

BY EMAIL

To: the Planning Council Members, Somerset Council and the Planning Officer, Mr Simon Fox¹

c.c. by email: North Cadbury & Yarlington Parish Council (c/o Becky Carter)², Mr John Hammond, Lead Specialist-Built Environment, Somerset Council

c.c. by email: Mr Koos Bekker

26 July 2024

URGENT

Dear Councillors and Mr Fox,

PLANNING APPLICATION FOR A NEW FARM COMPLEX ON A GREENFIELD SITE BELOW YARLINGTON SLEIGHTS (24/01203/FUL) (THE “PLANNING APPLICATION”)

PROPOSED PLANNING APPLICATION FOR A HOUSING DEVELOPMENT AT MANOR FARM IN YARLINGTON VILLAGE (THE “HOUSING DEVELOPMENT”)

A. INTRODUCTION

1. We are a local community group from Yarlington, Galhampton & North Cadbury, which was formed for the purpose of sharing concerns regarding certain planning applications and proposals of Emily Estate (UK) Limited t/a the Newt (“**EEUK**” or “**the Newt**”) in Yarlington and the surrounding countryside.
2. At the pre-planning stage, EEUK explained that it proposed to implement a scheme in Yarlington (“**the Scheme**”) consisting of two parts, namely:
 - 2.1. The present Planning Application for permission to construct a new farm complex over about 5 hectares³ of impermeable concrete and other semi-permeable surfaces

¹ Councillors and their respective addresses are identified in p.24 below.

² Parish Councillors and their respective addresses are also identified in p.24 below.

³ The hard standing and built footprint is to amount to 22,657m² (2.27 hectares). The plan of the proposed site at page 40 of the Flood Risk Assessment produced by Simon Bastone Associates dated 13 July 2023 [p.376] on the Newt’s behalf shows the site comprising a total of 4.96 hectares: 2.46 hectares of impermeable yard, buildings and tracks, 0.44 hectares of semi permeable sloping grass and vegetation and a further 2.06 hectares of permeable grass/vegetated areas.

on a Grade 1 greenfield site immediately below Yarlington Sleights (the “**New Farm**”). It will include ancillary offices and buildings and a new roadway across further green spaces to link Manor Farm, the New Farm, another Newt farm/complex named “Avalon” and, ultimately, the Newt Hotel. Inevitably, further planning applications will be made for the construction of necessary workers’ dwellings, on or around the site.

- 2.2. A further Proposed Planning Application for permission to construct a housing development at the site of the existing farm (“**Manor Farm**”) to include the transformation of the buildings at the current farmstead into a mixture of residential tenancies, staff accommodation and holiday lets, through a mixture of redevelopment and newly built properties.
3. Appended to this letter is a bundle of documents relevant to our objections to the proposed Scheme (“**the Appendix**”). Page references herein are references to the page numbers in red text in the Appendix, save where otherwise indicated.
4. In a letter from Mr Paul Rawson (one of EEUK’s de jure directors) to Yarlington residents dated 14 May 2024, Mr Rawson assures them that the Newt no longer intends to pursue the construction of holiday/guest accommodation and instead plans to redevelop three existing properties on site and convert an agricultural barn in to two further residences. More recently, the Newt were unwilling to confirm, in response to the Parish Council’s enquiries whether the Planning Application would be the last in Yarlington or what the future held generally (see meeting minutes on 17.07.24 at [p.299]), with the consequence that villagers remain in a state of uncertainty as to their future.
5. This letter deals principally with our objections to the Planning Application, but we have summarised key objections to the plans for the Housing Development, in case the Newt chooses to act otherwise than in accordance with its assurances. Should it do so, we reserve the right to make further and more detailed submissions in this respect. References to the “Scheme” herein are, unless the context requires otherwise, references to the Scheme as amended in accordance with Mr Rawson’s letter.
6. This letter follows our previous letter to Councillors dated 20 October 2023, in which we set out our concerns regarding the Scheme at the pre-planning stage and respectfully invited the Newt to redevelop the original farm on the existing site, alternatively to create the proposed New Farm on an existing brownfield site within EEUK’s existing portfolio⁴ or to spread its

⁴ There are a number of alternative sites which we would respectfully suggest are more suitable for the proposed farm e.g. the site outside Castle Cary which is subject to a live planning application for the same or a similar development 21/03466/FUL.

proposed operations between the 11 or so farms that it has acquired within the immediate vicinity.

7. Subsequently:

7.1. At a representative meeting in Galhampton Village Hall on 3 July 2023, Mr Rawson accepted that there would be no benefit in the Newt submitting a planning application in the knowledge that there were many outstanding unresolved objections (see meeting minutes at [p.366]).

7.2. On 17 July 2024, at a meeting of the North Cadbury and Yarlington Parish Council (which includes Galhampton), councillors resolved to recommend refusal of the planning application (see meeting minutes at [p.299]). Pitcombe Parish Council have an objection in the form of formal support for their position.

7.3. At the time of writing, 194 comments have been submitted on the Planning Application since it was lodged on 25 June 2024, of which over 80% comprise objections. 82% of all comments arise from residents within the Parish and neighbouring Parishes in which EEUK has acquired and developed land. A further 11% derive from residents within the wider Somerset community.

8. It is regrettable that the Newt has chosen to proceed with the Planning Application for the New Farm, despite: (i) the Newt's acceptance of the fact that the submission of a Planning Application in the face out many outstanding objections was of no benefit and (ii) the sincere and deep-rooted objections from the overwhelming majority of its neighbours, upon whom its development activities have already visited significant misery. It is particularly regrettable in circumstances where, in reality, the purpose of the centralisation of the Newt's farming activities in the New Farm is to create a spectacle designed to enhance its brand and the experience of its hotel guests and members⁵, rather than to serve a genuine agricultural or business need.

9. We respectfully ask Mr Bekker, by copy of this letter, to cause the Newt to withdraw these proposals for the benefit of his neighbours. We would also ask that if the Newt decides to modernise the existing Manor Farm, Mr Bekker shall direct that it be done with a view to minimising the adverse effects on those households located on Pound Lane and throughout Yarlington, so far as possible. To date, this more moderate and less destructive option of improving the existing farm's capability has not featured in the Newt's proposals, but we

⁵ Para 2.11 of the Newt's "Benefits Arising" document, supporting the Application states that the "*purpose built 'best in class' facility will showcase British agriculture to visitors including local school children, [the Newt's] annual members, UK and international tourists, industry peers, press and media.*" ([p.372] at §2.11). The Newt's annual members number 32,000 (per Annual Report to 31 March 2023) [p.329].

wish to make clear that we are, in fact, supportive of positive, sustainable redevelopment and would welcome the opportunity to working with the Newt in creating a scheme at the site of the existing farm and/or other farms, which would benefit all parties without the significant deleterious effect on the natural environment that will arise on the present Planning Application.

B. SUMMARY GROUNDS OF OBJECTION

10. The National Planning Policy Framework (“**NPPF**”) requires proposed developments to be sustainable on environmental, social and economic grounds. It provides that Decision makers are required to approve development proposals that accord with local Development Plans⁶. The relevant Development Plan includes the South Somerset Local Plan (“**the Local Plan**”) and the North Cadbury and Yarlinton Neighbourhood Plan (“**the Neighbourhood Plan**”).
11. In summary, we feel obliged to object to the Scheme, in the interests of current and future residents of Yarlinton, Galhampton, Woolston and North Cadbury, on the grounds that it is disproportionate, unnecessary and misconceived, according to the following 3 overarching objectives in the NPPF.

