

Officer Report On Planning Application: 15/05090/FUL

Proposal :	Change of use of agricultural storage barns to domestic storage and workshop for Long Sutton House. Change of use of barn to holiday/ancillary cottage. Change of use of root cellar to Laundry, domestic store, home office and holiday/ancillary cottage with basement. Erection of 2 no. holiday let/ancillary cottages. Change of use of barn to holiday let/ancillary cottage with store and potting shed. Change of use of agricultural land to domestic use. (Part retrospective application) (GR 346561125675)
Site Address:	Land OS 5560, Crouds Lane, Long Sutton.
Parish:	Long Sutton
TURN HILL Ward (SSDC Member)	Cllr Gerard Tucker
Recommending Case Officer:	Nicholas Head Tel: (01935) 462167 Email: nick.head@southsomerset.gov.uk
Target date :	26th January 2016
Applicant :	Mr N Gould
Agent: (no agent if blank)	
Application Type :	Minor Dwellings 1-9 site less than 1ha

BACKGROUND AND REASON FOR REFERRAL To Committee

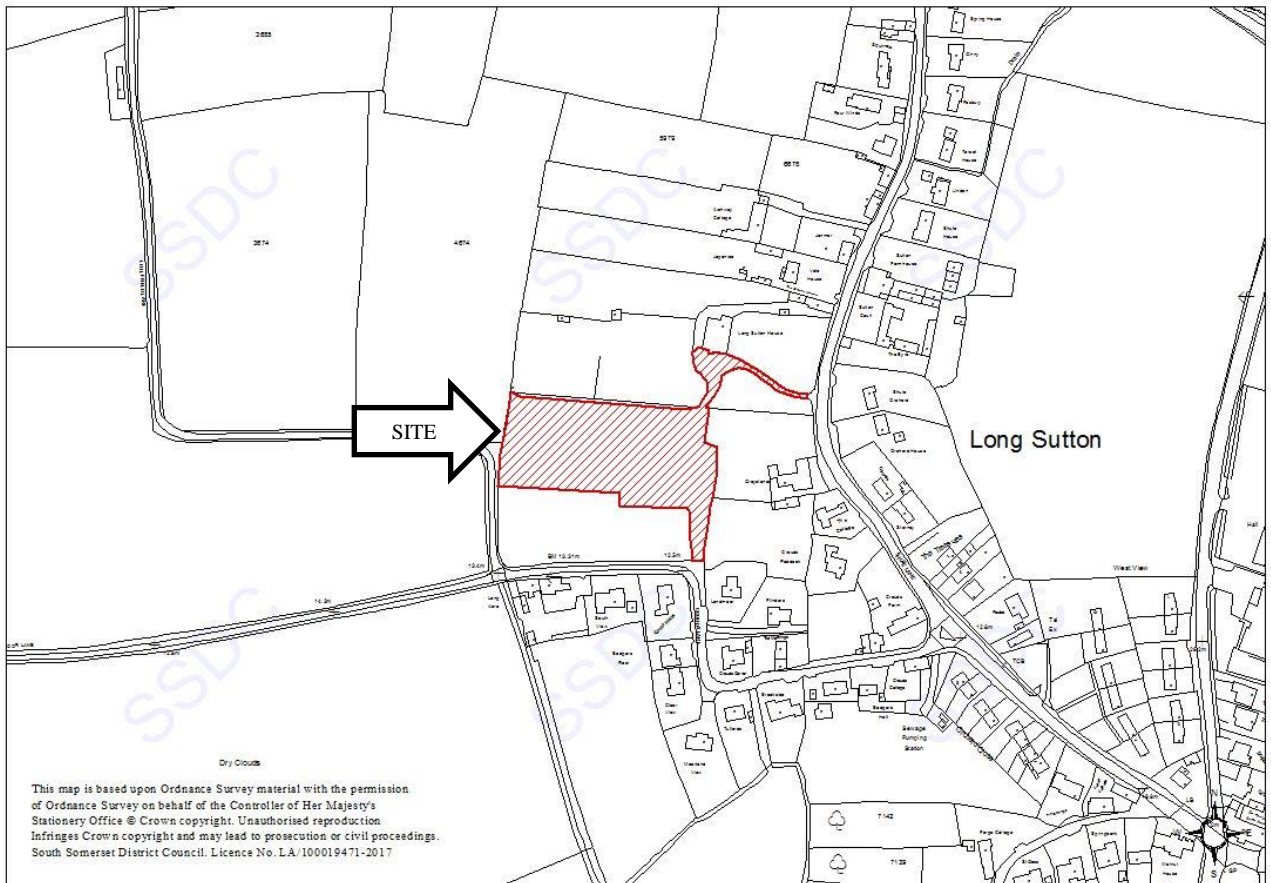
At its meeting of 27 April 2016, Area North Committee considered the original application:

That planning application 15/05090/FUL be DEFERRED to allow for a site visit and to clarify business plan, drainage and drawings to show artist's impressions.

A site visit was held on 25 July 2016. For that meeting, some additional drainage details were circulated, along with an amended business plan submitted by the applicant.

On 24 August 2016, Committee considered the further details (including a detailed drainage scheme and updated business plan) and agreed to approve the application, subject to the signing of a S106 Agreement to secure the non-fragmentation of the holiday units from the main dwellinghouse. That report is attached as Appendix B.

The applicant has been unable to sign the agreement for the reasons set out in the attached memorandum (Appendix A), and the application is now referred back to Committee.



Non-Fragmentation Agreement

The agreement was noted as being appropriate in the previous officer report:

The applicant has agreed to the signing of a S106 Agreement to ensure the non-fragmentation of the planning unit. This is considered necessary to ensure that the development retains its relevance to the overall property (which includes Long Sutton House) and operates within the context of the submitted business plan, which has justified the proposal.

Whilst the applicant's business plan remains the same, the realities of securing finance for it have made it impractical for the applicant to agree long-term non-fragmentation. The major asset – the house – cannot be tied to the buildings under construction without prejudice to financial arrangements which the applicant has been able to secure.

Business Plan

The business plan remains as previously agreed, and is still considered sound. As noted previously, it is considered that the applicant has provided a detailed, well-considered approach towards the creation of a tourist-based business on the site. It is supported as being a practical way of utilising this agricultural land for a profitable economic purpose, within the wider context of the village. The proposal remains broadly compliant with Policy EP8 of the Local Plan, and the proposed tourist accommodation would enhance economic activity locally and in the District.

Although the non-fragmentation aspect can no longer be provided, it remains evident that the business plan holds significant opportunity for economic development. The risk of the main house being divided from the overall scheme has to be weighed against the opportunity the scheme represents.

The economic potential represented by the scheme is considerable. On balance, it is not considered that the outright loss of the scheme would be sufficiently outweighed by the concern over separation of the elements within it (at some later date) to warrant a refusal of this request.

Access

Access to the holiday lets is secured by condition – via Shute Lane (and not making use of Crouds Lane). Such condition is enforceable regardless of ownership, and a S106 non-fragmentation agreement is not essential for this purpose.

Conclusion

The proposal for a tourist accommodation scheme remains as previously approved. It is not considered that the loss of the economic potential of the scheme would be outweighed by the risk of subdivision of the land at some future date. The request to waive the requirement for a S106 Agreement is supported. It is recommended that the application now be approved subject to the conditions agreed at the meeting on 24 August 2016.

RECOMMENDATION

That application reference 15/05090/FUL be approved subject the conditions below.

JUSTIFICATION

The proposal represents a well-detailed scheme for the creation of tourist accommodation within the

village, which, by reason of its siting, layout and design, respects the character and appearance of the setting (and the setting of the listed buildings), and causes no demonstrable harm to residential amenity, highway safety or the environment, in accordance with the aims of the NPPF and Policies SS2, EP8, TA5, TA6, EQ1, EQ2, EQ3, EQ4 and EQ7 of the South Somerset Local Plan.

CONDITIONS

01. Notwithstanding the time limits given to implement planning permission as prescribed by Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended), this permission (being granted under section 73A of the Act in respect of development already carried out) shall have effect from the 28 October 2015.

Reason: To comply with Section 73A of the Act.

02. The development hereby permitted shall be carried out in accordance with the following approved plans: the drawings ref. P5427 numbers 001E, 100J, 101C, 102E, 103C, 106E and 107H.

