

Officer Report On Planning Application: 16/00935/OUT

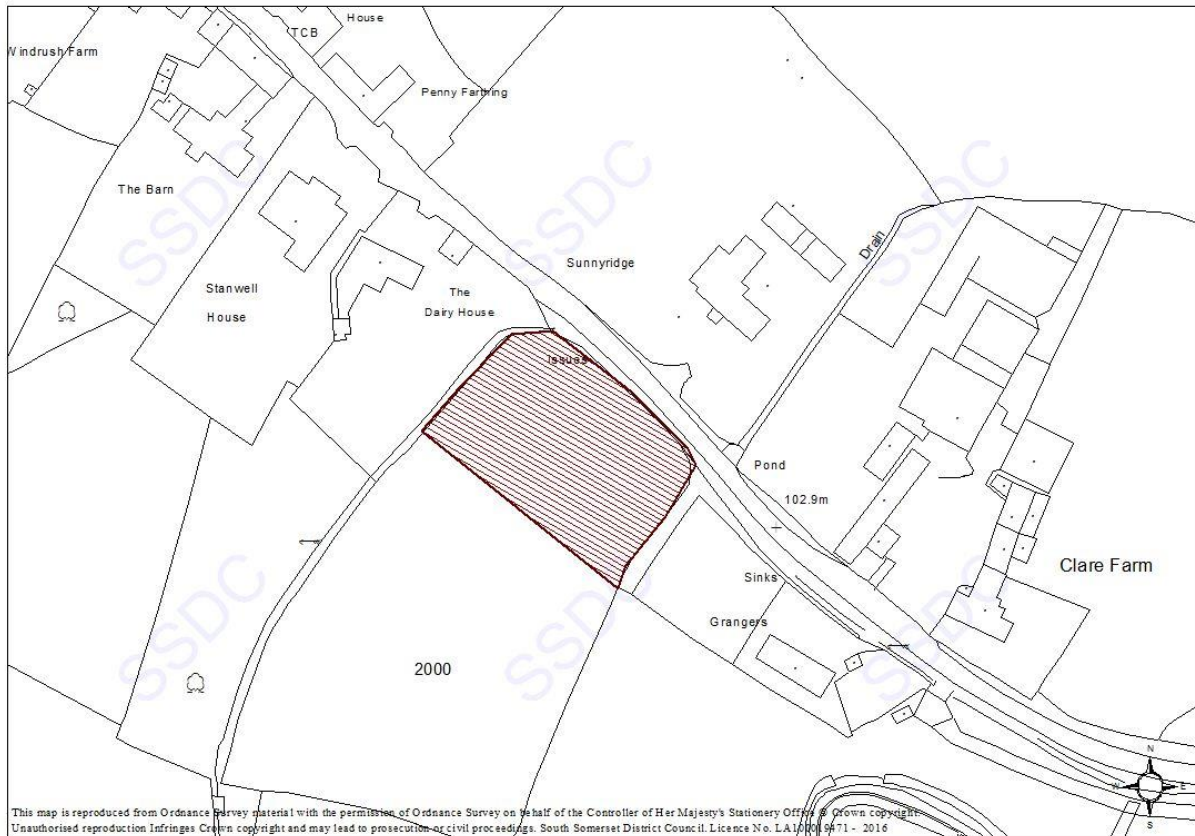
Proposal :	Outline application for the erection of a detached dwelling
Site Address:	Land OS 2000 Between The Dairy House And Grangers Stowell Road
Parish:	Charlton Horethorne
BLACKMOOR VALE Ward (SSDC Member)	Cllr Tim Inglefield Cllr William Wallace
Recommending Case Officer:	Lee Walton Tel: (01935) 462324 Email: lee.walton@southsomerset.gov.uk
Target date :	27th April 2016
Applicant :	Mr & Mrs R Kingman
Agent: (no agent if blank)	Mrs Janet Montgomery Brimble, Lea & Partners Wessex House High Street Gillingham Dorset SP8 4AG
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL

This application is referred to the committee at the request of the Ward Member(s) with the agreement of the Area Chairman to enable the comments of the Parish Council to be fully debated.

SITE DESCRIPTION AND PROPOSAL





The application site is part of a much larger agricultural field that comes up to the roadside that provides a substantial roadside gap, from which the site is taken that sits between an adjacent field beyond which is a single roadside dwelling, and a dwelling on the site's north-west side with residential plots extending along the roadside in a north-western direction, with a mix of residential and agricultural across the road. Local development is characterised by intermittent development spread out along the road that contributes to Stowell's character.