(1) Environmental

12. The construction of the New Farm will have seriously adverse effects on the local environment in the following respects:
 - 12.1. **Loss of Grade 1 land/Lack of agricultural need.** The effect of the construction of the New Farm will be to replace c. 5 hectares of Grade 1 agricultural land with around 5 hectares of concrete and other semi-permeable surfaces, an area substantially greater than the centre of Yarlinton (as illustrated by the overlay slides at [pp. 307 to 310-311]) and a third of the size of Galhampton [pp.308-309]. A new farm of this size could only be justified under the principles evinced in national and local planning policies if it was supported by a genuine agricultural need and/or business case.
 - 12.2. We have commissioned an independent expert consultant, Mr Roger Sewill MRICS of Reading Agricultural Consultants Limited, to provide an Agricultural Needs Appraisal on the proposed New Farm (“**the Agricultural Needs Report**”) [pp.288-297], with the limited resources at our disposal. The purpose of doing so was to

⁶ NPPF §11(c), Appendix [p.81]. See also §14 which provides that the adverse impact of a development conflicting with the neighbourhood plan will outweigh its benefits where there is no development plan if the conditions 14(a)-14(d) apply [p.82].

address concerns that the reports provided by the Newt in support of the Planning Application are unbalanced.⁷

12.3. In effect, Mr Sewill's conclusion (at [p.297]) is that the proposed New Farm is disproportionate, unnecessary and misconceived in principle, in that runs counter to critical features of national and local planning policy. In his conclusion, he explains that:

12.3.1. There is no need for EEUK's livestock enterprises to be grouped together such as to require a larger set of buildings than those already within EEUK's portfolio. In fact it would be more beneficial for animal health to group them at separate locations;

12.3.2. To that end, the existing farmyards within EEUK's portfolio could be redeveloped where necessary, rather than building on a new site.

12.3.3. A new farming proposal of the scale proposed by EEUK would require a detailed financial business case. There is none.

12.3.4. The proposal is unsustainable without on-site rural workers' dwellings. Consequently, it will necessitate further planning applications and increase in scale.

12.3.5. In any event, it is not essential/necessary for Grade 1 land to be used as proposed in circumstances where there are viable alternative solutions.

12.4. Worryingly, the present proposals appear to form part of a pattern of estate management under which existing farms acquired by the Estate are subsequently taken out of agricultural use and substantial new facilities are constructed on green fields, which are then significantly expanded. An example of substantial development creep in this regard is provided by the farmyard at "Avalon" farm, which has been developed into a sprawling complex 4 or 5 times its original size (see attached aerial photographs showing the growth of the development from 2009 to 2021 [pp.1-4] and the photographs at [p.367] and [pp.312-316]). The development is a significant blot on the landscape in that it is clearly visible from miles around both in the daytime and at night, when it lights up the sky.

⁷ In this regard, we refer to the concerns raised by Ms Emma Snead in regard to the said reports (at [pp. 319 to 324]).

12.5. **Loss of Amenity/Wellbeing.** The Scheme would create an indelible blight on the natural environment⁸, there by disfiguring countryside of outstanding natural beauty, to the detriment of locals and visitors who have cherished it for generations:

12.5.1. The proposed site of the New Farm and roadway lies adjacent to three important national walking trails (the Monarch’s Way, Macmillan’s Way and the Leland Trail⁹)

12.5.2. The proposed site is situated immediately below Yarlington Sleights, in the immediate sightline of what is unarguably a series of the most beautiful views in England towards, inter alia, Cadbury Castle¹⁰, Parrock Hill and Corton Ridge (described in the Neighbourhood Plan, as the “*most cherished and admired views*”¹¹). The view from Cadbury Castle, Parrock Hill and Corton Ridge looking to the Yarlington Sleights is enjoyed the general public, by reason of the fact that they are one of a handful of open access areas in Somerset.

12.5.3. If permitted, the Scheme will permanently transform an unspoiled rural landscape into a semi-industrialised zone, through the erection of farm and office buildings, on a scale that is disproportionate to the surrounding fields, with a busy private roadway, albeit for agricultural vehicles, linking the Newt’s facilities across green fields.

12.5.4. A curious feature of the Landscape Visual Impact Report (“LVIA”) provided by the Newt is that it has not addressed the point that this corner of Somerset will forever be altered, in any meaningful way. We have, therefore, commissioned a report on the Newt’s LVIA Report, which we reserve the right to adduce as soon as practicable.

12.6. In many ways, it is remarkable that EEUK’s team should have chosen to locate the proposed New Farm in the sightline from Yarlington Sleights to Cadbury Castle *of all the places*, given: (i) EEUK’s promotion of The Newt Hotel to potential visitors and guests as being set in a pristine Somerset countryside; and (ii) its commitment to

⁸ NPPF §8(c), Appendix [p.80].

⁹ Contrary to Policy 5 of the Neighbourhood Plan which provides that “*new buildings should not diminish the undeveloped gaps between the main villages or appear prominent within the landscape*” (Appendix, [p.184]).

¹⁰ Cadbury Castle is a bronze and iron age hillfort, which is registered as a national monument. It has been associated with King Arthur’s legendary court at Camelot (**Hob Uid:** 199646; **Grid Ref:** ST6283725101). See https://www.heritagegateway.org.uk/Gateway/Results_Single.aspx?uid=199646&resourceID=19191

¹¹ Neighbourhood Plan [p.189] at §13.22. See also the viewpoint marked as “V5” (to the left of Yarlington Sleights) on the map of “*Important Routes, Key Views and Landmarks*” and highlighted (at Appendix, [p.179]).

biodiversity, land preservation and the well-being of local people¹². Certainly, the proposed substitution of pastureland for an industrial farm complex at the end of the Avenue, seems to be at odds with the vision of green fields and ancient woodland which the Newt presents to the outside world.

- 12.7. **Increased Flood Risk.** The construction of the New Farm is also liable to give rise to a substantial increase in the risk of flooding. The Flood Risk Assessment report (the “**FRA Report**”) produced on EEUK’s behalf contains a technical argument that it is not necessary to take into account the effect of surface water outside the development site and, accordingly, it disregards the effect of the additional water run-off that would flow into the River Cam as a consequence of the fact that c. 5ha of grade 1 agricultural soakaway at the base of Yarlington Sleights would be replaced by c. 5ha of impermeable concrete and other semi-permeable surfaces. However, adopting the figures in the Newt’s FRA Report, it is apparent that if the development were to proceed as planned and Yarlington were to experience the level of rainfall that it did as recently as 9 May 2023, the resulting flooding along the River Cam, which caused significant damage and destruction to properties within the village, would be materially more substantial and widespread.

(2) **Social & community**

13. The Newt has yet to file an application in respect of the Housing Development at the site of the existing farm. As noted above, Mr Rawson has provided assurances that the Newt no longer intends to develop holiday/guest accommodation at the site. However, as we have nothing more than Mr Rawson’s assurance on this point, we believe it sensible to highlight the fact that current redevelopment (resulting in 58 people in short lets) with potential further development would effectively destroy the identity of a small village of fewer than 100 residents, contrary to the NPPF requirement to “**support strong, vibrant, healthy communities**”.¹³ We ask the Newt to keep this in mind, when determining the nature of its plans for accommodation at the site.

