KERNON
COUNTRYSIDE
CONSULTANTS

MERIDIAN FARM,
APESFORD LANE, BRADNOP:
RETENTION OF PART OF BUILDING

SUPPORTING STATEMENT

November 2009

09/01142/FUL 25 NOV 2009

COPYRIGHT

The contents of this document must not be copied in whole or in part without the written consent of Kernon Countryside Consultants.

Authorised By HF 11/09

Brook Cottage, Purton Stoke, Swindon, Wiltshire SN5 4JE
Telephone 01793 771333 • Facsimile 01793 778384
Email: info@kernon.co.uk Website: www.kernon.co.uk

Partners - Tony Kernon BSc(Hons), MRAC, MRICS, FBIAC *Sarah Kernon*
Associate - Verity Drewett BSc (Hons), MRICS, MBIAC

1 INTRODUCTION

1.1 In 2003 the Council passed a Prior Notification for the erection of a building of 464 square metres. This was for the storage of machinery and other non-livestock agricultural uses in association with a holding of 7.5 hectares.

1.2 The farmers erected a slightly smaller building (432 sqm). This has been held not to benefit from the 2003 consent and requires planning permission.

1.3 An application to retain the building purely for agricultural purposes (machinery, agricultural items and livestock) was turned down by the Council in October 2009. The reason given was that:

- there is no demonstrated need for a building of this size;
- the proposal relates to a mixed agricultural and equestrian unit and is thereby contrary to the Local Plan.

This Application

1.4 This application seeks to retain **half of the building only** (216 sqm) and for **AGRICULTURAL PURPOSES** only.

1.5 It was not in the last application, and is not in this application, intended or proposed to use the building for equine purposes.

2 REQUIREMENTS, APPLICATION PROVISION AND POLICY ANALYSIS

Requirements

2.1 This is a farm of 7.5 hectares, with an additional 3 hectares of grazing land rented nearby.

2.2 It has no agricultural buildings (other than the building the subject of this application).

2.3 The farmers run two main agricultural enterprises:

- breeding and finishing cattle;
- breeding and finishing pigs.

2.4 In addition they obviously have machinery, equipment and materials to manage the grassland, fence it, maintain walls and ditches, make hay/haylage, transport hay and items around the farm, bed out cattle and pigs, clean out cattle and pigs, feed livestock etc. They also need to store feedstuffs, bedding etc for their animals.

2.5 A building needs analysis is set out in **Appendix 1**. This is a copy of the analysis provided as Appendix 4 to the previous application (09/00881/FUL). This shows a need for between 564 and 604 square metres ground floor space. Of this:

- 288 sqm is required for livestock giving each animal a minimal amount of space and assuming sows and litters are not housed within the building;
- 276 – 316 sqm are required for machinery, equipment, animal feed, handling crush, and allowing some space to access between the different areas.

Application Provision

2.6 Retention of half the building will provide space of 216 square metres.

Policy Analysis

2.7 Planning Policy Statement 7 "Sustainable Development in Rural Areas" (2004) provides support for agricultural buildings and development in paragraph 27, recognising that farming has often shaped and manages the attractive landscapes we enjoy. Local authorities should support proposals that, inter alia, help farming:

(i) become more competitive and sustainable;

(ii) adapt to new markets:

(iii) comply with legislation and guidance;

(iv) diversify into new agricultural opportunities;

(v) add value to produce.

2.8 Local Plan policy E4 states that proposals for agricultural buildings needing planning permission will be assessed against the agricultural need and the extent to which the development would harmonise in that location.

Analysis

2.9 This farm has no buildings. It obviously needs buildings:

- so that animals can be housed in winter. This is required for animal welfare as well as land management;
- to store machinery and equipment, protecting it from the weather and related deterioration as well as deterring theft;
- to store animal fodder so that it is not ruined by the weather.

2.10 With any building you cannot achieve 100% space efficiency, and access space will always be needed. In the same way as a garage for a car must be wider than the car itself to let you open the doors, a building for animals and machinery must allow space to get to those areas, to move a tractor, to open a pen door etc.

2.11 Further, you cannot "lump" all animals together in single pens:

- cows with young calves often need a separate pen;
- the bull will need a separate pen when he is not, for management reasons, being allowed to serve the cows;
- sows farrowing need to be in their own pen;
- and a box kept available for calving or farrowing should be provided.

2.12 The Council has previously considered this location acceptable for a larger building, and in my opinion it is the best location within the site for a building.

2.13 The building is for AGRICULTURE only, and is desperately required.

2.14 It accords fully with policy.

3 COMMENTS ON PREVIOUS DECISION

3.1 A decision was made in October 2009 to refuse a building twice the size. Three main issues were raised which I now comment on:

- size being excessive;
- the use being for horses;
- landscape harm.

