
Appeal Decision

Site visit made on 16 July 2019

by P J Staddon BSc, Dip, MBA (Distinction), MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st August 2019

Appeal Ref: APP/V3310/W/19/3226012

Land to the south of Goose Green Farm, Sutton Mallett, Bridgwater, Somerset TA7 9AR.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs A Wills against the decision of Sedgemoor District Council.
 - The application Ref 46/18/00009, dated 4 July 2018, was refused by notice dated 11 October 2018.
 - The development proposed is the 'erection of general purpose agricultural building for the dry storage of hay and machinery'.
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Decision

1. The appeal is dismissed.

Procedural matters

2. At the time of the Council's determination of the appeal application, the adopted development plan was the Sedgemoor District Core Strategy (adopted 2011). However, the Sedgemoor Local Plan 2011 – 2032 (the SLP) has since been adopted. My assessment and decision must be made on the basis of the current development plan, rather than that which prevailed at the date of the Council's decision. Both parties have referred to the newly adopted Local Plan and its respective policies in their submissions and I have taken these matters into account.

Main Issue

3. The main issue is whether the proposal would be reasonably necessary for the purposes of agriculture in the light of development plan policy concerning new development within the open countryside.

Reasons

4. The appeal site forms part of an open field owned by the appellant. The field lies to the north-west of the small rural settlement of Sutton Mallett and to the south of a complex of farm buildings and residential properties at Goose Green Farm. The field appears to be mostly laid to grass and currently there are no buildings within it.
5. The appeal site comprises a small area within the field, close to its north-west boundary, which runs alongside the track that leads to the Goose Green Farm complex, which I understand is in third party ownership. The appeal proposal

- would involve erecting an agricultural building on the site, which would be about 12 metres long by 6 metres wide, with a mono-pitch roof rising to a height of 4.8 metres.
6. The appellant's submissions explain that she farms in excess of 36.42 hectares. The field at Sutton Mallet is a small outlying part of the farmed area, measuring about 1.3 hectares. The farmstead and the main land holdings are some distance from the appeal site, located to the west of Bridgwater and comprise 22.66 hectares occupied under a farm business tenancy, about 12.54 hectares rented on an annual grass keep basis and a small area behind the farmstead, which is situated at Currypool. The submissions further explain that the appellant farms in excess of 300 ewes under a supermarket contract and that the building is needed to provide dry storage for hay to feed to the livestock.
 7. The SLP was adopted in February 2019. Policy CO1 seeks to appropriately control development in the countryside in accordance with national policy. It states that development will be supported where it accords with other relevant policies contained in the SLP that provide for development in the countryside to enhance or maintain the vitality of rural communities and support a prosperous rural economy. It further states that, where development proposals in the countryside are not addressed by other SLP policies, new development must demonstrate that there are specific countryside needs, such as those of the local agricultural industry and local food producers, enhancement of the environment or where a countryside location is essential or more sustainable. The National Planning Policy Framework (the Framework) advises that policies should seek to support the sustainable growth of business in rural areas and to promote the development and diversification of agricultural businesses.
 8. The main dispute in this case relates to whether it has been demonstrated that the building of the size and purpose proposed would meet the 'specific countryside needs' requirement of Policy CO1. There is no dispute between the parties that the building is intended to be used for purposes related to the appellant's established agricultural business. However, the field within which the proposed building would sit is relatively small in size and a significant distance from the main farmstead and fields, which are all to the west of Bridgwater.
 9. The appellant states that the building would be used to store up to 72 bales of hay for winter feed for the flock, but only about 21 bales would be produced from the field itself, the remaining circa 50 bales being imported from elsewhere. The Design and Access Statement says that this additional hay will originate from land at Nether Stowey, which is about 18 kilometres to the west of the appeal site as the crow flies. The road route to it is circuitous and involves traveling through, or around, the town of Bridgwater. The appellant says that the proposal is necessary because no other land is available to house the building and that it is unsustainable to rent buildings for hay storage.
 10. Whilst recognising that there are a wide range of farm business models and that many farms comprise multiple landholdings and different tenures, I do not consider that the case made by the appellant satisfies the requirements of Policy CO1. This is because the primary use of the proposed building would not be related to the field at Sutton Mallett or to the immediate countryside

location. Rather, it would relate to a farm business located a considerable distance away, on the west side of Bridgwater.

11. Moreover, whilst the traffic generation from vehicle movements associated with the building's use would be limited, it would inevitably necessitate lengthy and circuitous travel by motorised farm vehicles to import hay to the site and export it when required. Furthermore, given the relatively remote location of the appeal site and its access by single track roads, it could be difficult to access in harsh winter weather, when its stored contents may be most in need, many kilometres away. There is insufficient evidence to demonstrate that more sustainable and pragmatic winter feed storage solutions, closer to the main farm, are unworkable and that this functionally remote storage proposal is justified.
12. The appellant has also provided details of some other planning applications for farm buildings approved at other locations by the Council. Whilst I have noted these cases, the circumstances in each case are different and I must determine this appeal on its individual planning merits.
13. I conclude that, based on the evidence before me, the proposal is not sufficiently justified by specific countryside needs and would not constitute sustainable development. It therefore conflicts with SLP Policy CO1, which seeks to appropriately control new development in the countryside in accordance with national policy, as set out in the Framework.

Other matters

14. The Council has referred to flood risk in its Statement of Case, although this matter is not referred to in its reason for refusal stated in its decision notice and its officer delegated report, incorrectly, refers to the site being in Flood Zone 1. The site is actually within a Flood Zone 3 'area benefitting from flood defences' on the Environment Agency's flood map. However, given my findings on the main issue, I do not consider it necessary to explore this matter further for the purposes of this appeal.
15. I have taken into account the submissions of third parties on various matters including traffic concerns, access matters and the presence of a spring.

Conclusion

16. For the reasons stated above the appeal is dismissed.

P. Staddon

INSPECTOR