(3) **Economic**

14. The business underlying the Scheme serves no discernible need for housing or employment and as such cannot be justified as serving the economic needs of the local community. The Local Plan identifies areas for expansion of economic activities and new housing. Yarlington is not one of them. Yarlington’s identity as a Rural Settlement and lack of facilities render

¹² The Newt’s Annual Report and Financial Statements for the Financial Year ended 31 December 2021 asserts that the “*Company has sustainability and environmental care firmly embedded in the company’s culture and corporate strategy.*”

¹³ NPPF [p.80] at §8b

it unsuitable for expansion and development, involving a fundamental change of use, of this nature or scale. Neither has the Scheme been shown to have any economic merit as an agricultural business. Emily Estates has provided no financial assessment that might serve as justification for the Scheme on economic grounds.

Mixed support for the Scheme

15. The Newt's proposals for Manor Farm have divided the villagers of Yarlinton and created significant and lamentable discord. It is correct to say that some residents, virtually all of whom live closest to the site of the old farm, have indicated their support for the New Farm. It is, however, our perception (though we fully accept that they might put it differently) that, in seeking to promote the New Farm, the Newt has effectively presented them with a binary choice:

- 15.1. on the one hand, to endure the noise, smell and farm traffic generated by the current operation of the existing farm; or

- 15.2. on the other, to support the Newt's proposal for a substantial New Farm on green fields a further quarter of a mile away.

In its planning submissions, the Newt gives scant consideration to the potential for developing and improving the existing site and/or siting all, or some, aspects of the proposed farm at alternative sites within its portfolio. The choice as presented, at least as it appears to us, is between: the construction of a large-scale New Farm (albeit a little further away from them) or: having to endure living with the noise, smell and traffic consequent on living next to the existing farm.

16. Aside from the disfigurement of the landscape, it is inevitable that the creation of the New Farm and ancillary workers' dwellings, roadway and/or housing development will (very) substantially and permanently increase traffic, noise and light pollution experienced by all the villagers in the locality, including those in Pound Lane. In reality, there are potential alternatives (including redesign and improvement of the existing farm and/or utilisation of suitable alternative sites) that would achieve similar objectives at minimal environmental and social cost.

C. BACKGROUND

17. Before commenting on the specifics of the Scheme, it is worth setting out some background to put the Scheme in context.

The local villages and countryside

18. Yarlinton sits on the River Cam and is linked to the outside world by three tiny country lanes, which accommodate a single vehicle at a time. Yarlinton is home to about 94 or so residents (with around 42 or so in the centre), it has a pub, a church and a village hall but no shop and no further amenities. The villagers are a tight-knit and harmonious community, who appreciate Yarlinton for its peace, quiet and natural beauty. The village comes together for a fringe every other year and every year, there is a village fayre and plant sale hosted by the de Salis Family, who are much loved for the service they have given to the village over the last 60 years.
19. On the other side of the proposed site, is another small rural village: Galhampton, which dates back to the twelfth century. Aside from a cluster of properties on the A359, most houses of its 340 or so residents abut narrow country lanes. It is served by a pub, a chapel, village hall and playing field. There is a store close by, but not reachable on foot. The village is surrounded by the green pastures of local farms. Galhampton's residents value the character of the village and surrounding countryside, the peace and tranquility of the area, and their sense of community as their village's key attributes.
20. The countryside surrounding Yarlinton and Galhampton is characterised by green fields and ancient woodland, modest farmsteads, small villages and hamlets, linked by winding lanes and old drove roads. It is unspoiled, peaceful, a pastoral idyll. The rural character of the area (the villages, hamlets and surrounding countryside) was the number one reason recorded in the Neighbourhood Plan that people choose to live here, and what they enjoy the most about the area. We have many heritage assets that link us to the ancient, rural past, and our area was described as "a little-known jewel of a place" in the television programme "Escape to the Country" in 2017.
21. Protecting the environment is cited in the Neighbourhood Plan as a top priority in respect of any proposed development. Villagers were particularly concerned to ensure that developments do not *compromise, by their scale and presence*, the rural and tranquil character of our location. We cherish our undeveloped green spaces and recreational trails and derive significant amenity value from them as a community. We sought, in that Plan, to protect those heritage assets from destruction by inappropriate industrialisation and prominent new development. Traditionally, the local villagers have been able to take pride in our dark night skies, although, sadly, the light emanating from the Newt's facility at Avalon can now be seen from miles around.

22. In 2013, Mr Bekker purchased the Hadspen House Estate through a Jersey company, EEUK (Jersey) Limited (“**EEJL**”) which was used to develop “The Newt” hotel and estate¹⁴. On 31 January 2019, EEUK (UK) Ltd (“**EEUK**”) bought Hadspen House Estate from EEJL and carries on the Newt’s business from there.¹⁵ EEUK’s business runs at a significant loss (c. £12m per annum for the 2021 year and c.£30m for the year ending 31 March 2023 [**p.342**]).
23. The creation of the Newt Hotel, with its professed commitment to the countryside and communities around it, was initially greeted, so far as we could tell, with enthusiasm and a sense of optimism for the future within the local communities.
24. Since then, the Newt’s business has expanded, and continues to expand, far beyond the confines of the former Hadspen Estate, into the neighbouring villages and countryside. It has acquired farmland, land and houses for conversion into further accommodation, visitor experience attractions (including an interactive Garden ‘Museum’, butchery, cyder press, roman villa and substantial fishing lakes) and other service facilities for the business, which have been connected to the Newt by way of a network of new vehicular tracks across open countryside. It has recently acquired a farm, farmland, residential and commercial dwellings that extends the Newt’s footprint into and around Castle Cary, thereby fundamentally altering the nature of our landscape and our communities.
25. The extent of the Newt’s incursion into the neighbouring hamlets and villages of Shatwell, Galhampton, Yarlinton, Bratton Seymour, Welham and Shepton Montague is apparent from the remarkable proliferation of planning applications. (N.B. So far as we can tell from the Council’s planning portal there are about hundred applications, only one of which appears to have been decided by the Planning Committee at the time, all others having been delegated to a single member. For ease of reference, the majority of the said applications are made in the name of one of EEUK’s directors, Mr Paul Rawson).
26. Of particular relevance to the present application are the compounds of buildings which already encroach upon Yarlinton (as may be seen from the Newt’s existing Masterplan for development¹⁶):
 - 26.1. At Shatwell¹⁷, planning permission was given¹⁸ for the conversion of Shatwell House, one of the most beautiful residences in the locality, into a complex of buildings which form an annex to the Newt hotel named ‘The Farmyard’ and include guest accommodation for over 30 people in 17 luxury rooms and suites, a restaurant

¹⁴ The website is at: <https://thenewtinsomerset.com/>

¹⁵ 2018 Accounts at note 12: <https://beta.companieshouse.gov.uk/company/08496160>

¹⁶ Yarlinton Manor Farm Masterplan Development Pre-Application Submission, March 2023, (Appendix [**pp.203-204**])

¹⁷ <https://goo.gl/maps/RrTKT58hbqYcYYqB9>

¹⁸ 17/01275/FUL

and swimming pool. It is connected to the main hotel building by a vehicular track which runs across fields and through a new tunnel under the main road (whose course has itself been altered for the purpose by the Newt). The scale of the development is considerable, particularly in view of the prior residence (as may be seen from a comparison of the maps **[at pp 1-4]**). Although the Farmyard lies to the Northeast edge of Yarlinton, it is to be noted that EEUK has received planning permission to extend Farmyard facilities further towards the village by creating two sizeable fishing lakes between the Farmyard and the centre of the village to be served by parking and walking routes for guests¹⁹.