Reason: For the avoidance of doubt and in the interests of proper planning.

03. The occupation of the units of holiday accommodation hereby approved (i.e. units numbered 3, 4, 6a, 6b and 7a as identified on the submitted plan ref. P5427/100E) shall be restricted to bona fide holidaymakers. None of the units shall at any time be occupied independently as any person's sole or main place of residence. The owners/operators shall maintain an up-to-date register of the names of occupiers of the units, and of their main home addresses, and shall make this information available at all reasonable times to the local planning authority.

Reason: To ensure that the approved holiday accommodation is not used for unauthorised permanent residential occupation in accordance with Policies SD1 and EP8 of the South Somerset Local Plan (2006 - 2028) and the aims and provisions of the National Planning Policy Framework.

04. No part of the development hereby approved, with the exception of the units referred to in Condition 3 above, shall be used other than as ancillary accommodation for use in association with the main dwellinghouse known as Long Sutton House.

Reason: In the interests of sustainable development and to ensure that the approved accommodation is not used for unauthorised permanent residential occupation in accordance with Policy SD1 of the South Somerset Local Plan (2006 - 2028) and the aims and provisions of the National Planning Policy Framework.

05. The area allocated for parking on the submitted plan ref. P5427/100E shall be kept clear of obstruction at all times and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

Reason: In the interests of amenity and highway safety and to accord with Policies TA5, TA6 and EQ2 of the South Somerset Local Plan.

06. Vehicular access to the units of holiday accommodation within the development hereby approved shall be via the site entrance onto Shute Lane. The operator of the approved scheme of tourist accommodation shall use this access point as the address for the development in any advertising, promotional and informational material issued (including any internet online advertising) to promote the scheme and arrange for customers to visit the site. Such material shall not make reference to the access on Crouds Lane.

Reason: In the interests of residential amenity and highway safety, in accordance with the aims of the NPPF and Policies TA5 and EQ2 of the South Somerset Local Plan.

07. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no outbuildings, garages or any other structures shall be erected other than those expressly authorised by this permission.

Reason: To safeguard the character and appearance of the area in accordance with the aims of the NPPF and Policies EQ2 and EQ3 of the South Somerset Local Plan.

08. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), there shall be no extensions or other external alterations to these buildings without the prior express grant of planning permission.

Reason: To safeguard the character and appearance of the area, and to accord with the NPPF and Policies EQ2 and EQ3 of the South Somerset Local Plan.

09. No external lighting shall be installed on the site unless the details have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of residential amenity and to avoid light pollution, in accordance with the aims of the NPPF and Policies EQ2 and EQ7 of the South Somerset Local Plan.

10. Within three months of the date of this permission, a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of the development, as well as details of any changes proposed in existing ground levels, shall be submitted to the Local Planning Authority for approval. Such scheme shall be based on the layout shown on the submitted plan ref. P5427/100H. Once approved, all planting, seeding, turfing or earth moulding comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the approval of the details, and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. The scheme shall thereafter be retained and maintained.

Reason: To safeguard the character and appearance of the area and to accord with Policy EQ2 of the South Somerset Local Plan.

11. Within three months of the date of this permission, full details of the siting, design and layout of an area for the on-site storage of refuse and recycling bins shall be submitted for approval to the Local Planning Authority. Once approved, the details shall be fully implemented and thereafter retained and maintained. There shall be no storage of such bins outside of the site or in the public highway area.

Reason: In the interests of amenity, and to accord with Policy EQ2 of the South Somerset Local Plan.

12. The drainage scheme and programme of maintenance shown on the submitted plans ref. 201340_C01B and 201340_C02 and received by email on 8th and 10th August 2016, shall be fully implemented in accordance with a phasing plan which shall have been submitted to and approved in writing by the Local Planning Authority within 3 months of the date of this permission. The

phasing plan shall take into account the completion of the various elements of the development hereby approved, and shall ensure that adequate surface water drainage measures are available to serve the development at each stage in accordance with the agreed details in the submitted plans. Once implemented, the drainage measures shall be permanently retained and maintained.

Reason: In the interests of sustainable drainage and to accord with the NPPF and Policies SD1 and EQ1 of the South Somerset Local Plan.