The proposal seeks outline planning permission with all matters reserved with the proposal seeking the principle of development and its general acceptability in this location for the erection of a detached dwelling. An illustrative layout is submitted with the application. The applicant's covering letter dated 1 March 2016 refers to possible enabling development in support of the applicant's farming business. A letter from their Bank is submitted with the application. Additional financial information (treated as confidential) was submitted for the years 2012 - 2015, including the applicant's letter of the 19 May 2016 and applicant's financial advisor's letter of 18 May 2016. The application has also submitted a Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990 to enable the net proceeds of sale of the proposed building plot to be used to fund the construction of the new milking parlour facilities granted consent under application 15/01518/FUL.

SITE HISTORY

782217 Outline: The erection of a bungalow on land adjoining Dairy House Farm, Refused 18.01.1979

78285 Outline: Erection of 2 dwellings and formation of access, refused 26.08.1966

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF state that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.

For the purposes of determining current applications the local planning authority considers that the adopted development plan comprises the policies of the South Somerset Local Plan 2006 2028 (adopted March 2015).

Policies of the South Somerset Local Plan (2006-2028)

SD1 - Sustainable Development

SS1 - Settlement Strategy

SS2 - Rural Settlements

TA5 - Transport Impact of New Development

TA6 - Parking Standards

EQ2 - General development

Regard shall also be had to:

National Planning Policy Framework (March 2012):

Chapter 3 - Supporting a Prosperous Rural Economy

Chapter 7 - Requiring Good Design

National Planning Policy Guidance

Other Relevant Documents

Somerset County Council Parking Strategy, adopted March 2012 and re-adopted September 2012 following corrections made.

Somerset Highways Standing Advice - June 2015.

CONSULTATIONS

Charlton Horethorne Parish Council - It was proposed and unanimously agreed that the Parish Council positively supports this application based on the scale of the dwelling and supports the maintenance of the related farming business. The Parish Council asks that drainage issues on the site are resolved as part of this application.

SSDC Economic Development Officer - I have assessed the confidential financial data and supporting information and support the application. We appreciate that this application would usually be contrary to planning policy for new dwellings in the open countryside; however, in this particular case and set of specific circumstances there is also a strong economic development argument that policy could support to ensure the continued operation of this business.

We have noted the current market conditions for dairy farmers and are aware of the ongoing difficulties that they face at present, which has contributed to the present position. This is a viable and well established business who in order to sustain contracts have invested heavily in new equipment and facilities, which involves significant capital outlay. At the time the project was funded in the usual manner the project was viable for completion, but since this time the market situation has changed. This has left an unfinished project, requiring capital injection, that cannot be funded in the usual manner by mainstream lenders and the future of the business is in jeopardy if the new facilities cannot be completed.

In commercial and economic terms, we are satisfied that the applicant has demonstrated that there is no other option but to sell off a plot of land for residential use in order to raise the capital to fund the completion of the project and ensure the future of the business. This being the case

for the proposed dwelling, we would wish to see any planning permission conditioned to this effect to ensure that funds are used for the intended purpose of the business and project completion.

SSDC Landscape Architect - I am not persuaded that we can necessarily view this application site as an 'infill' plot. Stowell is a small settlement, and is characterised by intermittent development spread along its main street, with many of the buildings being farms, or originating as farm buildings, with small paddocks between, and it is these intervening spaces that contribute to Stowell's individual identity, separating the otherwise fairly close concentration of farm and house groups. Consequently, to introduce a new dwelling to one of those intervening spaces is to erode a distinctive element of Stowell's local character, contrary to the requirement of LP policy EQ2.

SSDC Conservation Officer - I have considered this proposal in the context of the listed farmhouse to the east. I do not consider an appropriately designed dwelling in this location to cause harm to the setting of the listed building.

County Highway Authority - standing advice applies to consider visibility, parking and turning.

SSDC Highway Consultant - Consider accessibility and sustainability issues (transport). The traffic impact on the local highway network is unlikely to be significant. While this is an outline application I would prefer the means of access to be secured at this stage in which case details of the geometric layout and visibility splays at the access should be provided, as well as surfacing and drainage details.

REPRESENTATIONS

Following Neighbour notification there have been three letters of support received that consider:

- The proposed development of the site is not detrimental to the village, although any new dwelling needs to be constructed using stone,
- To survive well run dairy farms have to modernise and expand to keep pace with the pressures on the Dairy industry and the technical advances.

APPLICANT'S CASE (SUMMARISED)

The applicants have a milk contract with Muller who required the Kingmans to upgrade the dairying facilities that results in a substantial investment to secure a new purpose built milking parlour whose investment confirms continuity of the milk contract. The financial accounts confirm that the business is profitable, although profitability is anticipated to be reduced due to the lowering milk prices. In October 2015 the business borrowed in order to undertake the majority of the work for the new parlour. In order to complete the parlour a minimum additional borrowing is required which cannot be secured through further bank borrowing. By being able to have money injected into the farm, this will not only then enable the final works to the parlour to be completed, but takes pressure off the bank borrowing enabling the business to be able to respond to the vicissitudes of market prices and interest rates. The proposal relates to a profitable business.