- 26.2. At Avalon, EEUK has created a substantial development comprising industrial scale buildings which include a butchery, food production facilities, warehousing and office space, as well as polytunnels, greenhouses and staff parking. It is this development which EEUK seeks to link to Manor Farm by means of the new access road across the intervening fields. Of particular note and relevance to this application is the fact that the development at Avalon has already been extended successively in scale and purpose to a degree that it now dwarfs the centre of the small, rural, village of Galhampton in which it is sited and amounts to about a third of its total size (see attached aerial photographs showing the growth of the development from 2009 to 2021 **[pp.1-4]** and the photographs at **[p.367]** and **[pp.312-316]**)²⁰.
- 26.3. In 2018, EEUK acquired The Grade II listed Yarlinton Lodge, comprising the main residence, a coach house and gardener's cottage. EEUK has obtained permission to convert it into short stay accommodation for 32 guests. Yarlinton Lodge lies towards the heart of the village, a short stroll from the pub and St Mary's church. Below Yarlinton Lodge, on the other side of the Sleights, EEUK intends to build fishponds. In any event, it is inevitable that the peaceful and secluded character of the village will change, and community bonds will be strained once one out of every two people encountered is a non-resident, leaving aside the inevitable increase in noise and traffic.
27. The increase in the size of the compounds at Shatwell and Avalon and incursion into the surrounding countryside is illustrated by the aerial photographs taken in 2009, 2013 and 2021 – images for 2023 are not as yet available but will show considerable further expansion **[pp.1-4]**.
28. By its latest Scheme, EEUK continues its policy of acquisition and development around Yarlinton from all sides, as may be seen from the map depicting Newt accommodation and

¹⁹ inter alia 22/02079/FUL

²⁰ Appendix, **pp.1-4**,

facilities to the Northeast (The Farmyard), East (Yarlington Lodge), North (new fishing lakes) and West (the proposed Manor Farm redevelopment)²¹.

29. The Local Plan cautions expressly against developments that can grow to such a scale as to become *unacceptable* and notes that consideration must be given to the *impact such developments have on the character of the rural location*²². EEUK's bite-by-bite approach and constant drive towards acquisition, redevelopment and transformation is a paradigm example of such unacceptable development creep. The effect is that the inherently tranquil and bucolic character of the local countryside is being eroded and communities engulfed by development. Even without the proposed Manor Farm Scheme, if one looks at current developments and approved applications alone, Yarlington's small rural community of about 94 or so people (42 in the centre) will be encroached upon by more than 60 short stay visitors (from Yarlington Lodge and the Farmyard); the Galhampton landscape is already dominated by an expanding, industrialised sprawl. As stated above, at a meeting of the North Cadbury & Yarlington Parish Council on 17 July 2024, representatives of Emily Estate were asked to clarify whether the Manor Farm redevelopment would be the Newt's last planning application in Yarlington. Emily Estates were "*unwilling to clarify what the future held,*" leaving open the very real possibility of yet more development. This seems exactly the harm against which planning policy is intended to protect.
30. The local landscape and its settlements have coalesced and evolved over centuries. By way of contrast, it appears that EEUK has no long-term development plan (repeat attempts to have EEUK share such a plan with the local community have failed and there have been a number of abortive proposals at different sites). However, the rate of its expansion means that it has effected seismic change on the local environment and communities in a very short period of time, without full consideration of the consequences..
31. In its planning applications EEUK states that it engages in thorough and open consultation with local communities, as planning policy dictates²³. However, there is a real concern that local communities cannot engage with or contribute to the issues raised by the applications in circumstances where (i) such applications are made in isolation, without any sight of long-term plan (as noted above); (ii) the circulation of proposals within the community is limited and they are subject to last minute changes without notice. It is also the case that, of the hundred or so applications made on behalf of EEUK, only one (regarding alterations to the A359) was decided at Committee level; all others were delegated, despite the transformative effect of those developments on the local area.

²¹ Yarlington Manor Farm Masterplan Development Pre-Application Submission, March 2023, (Appendix [pp.203-204])

²² SSLP, §9.49 (Appendix, [p.142])

²³ Local Plan §5.32 [p.131]

32. When one contemplates the volume of EEUK's applications that have been approved, and the means at its disposal, the affected communities believe that there is little to be done and the best one can hope for is to seek slight modifications to unwanted proposals. Local residents lack the will to seek otherwise, even if the real desire is for proposals to be rejected outright. Consent in this context is not genuine support; it is resignation. An unfortunate consequence is that the optimism with which local people greeted the creation of the Newt has been replaced with the fear that EEUK will effect irreparable damage to the local countryside and to their communities, regardless of their concerns and without any real engagement or contribution from them.

D. THE GROUNDS OF OBJECTION IN FURTHER DETAIL

33. It is essential to consider the proposed Scheme as part of EEUK's broader development strategy. In such context, it is plainly unacceptable. However, the fact is that the Scheme remains wholly inconsistent with planning principles even if assessed on a standalone basis.

(1) THE CONSTRUCTION OF A NEW FARM COMPLEX

34. EEUK proposes to demolish the existing Manor Farm buildings and erect a replacement and significantly enlarged farm on previously undeveloped green pastures. The new farm buildings, which are proposed to extend over about 5 hectares, will include a concrete farmyard, four vast roundhouses for approximately six hundred cattle, including one for use as a milking parlour, storage facilities for machinery, straw, hay, manure and equipment, and offices to be used by staff. EEUK proposes to link the New Farm to the existing imposing Avalon farm and office complex at Galhampton by building a new roadway across the green fields between the two sites. It is apparent, even at the pre-planning stage, that the New Farm complex contravenes numerous principles of planning policy, in principle, including the following key sustainability requirements.
35. The New Farm, if the Scheme goes ahead, would create, in an area that is currently open, green pasture, an industrial size farm of a scale that is out of keeping with the character of the local landscape and disproportionate in size to the surrounding traditional, family-run farms that typify and serve the local area.
36. The proposal would create a busy roadway, likely (based on EEUK traffic to and from Manor Farm to date) to experience traffic volumes of up to 60 tractors per day on the Newt's own submissions²⁴, cleaving a visible wound into the landscape of green fields between Yarlington and Galhampton. This new road, uniting the Avalon and Manor Farm sites, and

²⁴ Newt's "Benefits Arising" document ([p.371] at §1.5)

presumably also to be used by buggies transporting hotel guests and Newt members²⁵ to and from the site (although the means by which visitors will access the site is not mentioned in the Newt's proposals), would create a sprawling network of farm and office infrastructure extending across the fields and transforming the character of the location from rural to industrial.

37. Relocating the farm per se (apart from the aggrandisement) runs contrary to Policies EP4 and EP5 which require *existing buildings to be re-used*²⁶ where possible and new buildings to keep within the curtilage of the development site. Policy EP5 relating to farm diversification requires replacement buildings to be *in scale with the surroundings*²⁷. Rather than investing in redeveloping the existing farm site, EEUK seeks to demolish existing buildings and relocate and redevelop the farm on a disproportionate scale.
38. The desire to protect our open spaces and prevent against industrial development unsuitable for the area is also a key feature of the Neighbourhood Plan which provides ([p.184] at Policy 5) that:

“Development should respect and, where practicable, enhance local landscape character, including the retention and reinforcement of the following key characteristics:

- General tranquillity (away from the A303 corridor)
- Winding lanes, with traditional fingerpost signs and no street lighting, old drove roads and sunken lanes (Holloways)
- Particularly dark night skies
- Hedgerows demarcating field boundaries.
- Mature oaks and other ancient trees (particularly along roadsides and stream corridors)
- Presence of the River Cam with its associated riverside vegetation and small stone bridges crossing points
- Small historic apple orchards in and around settlements
- Scattered farmsteads and hamlets in the wider countryside, with buildings reflecting agricultural use, and primarily of local building stone, with clay tiles or thatch roofs – new buildings should not diminish the undeveloped gaps between the main villages or appear prominent in the landscape.”

