans and specifications submitted with the application.

To ensure that the development is carried out in accordance with the approved plans submitted with the application.