CONSIDERATIONS

Principle of Development:

Stowell is one of the smaller more deeply rural locations in the district and although there is a church its location is stood apart from the application site; there are no other services or

facilities. The Parish Council area includes several settlements, the primary settlement of Charlton Horethorne remains some distance from Stowell with the effect that its services and facilities are not considered to contribute towards making Stowell a Policy SS2 settlement location. On this basis it is considered that there is no support 'in principle' for new residential dwellings at Stowell. Accordingly there is the need to consider any other material considerations including character and appearance, highway safety, neighbour amenity, and the applicant's case of 'enabling development'.

Character and Appearance:

The Landscape Architect's response is given in full, above. This is not supportive having noted the roadside character and considers the proposed development erodes the settlement's predominant character of intervening spaces within an otherwise fairly close concentration of farm and house groups. It is therefore considered that the proposal would have a detrimental impact on character and appearance contrary to Policy EQ2.

Highway Safety:

The application is in outline with all matters reserved. Notwithstanding the illustrative plan there is scope to re-position features on site including the access point if required. From the planning officer's site visit it appears an acceptable access is achievable to accommodate highway requirements. The Council's Highway Consultant considers access not to be an issue. The detailed access arrangements are considered can be addressed as part of the reserved matters.

Neighbour Amenity:

The layout and scale of development is still to be considered although at this stage the overall location and relationship of adjacent occupants to the site is such that an acceptable scheme is considered can come forward as part of the reserved matters that would consider layout and scale in detail at that time.

Other Matters:

The applicant's case is summarised above while it seeks to make the case for an 'enabling development' in support of a final investment phase that is considered makes the farming operation that much more sustainable. 'Enabling development' is more appropriately concerned with protecting heritage assets than as a means of raising monies for a local business.

The applicant argues that having invested substantial sums in the milking parlour that is required to secure a beneficial milk contract for the long term, there remains an outstanding investment required to complete the project that is not achievable through the bank. This results from market conditions and the drop in milk prices. They point out that having begun the project with every intention of having achieved the investment there remains an outstanding sum and the circumstances, they claim, makes their case relatively unique. Having considered the financial accounts the Economic Development Team have accepted the applicant's need to raise funds at this juncture to conclude the scheme.

It is generally acknowledged that dairy farming, in particular, has been hard hit over a long period of time. It is important that dairy herds continue to have a presence in the countryside and while there is no indication that failure to secure additional investment would lead to the farm's demise the additional investment is thought secures the business's long term sustainable future. It is also important to draw a line between raising monies for this business to pursue investment opportunities and the relatively unique position of the applicant's need to secure a final investment that originally had not been envisaged in the planning of the investment. Additionally, the applicant offers a Unilateral Undertaking (legal agreement) that seeks to secure the financial gains with the completion of the milking parlour project.

Notwithstanding, this is not something considered adds any additional weight in support of the proposal.

Having considered the issues it is clear that the applicants need to have justified the presence of a dwelling in this location. There is no policy support to secure a new dwelling in this location. 'Enabling development' is more appropriately concerned with the protection of heritage assets, first and foremost. Equally the justification does not relate to the needs of the agricultural business in relation to an occupancy requirement, but rather involves raising monies by developing an open market dwelling in this location with the funds to be reinvested in the business. Notwithstanding the relatively unique circumstance that has seen substantial investment only to have fallen short at the final financial hurdle required to complete the development there is no local plan policy support. The material considerations are not considered attracts sufficient weight for there to be Planning Officer support and in consequence the officer recommendation must seek refusal.

RECOMMENDATION

Refuse

For the following reasons:

01. The erection of a new dwelling in this rural location, remote from adequate services, employment, education and public transport, has not been justified on the basis of any exceptional circumstance or community benefit that would outweigh the longstanding policy presumption to protect the countryside from unwarranted and unsustainable development. As such the proposal is contrary to the aims and objectives of the NPPF (in particular paragraphs 14 and 55), and policies SS1 and SS2 of the South Somerset Local Plan.
02. Stowell is a small settlement characterised by intermittent development with many of the buildings being farms, or originating as farm buildings, with intervening spaces between that contribute to Stowell's individual identity, separating the otherwise fairly close concentration of farm and house groups. Consequently, to introduce a new dwelling to one of those intervening spaces, is to erode a distinctive element of Stowell's local character, contrary to the requirement of LP policy EQ2.