It seems to us that the proposed Planning Application is in direct contravention of the majority if not all of the agreed principles in the Neighbourhood Plan.

Lack of Agricultural Need/Loss of Grade 1 Agricultural Land

²⁵ In the year to 2023, Newt members numbered 32,000 (Annual Report, Appendix [p. 329])

²⁶ Local Plan, Policy EP4 and EP5 (Appendix, [pp.141, 143])

²⁷ Local Plan, Policy EP5 (Appendix, [p.143])

39. In Mr Sewell's Agricultural Needs' Report [pp. 288-297] he identifies and answers the fundamental questions relevant to consideration of whether the proposed New Farm is justified on the grounds of agricultural need (at [pp.296-297]), as follows:

“Conclusion

49. The proposed new farmyard, at 22,657 m², would be a large development for a relatively small farming enterprise, i.e., a 100-cow dairy herd, 150-cow suckler herd, and youngstock stock, especially when new livestock housing has been built elsewhere on the Estate.
50. The conclusion relating to the fundamental agricultural questions are as follows:
- A. Is there a requirement for the livestock enterprises to be grouped together, thereby requiring a larger set of buildings?
No, there would be ways to group cattle at separate locations, which will likely be more beneficial for animal health.
 - B. Could the existing farmyards be redeveloped with modern farm buildings, where necessary, rather than building on a new site?
Yes, this option is available.²⁸
 - C. Is the proposed design suitable and viable without a financial business case?
No, a new farming proposal at this scale would require a detailed financial business case.
 - D. Is the proposal sustainable without on-site rural workers' dwellings for key workers to be available to attend to the livestock's animal welfare?
No, further planning applications for on-site rural workers' dwellings would likely be forthcoming.
 - E. Is building on Grade 1 land essential when there are alternative solutions?
No, there would be alternative agricultural solutions to avoid the proposed development.
51. As there would be practical agricultural alternatives, which would avoid the need to build a new farm complex, the proposed scheme has not met; the NPPF guidance for “*Conserving and enhancing the natural environment*”, *Natural England's guide to assessing development on agricultural land, and the South Somerset Local.*”

²⁸ The opinion of Mr Sewill is that Manor Farm “could readily be redesigned and developed for the relatively small dairy enterprise of the suckler cow unit.” (para 41, [p. 295])

40. In our submission, the development is unnecessary, disproportionate and ill-conceived and fails to meet the criteria for expansion of an existing business in the countryside (according to Policy EP4 of the South Somerset Local Plan).
- 40.1. **Unnecessary.** Manor Farm already offers a functional set of farm buildings, previously used for three hundred cows. Emily Estates also has numerous farm properties in its portfolio with multiple options for accommodating livestock. The proposal improperly fails to consider the re-use of existing farm buildings or the location of elements of the proposal at other existing estate sites. Emily Estates provides no evidence to suggest that it is essential to build on a green-field site outside the curtilage of the existing farm, or to house all livestock at one, super scale development.
- 40.2. **Disproportionate.** The scale of the development cannot be justified by reference to the relatively small-scale farming enterprise it is proposed to serve. The size of the buildings – covering 2.8 acres of green-field land - is vastly more than required. There is no evidence to suggest that it is essential on agricultural grounds to consolidate all farming operations (livestock and grain storage) on one site. At the Parish Council site meeting, the Newt's farm manager, Mr Knee, agreed that the herds could be separated.
- 40.3. **Misconceived.** The proposal lacks agricultural merit. This goes beyond failing to provide a full and detailed livestock management plan, as would be expected. EEUK's proposal to locate all cattle at one site constitutes questionable farming practice in that fails to take into account the need to prevent the outbreak, spread and incursion of disease, such as TB. At first sight, this omission is difficult to understand given that EEUK owns numerous suitable locations for livestock. It is inferred that it is symptomatic of a desire to create a spectators' farmyard regardless of any genuine agricultural need.
41. The New Farm would destroy 5.6 acres of land classed as the "best and most versatile agricultural land," replacing this area of rich, green-field land with industrial scale buildings and hard standing. To allow this would contravene the Local Planning Authority's obligation to protect BMV land from "significant, inappropriate and unsustainable development proposals" (Natural England's Guide to Assessing Development Proposals). Emily Estates has failed to commission a localised Agricultural Land Classification soil analysis to enable proper assessment of the quality of the site or provide any justification for why it is appropriate to develop, rather than preserve this asset.
42. The proposal follows an established practice by Emily Estates of taking farming land out of agricultural use. Emily Estates intends to replace a functional set of farm buildings, used for

three hundred milking cows, with non-agricultural development and a new farm on a green-field site.

43. Mr Sewill's report notes that it is likely that the development will be larger than indicated. The site has been measured to exclude the drainage lagoon that sits outside the boundary of the new farmyard. A more stark omission in Emily Estates' submissions is that no mention is made of the need to construct dwellings for resident agricultural workers which, as noted in the report, would be essential for the upkeep of the livestock at the site.
44. The scheme appears to have been developed independent of any consideration of economic viability. Emily Estates has submitted no assessment of likely profit and capital cost or of the relative economic merits of the redevelopment and consolidation of activities versus a plan that would make use of existing farm buildings and infrastructure at alternative properties within the Estate portfolio. Mr Sewill highlights in his report (at para 47 [p.296]) that "It is commonly accepted that a conventional 100-cow dairy herd would be unviable in today's agricultural climate. Therefore, special care should be taken to determine how viable an unconventional dairy herd will be and whether it can be sustained, as it is understood that the buffalo herd was not financially sustainable at its previous location."
45. In the document entitled '*Benefits Arising from the Scheme*', filed in support of the Application, Rural Solutions, on behalf of the Newt, note that the "purpose built 'best in class facility will showcase British agriculture to visitors including local school children, annual members, UK and international tourists, industry peers, press and media.'" ([pp.372-373] at §2.11) It may be inferred from the absence of sound agricultural or financial justification for the Scheme that, in reality the proposed development is designed to create a "spectators' farmyard", to enhance the experience of hotel guests and Newt members, to bolster the strength of the 'Newt' brand, and create a piece of rural theatre, all at the expense of sustainability and the preservation of a natural asset.

Loss of Natural Environment, amenity & wellbeing

Valued Landscape

46. The NPPF provides (at paragraph 174, Appendix, [p.92]) for the protection of *valued landscapes* and recognises the intrinsic character and beauty of the countryside as follows:

"174. Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);

- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees.”

47. In our view, the open countryside immediately around the centre of Yarlington, in particular, the escarpment, known as Yarlington Sleights, with its unspoiled panoramic views as far as Cadbury Castle, constitutes a “**Valued Landscape**” according to the Landscape Institute’s 2021 Guidance²⁹ due to the following features:

47.1. **Cultural Heritage.**

47.1.1. The proposed site sits immediately below the view from Yarlington Sleights, which offers an uninterrupted sightline over unspoiled countryside to Cadbury Castle, colloquially known as “Camelot” by reason of its associations with Arthur’s Court. The same view (from a different elevation) is afforded from the proposed sight itself.