Size Excessive?

3.2 The Council commissioned a report from Mr Williams. He set out that the building requirement was:

- cattle (18), 108 sqm;
- sows (4), 16 sqm;
- weaners (20), 12 sqm.

3.3 This gives a total of 136 sqm.

3.4 Mr Williams did not set out a space requirement for:

- the additional cattle the Applicants intend to keep;
- any of the farm machinery;
- any of the tools or equipment;
- any animal feed;
- or any allowance for access and manouvring within the building.

3.5 The building as applied for is just 80 sqm larger than the space allowance for animals without access or any other needs as set out in Mr Williams' assessment. This would accommodate just 25-29% of the building needs for non-livestock items set out in **Appendix 1**.

3.6 It is therefore, in my opinion, inconceivable that any conclusion other than that this space is required for agricultural needs, can be reached.

Is it for Horses?

3.7 The Reason for Refusal states that "**the proposal clearly relates to a mixed use equestrian/farming unit and is thereby contrary to Saved Policy E4**" (my emphasis).

3.8 The previous application and this one, and the Prior Notification in 2003, are or were all for purely agricultural uses. No equestrian uses are proposed within this building. A condition specifically prohibiting any equestrian use is invited, although any such use would need express planning permission anyway.

3.9 Both Mr Williams and the previous case office Rachael Simpkin made assumptions that the building was to be used for horses. There is absolutely no basis for those assumptions, and the building is not and will not be used for horses. It is as applied for: an agricultural building.

3.10 Mr Williams made reference to an out-of-date website which has not been updated in a year to support his conclusion that the use will be for horses. Likewise his opinions are based on the Applicants wearing some old jackets bearing logos. The Applicants were not questioned at interview whether the building would be used for horses, so the Council's conclusions are all based on assumption.

3.11 Whatever other uses the Council may assume or guess at (and there is no basis or truth in anything other than the agricultural use about which the Council has been told), it is not central to this application, however. This application seeks a building for agricultural uses, not equestrian, and the agricultural need alone should be assessed.

3.12 Further the part-time planning officer's comments that this is not a "**substantial sustainable full-time farming business**" are misplaced: there is no policy basis for requiring a farming business to be substantial or sustainable full-time for it to be permitted a building.

Landscape Impact

3.13 The Council's decision notice refers to the building being unduly prominent. It must be borne fully in mind that this is the location in which the Council decided that they did not wish to approve matters of siting back in 2003. It must be assumed that when

considering a taller building with larger roof mass back in 2003 the Council took full care to ensure that they were satisfied it was acceptable and that the Council applied policy and were satisfied that the proposal met with the advice in Annex E of PPG7 (1997), which remains in force.

3.14 This application seeks to retain only half of the building, and so the landscape issues now fall for reassessment.

4 CONCLUSIONS

4.1 Following a recent refusal this application seeks to retain half of the existing building.

4.2 The building as retained will measure 216 square metres.

4.3 It will be for:

- housing livestock;
- housing machinery;
- housing equipment;
- housing agricultural animal feed.

4.4 The Council's agricultural consultant has commented that 136 sqm is required for housing animals without any allowance for access passages.

4.5 It is therefore inconceivable that the additional 80 sqm is not required for the machinery, equipment and feed set out in this appraisal.

4.6 The building is for agricultural purposes only, and not equestrian.

APPENDIX 1

Building Needs Analysis

BUILDING SPACE ANALYSIS: AGRICULTURE

Animal	No	Space Needed Each	Space Needed (m^2)
Cow	20	6	120
Yearlings	19	3	57
Finishers	19	4	76
Bull	1	8	8
Subtotal			***261***
Sow and litter	8	Outside in arks	None
Finishers	30	0.6 – 0.9	27
Boar	1	Outside in ark	None
Subtotal			***27***
Total Livestock			**288**

Tractor	1	18	18
Topper	1	12	12
Tedder	1	16	16
Baler	1	16	16
Trailer	1	16	16
Hedgecutter	1	12	12
Harrows	1	12	12
Loaders	2	12 each	24
Rolls	1	16	16
Spinner	1	12	12
Tools	-	20	20
Fencing equipment	-	20	20
Subtotal			***194***
Dry animal feed	-	20-30	20 - 30
AI stall		12	12
Passages and access		50-80	50 - 80
Farm office		Upstairs	-
AI storage/laboratory		Upstairs	-
Subtotal			***82-122***
Total Deadstock and Access			**276-316**

Total Building Needs			**564 - 604**