47.1.2. Immediately adjacent to the proposed site, is an ancient drover’s path, which runs parallel to Yarlington Sleights. The Monarch’s way, which runs at a right angle, comprises a bridleway known as “Hick’s Lane”, at the foot of which is an unusual example of a sunken road known as a “holloway” or “hola weg” in Anglo-Saxon. It is likely to date back to the iron ages and possibly earlier.

47.2. **Landscape Condition.** The proposed site is on Grade 1 soil. In addition, it acts as a soakaway for surface water that runs-off Yarlington Sleights and thereby reduce the risk of flooding.

47.3. **Associations.** As stated above, the site sits in the sightline of the view of Cadbury Castle which, as Historic England’s heritage gateway website records, is associated with Camelot.

47.4. **Distinctiveness.** The landscape in the countryside around Yarlington, including the escarpment immediately above the proposed New Farm (an important *landscape feature*), has a strong sense of identity. It makes an important contribution to the character and identity of Yarlington.

²⁹ TGN 02-21: *Assessing landscape value outside national designations* esp. §§ 2.3.2, 2.2.4, 2.4.5 and the factors regarding Distinctiveness, Recreation and Perceptual in Table 1.

- 47.5. **Recreational.** The number of important national trails, footpaths and bridleways at this location is incontrovertible physical evidence of recreational use where experience of landscape is important.
- 47.6. **Perceptual (Scenic).** This is a landscape that has strong and unique aesthetic features, natural lines (particularly in respect of the ridgelines), visual diversity and historic and memorable views, across to Cadbury Castle.
- 47.7. **Perceptual (Wildness and tranquility).** There is currently relative peace and quiet away from the farm buildings, roads and road noise, which gives rise to a sense of particular remoteness, seclusion or openness. It has dark skies and no noise from road.
48. Similarly, Policy EQ5 provides that any development must *enhance or maintain the character and local distinctiveness of the landscape and contribute to and/or maintain local identity and a sense of place*³⁰.

The destruction of wildlife

49. The Neighbourhood Plan provides that it is *critical to consider how wildlife may be affected by development*³¹. The local area is home to many protected species, including many species of bats, badgers, brown hares, barn owls, kestrels, buzzards and red kites. The relocation of Manor Farm is simply impossible to achieve without disturbing resident species and destroying their habitats.
50. The New Farm requires lighting for 16 out of every 24 hours which would cause detriment to crepuscular species (note that the Local Plan specifically provides that proposals must ensure lighting does not disrupt the activities of bats³²) and necessarily deny us the dark skies which we, as residents, seek in our Neighbourhood Plan to protect³³.
51. EEUK has made proposals to mitigate the negative impact on the local wildlife, and, if the relocation and expansion were necessary, such proposals might be considered reasonable, but in fact there is no need to relocate the farm to an area of open, green space. Rather than employ mitigation techniques, we would urge EEUK to reconsider making use of existing farm buildings, as planning policy dictates³⁴.

³⁰ Local Plan, §13.50 and Policy EQ5, (Appendix, [pp.152-153])

³¹ Neighbourhood Plan, §6.15 (Appendix [p.182])

³² Local Plan, §13.46, (Appendix [p.150])

³³ Neighbourhood Plan, Policy 5 (Appendix [p.184])

³⁴ Local Plan Policies EQ4, regarding Expansion of Existing Businesses in the Countryside, and EQ5, regarding Farm Diversification, require existing buildings to be re-used where possible, (Appendix [pp.150-151,152-153])

The effect on Footpaths

52. The local area is blessed with a number of historic and treasured walking trails from which one can enjoy wide-reaching views across unspoiled countryside. These footpaths and rights of way have been enjoyed by locals for generations and form part of our cultural heritage. It is evident from the Neighbourhood Plan how much value we, as residents, place on the network of footpaths and trails that criss-cross the area³⁵.
53. It is a specific requirement of that Plan that planning decisions must take into account *the impact on the enjoyment of the countryside, from the public rights of way and the views that can be seen from the trails and rural lanes*³⁶. This reflects the requirement in the Local Plan that planning policy should *provide and/or maintain opportunities for enhanced attractive walking routes*³⁷.
54. The site selected by EEUK for relocation of Manor Farm is bounded by footpaths WN 31/10 “Sleight Lane” which runs to the North and alongside Bluebell Copse, WN 31/9 to the south and WN 22/16 and WN 19/97 “Hicks’s Lane” to the West. Hicks’s Lane forms part of three important named footpaths: the Monarch’s Way, the Leland Trail and the Macmillan Way, all of which are required by the Neighbourhood Plan to be given *particular regard* in planning decisions³⁸. The Conservation Officer has suggested that the New Farm could be concealed by building up hedges around its perimeter, but this would also conceal the view of Yarlington Sleights, which users of Monarch’s Way currently enjoy. In fact, the Newt has removed around 1.5km of hedgerows lining the Monarch way to the immediate northwest of the proposed site at Whitewoods Farm (see photograph/diagram [p.388]).
55. All footpaths are enjoyed by local residents, and all would be impacted negatively by the erection of imposing farm and office buildings on the adjacent land and the creation of a busy estate road running alongside the adjacent by-way. As stated above, EEUK’s chosen location for the New Farm is in the middle of the currently glorious and unspoiled outlook from the walk across Yarlington Sleights, acknowledged in the Neighbourhood Plan as providing *the most cherished and admired* views of all the village walks and the subject of express protection³⁹. The Scheme would destroy, or at least significantly detract from a visual amenity, that is a treasured and historic asset.

³⁵ See, for example, §6.4 which notes that over 80% of those responding to a 2017 survey use the public footpaths in the area (Appendix, [p.178])

³⁶ Neighbourhood Plan, §6.10 (Appendix [p.181])

³⁷ Local Plan, Policy EQ5 (Appendix [p.152-153])

³⁸ Neighbourhood Plan, Policy 6 (Appendix [pp.184-185])

³⁹ The Neighbourhood Plan lists the Yarlington Sleights walk as an Important Local Walking Route (Appendix [p.189] at §13.21; see also §§ 13.21 – 13.22 which notes that “the most popular walk for Yarlington residents is to walk up on to Yarlington Sleights, with their clear historic feel (from the strip lynchets) and views across the village... the views from among the Sleights are perhaps the most cherished and admired.” (Appendix [p.189] at §13.22)

Increased Flood Risk

56. As stated in the Summary Grounds of Objection, there are cogent grounds for concluding that the construction of the New Farm will substantially increase the risk of flooding and/or the damage to properties in Yarlington as a consequence. Analysis of the increased risk by reference to the figures in the Newt's FRA Report is provided in the objections of Mr Dermot Coleman, Mrs Tessa Coleman and Ms Lucinda Lambourne, which are contained within the pack of hard copy documents delivered by hand to the Council. Mrs Coleman articulates the basis of her objection **[at p.318]** is in the following terms:

"My objection to this planning application concentrates on the elevated flood risk that the proposed 4.96ha development site presents and references the Flood Risk Assessment (FRA) document produced by Simon Bastone Associates for their client Emily Estates.

The Bastone FRA document starts by stating that the entire development site is located in a Flood Zone 1 area which means that the Flood Risk Assessment is confined to the development site only and does not need to consider the surrounding areas (section 3.3.3). It also states that the application does not need Sequential and Exception Tests (section 7.1.1) as the site is entirely on Flood Zone 1 land. The flood assessment calculations in the document are based on advice received from the Local Lead Flood Authority (LLFA) in letters exchanged in late 2022, and at no point in the available exchange is the scale of the development mentioned.

The FRA document states that all surface water produced on the site will be drained away after various measures off the SE end of the site into the River Cam in Yarlington via a 480m drainage pipe. This pipe outlet is actually in a Flood Zone 3 area that was subject to a catastrophic flood on May 9th 2023. Yarlington, Galhampton, North Cadbury and Queen Camel on the river Cam were all flooded, 166 houses were involved in total on that day and we are currently awaiting the final Section 19 Report from the LLFA on the flood event.

Guidance from the Environment Agency to LPAs published on 15th April 2015 states that

'A Sequential Test is required for major development if any proposed building, access and escape route, land-raising or other vulnerable element will be in flood zone 2 or 3, or in flood zone 1 and your SFRA shows it will be at increased risk of flooding during its lifetime.'

I am surprised that the proposed drainage pipe outlet into the River Cam was not considered part of the planning application's site given that it is located in Flood Zone 3, and hence should have triggered a Sequential Test for the application.

On the matter of the expected LLFA Section 19 Report See guidance on FRA for planning applications from www.gov.uk, in particular Paragraph: 027 (Reference ID: 7-027-20220825) and I quote:

'The Sequential Test should be applied to 'Major' and 'Non-major development' proposed in areas at risk of flooding, but it will not be required where: The site is in an area at low risk from all sources of flooding, unless the Strategic Flood Risk Assessment, or other information, indicates there may be a risk of flooding in the future.'

I contend that the expected LLFA Section 19 Report constitutes material other information.

In addition the Town and Country Planning Procedure (2015) Schedule 4 states that if a proposed development is in Flood Zone 2 or 3, or Flood Zone 1 with critical drainage issues it should be referred to the Environment Agency. To my knowledge this has not taken place?

So on all the above criteria a Sequential Test should have been undertaken for the application. Applied to this proposed development site the Sequential Test would demonstrate that there are other sites far more suitable for the planned development in the Emily Estate's existing Farm portfolio in terms of FRA."

57. Policy EQ1 in the Local Plan provides that development should “*reduce and manage the impact of flood risk ... through appropriate layout, design and choice of materials.*” Simply put, a proposal that includes the construction of a new area of hard and semi-permeable standing and buildings in place of agricultural soakaway, in an area affected by significant run off is anathema to the concept of reducing flood risk. As such, the layout and design of that proposal is inherently *inappropriate* and incompatible with flood risk policy.

Economic unsustainability

58. Policy EP4 regarding the expansion of existing businesses in the countryside states that proposals must be *needed in the location*⁴⁰.
59. EEUK has not identified any discernible local need for the expansion and relocation of the farm, either in terms of job creation or output. As the existing herd is already managed by Newt employees, there will likely be no further opportunities for employment. As regards output, the produce, buffalo mozzarella, is apparently intended for shipment across the country and internationally as part of the Newt's online produce offering, rather than being destined for purchase and consumption locally.
60. Policies EP4 and EP5 permit the expansion of existing businesses in the countryside and farm diversification only if the endeavours are economically viable and will remain viable⁴¹. As noted above, EEUK's business generates significant losses year on year (c. £30m in the

⁴⁰ Local Plan, Policy EP4 (Appendix [p.141])

⁴¹ Local Plan, Policies EP4 and EP5 (Appendix [pp.141,143])

year ending 31 March 2023). Inevitably, that raises the question of whether it has long term viability.

Effect on Proximate Housing

61. The justification for the relocation of Manor Farm and the resulting effects on the landscape, is that it would enable the farm to function more efficiently and the local community to benefit from the reduction in traffic flow, noise and odour. The proposal to move the working parts of Manor Farm to the green field site undoubtedly has some appeal to the few who live in the immediate vicinity, particularly on Pound Lane, for this reason. It seems to us, in considering the proposed application, that:

61.1. Focusing on the amelioration of conditions inherent in living near a farm loses sight of the real cost of the development: a change in character and a blight on Yarlinton and its countryside, which will negatively impact the community as a whole;

61.2. The existing farm could be utilised efficiently and cleanly, either separately or in conjunction with Castle View Farm, with minimal impact on its immediately proximate neighbours, if EEUK were to apply its typical levels of financial investment and technical expertise to the existing site. It must be possible to achieve similar benefits without inflicting the concurrent harms on the landscape and community that this Scheme would bring.

(2) HOUSING DEVELOPMENT OF AT MANOR FARM

62. In addition to relocating and extending the working part of Manor Farm, EEUK's proposal detailed at the pre-application stage, included significant redevelopment and expansion of the residential buildings (which currently comprise the farmhouse, a barn conversion and one cottage used as a holiday let) to include new rental accommodation, staff housing and holiday lets catering for, in total, 26 people ,and including a 3-bedroom new-build farmhouse, a 2-bedroom new-build cottage, a 3-bedroom new barn conversion and two new 3 bedroom and 4-bedroom barns, together with parking for thirteen cars. We are assured, based on Mr Rawson's letter of 14th July, that this development will no longer go ahead. However, should the Newt change course and revert to the original proposal (or any version thereof) we think it wise to highlight that such a proposal would be fundamentally unsuitable for the small, rural village of Yarlinton and would contravene planning policy, including in the following ways.

- 62.1. **Services.** As a Rural Settlement, there is a presumption against development unless certain sustainability requirements are met⁴². The Neighbourhood Plan expressly states that “*The smaller settlements of Woolston and Yarlinton would not be considered suitable for housing development, as they do not have enough key services.*” [footnote: (The Neighbourhood Plan, §3.3, Appendix [p.173])] ⁴³.
- 62.2. **Need.** Neither the Local nor Neighbourhood Plan indicates Yarlinton as having a local housing need.
- 62.3. **Roads.** The development would create significant incremental traffic flow to the village.
- 62.4. **Loss of community.** A potential future housing development of as yet undefined and nature (comprising) would further transform the nature of a close-knit village already under threat from the proliferation of existing Newt guest accommodation on all sides. It would not *enhance or maintain the vitality* of this small, rural community, as planning policy requires; instead it would render it obsolete.

E. THE SCHEDULE: SUMMARY OF OBJECTIONS TO THE PLANNING APPLICATION UNDER KEY RELEVANT POLICIES

63. A summary of our key objections to the Planning Application for the New Farm, by reference to the relevant policies is at pp.25-29 below.

F. CONCLUSION

64. We would ask the Council not to grant planning permission in respect of the Planning Application.

Yours sincerely,

Black 8

⁴² Local Plan, §5.23 and Policy SS2 (Appendix [pp.130, 134])

⁴³ Neighbourhood Plan, §3.3 states “The smaller settlements of Woolston and Yarlinton would not be considered suitable for housing development, as they do not have enough key services.” (Appendix [p.173])

List of intended primary recipients

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SCHEDULE

SUMMARY OF OBJECTIONS TO THE PLANNING APPLICATION

UNDER KEY RELEVANT POLICIES

1. **Policy EP4⁴⁴** deals with the “*Expansion of Existing Businesses in the Countryside*”. It provides that proposals will only be permitted where:
 - 1.1. **It is demonstrated that the proposal is needed in the relevant location.** In the present case: (i) no cogent reason has been provided as to why the existing farm cannot be redeveloped to accommodate the Newt’s requirements. In fact, the Newt has a subsisting planning application for similar facilities in another location. Contrary to Policy SS2, the proposals do not create or enhance community facilities to serve the settlement. Nor are they consistent with the Neighbourhood Plan or any community led plan.
 - 1.2. **The proposal is of a scale appropriate in this location and appropriate to the existing development.** In the present case the scale of the New Farm is inappropriate relative to surrounding fields and the escarpment immediately behind it, which for the reasons given above we believe is a “*Valued Landscape*.”
 - 1.3. **Existing buildings are reused where possible.** As stated above, no cogent reason has been provided as to why the existing farm cannot be redeveloped.
 - 1.4. **Use is made of land within the curtilage of the development where possible and, outside of the curtilage, only where additional land is essential to the needs of the business.** The proposal to create an entirely new farm on a new site to replace the existing farm is directly contrary to the requirement to use land within the curtilage of the existing development.
 - 1.5. **There is no adverse impact on the countryside with regard to scale, character and appearance of new buildings and/or changes of use of land.** The creation of a new farm on a green field site, immediately below Yarlinton Sleights will, unarguably: (i) blight the cherished views to and from Yarlinton Sleights; (ii) introduce built form into undeveloped countryside; (iii) erode the key qualities of remoteness and tranquillity, fundamental to the wellbeing of the community (iv) negatively impact existing wildlife and their habitats.

⁴⁴ Local Plan Policy EP4, (Appendix, [p.141])

- 1.6. **There is no adverse impact on designations for wildlife.** Inevitably, however, it will impact the wildlife in this unspoiled landscape. The proposed site of the New Farm is on green fields, immediately adjacent to: (i) an ancient copse; (iii) the hedgerows on either side of the Monarch's Way, the Macmillan Way and the Leland Trail; and (iii) the Furze, which are important habitats for a variety of wildlife. We reserve the right to submit an independent expert report addressing this issue.
- 1.7. **The expected nature and volume of the traffic generated by the development would not have a detrimental impact on the character and amenity of the area.** The traffic noise and pollution in Yarlington would be substantially increased by reason of the agricultural and hotel guest and member traffic passing to and from the New Farm along a new private roadway across the immediate countryside⁴⁵. EEUK has not specified the means by which such visitor traffic would travel between the New Farm and the main Hadspen visitor areas. It is unarguable that Yarlington and its immediately surrounding countryside will be detrimentally impacted by the increased traffic.
2. **Policy EP5⁴⁶ deals with “Farm Diversification”.** It provides that proposals for development for the purpose of farm diversification within established agricultural holdings will be permitted if they comply with the following criteria:
 - 2.1. **The character, scale and type of proposal is compatible with its location and landscape setting.** The Newt's proposals to create a new farm are not compatible with the location and landscape setting, for the reasons given at paragraph 1.2 and 1.4 above.
 - 2.2. **They form part of a comprehensive farm diversification scheme and are operated as part of a viable farm holding and contribute to making the holding viable.** The proposal cannot properly be categorised as being part of a farm diversification scheme. The purpose of the creation of the New Farm is to continue the business of farming, which is already carried on at the existing farm. As regards the viability of the farm holding, EEUK has submitted no evidence to suggest that the New Farm will be economically viable, and we believe there are serious questions as to its potential for viability.

⁴⁵ The New Farm is intended to provide a “showcase” of British agriculture for inter alia, hotel guests and annual members (who numbered 32,000) in 2023, see Annual Report, [p. 329] of the Appendix

⁴⁶ Local Plan Policy EP5, (Appendix, [p.142-143])

- 2.3. **Appropriately located existing buildings should be re-used where possible.** The proposed creation of a new farm is directly at odds with the requirement to use existing buildings, as set out in paragraph 1.3 above.
- 2.4. **Where new or replacement buildings are required, the proposal is in scale with the surroundings and well related to any existing buildings on the site.** The Newt's proposals do not demonstrate any requirement for new or replacement buildings in this location, as set out in paragraph 1.1 above. The creation of a new farm is not *in scale* with the surrounding greenfield or with the escarpment, nor can it be said that they are *well related* to any existing buildings on the site because there are no such buildings: the Newt proposes to build the New Farm over about 15 acres of pastureland. .

In summary, the Scheme would spoil the countryside through “unfettered development of an inappropriate and unwarranted nature” contrary to the guidelines (paragraph 9.48, Appendix [p.142]).

3. **Policy EP8⁴⁷** deals with the “*New and Enhanced Tourist Facilities*”. The Policy provides that new and enhanced tourist facilities will be supported where:
 - 3.1. **They are of a scale appropriate to the size and function of the settlement within which they are to be located.** As a “showcase for British agriculture,” the New Farm can properly be classed as a tourist facility. The proposed creation of the New Farm, on an industrial scale, over about 15 acres in Yarlington’s open countryside is disproportionate to Yarlington’s size and function. Paragraphs 1.1-1.2 and 1.5 are repeated.
 - 3.2. **The proposal ensures that the district’s tourist assets and facilities are accessible through sustainable modes of travel including cycling and walking.** The Newt’s proposals do nothing to ensure accessibility of the countryside through sustainable modes of travel. The creation of a busy private roadway for heavy agricultural vehicles, and presumably hotel and visitor traffic, which crosses the existing trails and footpaths referred to above, is liable to create a hazard to their users.
 - 3.3. **They do not harm the district’s environmental, cultural or heritage assets.** The proposal to create a new farm will harm Yarlington’s environmental assets for the reasons given at paragraph 1.5 above.

⁴⁷ Local Plan Policy EP8, (Appendix, [pp.234-235])

- 3.4. **They ensure the continued protection and resilience of the district’s designated nature conservation features.** The creation of the New Farm will not ensure such protection and resilience. To the contrary it would blight the land, the landscape and the creatures that live within it, to the detriment of existing and future generations of locals and visitors alike.
- 3.5. **They benefit the local community through access to facilities and services.** The proposed development would be of no discernible benefit to the local community.
- 4. **Policy SS2⁴⁸** deals with the “*Development in rural settlements*”. It provides that Development in Rural Settlements (i.e. not in Market Towns or Rural Centres) will be strictly controlled and limited to that which:
 - 4.1. **Provides employment opportunities appropriate to the scale of the settlement.**
 - 4.2. **Creates or enhances community facilities and services to serve the settlement.**
 - 4.3. **Meets identified housing need, particularly for affordable housing.**

The Scheme fails under each criterion. Aside from short-term construction employment, the proposals will not create any significant long-term employment opportunities or community facilities, and there is no identified local housing need.

- 5. In addition, Policy SS2 provides that:
 - 5.1. Development will be permitted where it is commensurate with the scale and character of the settlement, provides for one or more of the types of development above, and increases the sustainability of a settlement in general.
 - 5.2. Proposals should be consistent with relevant community led plans and should generally have the support of the local community following robust engagement and consultation.

The Scheme is not commensurate with the scale and character of Yarlinton, which is properly categorised as a Rural Settlement, within the meaning of the Local Plan. Nor is it commensurate with the provisions of the Neighbourhood Plan.

⁴⁸ Local Plan Policy SS2, (Appendix, [p.134])

6. **Policy EQ2⁴⁹** deals with “*General Development*”. It provides that development proposals, will be considered against

6.1. **Conserving and enhancing the landscape character of the area.**

6.2. **Reinforcing local distinctiveness and respect local context.**

6.3. **Making efficient use of land having regard to housing demand and need.**

6.4. **Local Area Character**

The Scheme fails on each of the above grounds, for the reasons given above.

⁴⁹ Local Plan Policy EQ2, (Appendix, [p.147])