

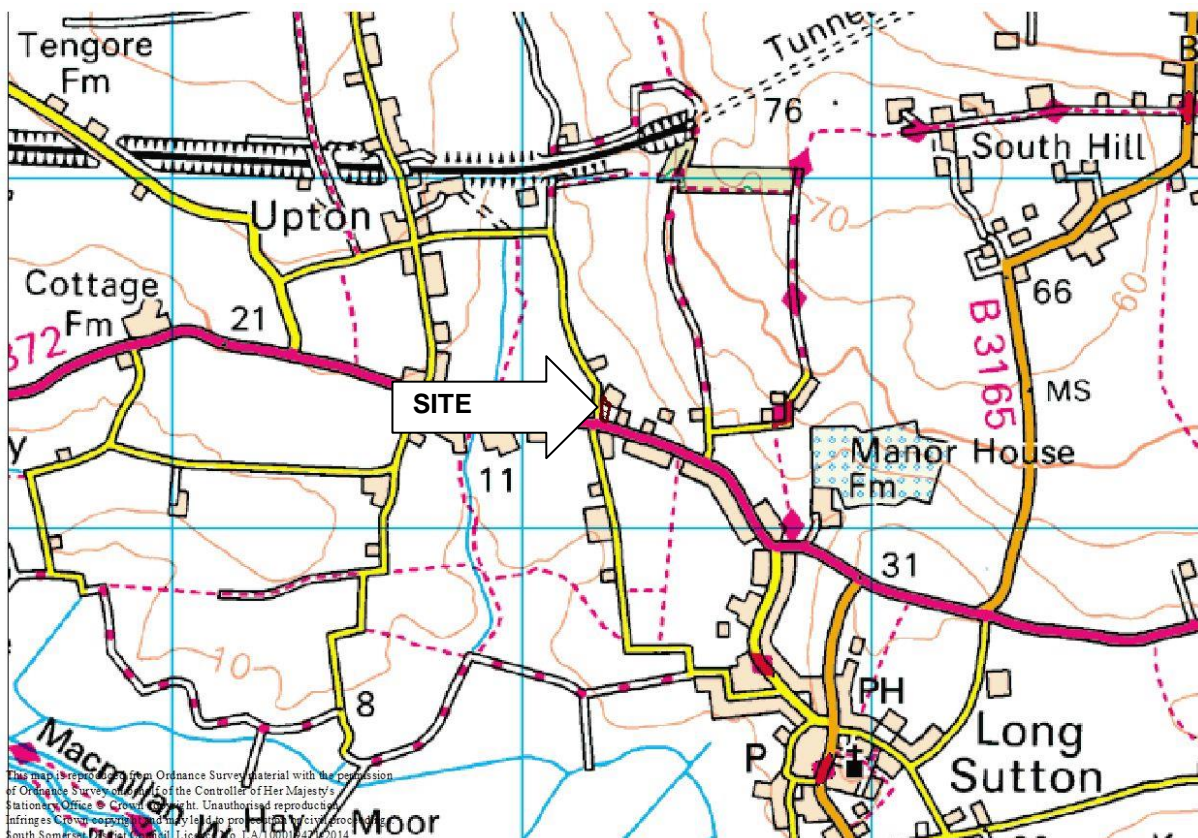
Officer Report On Planning Application: 14/02953/FUL

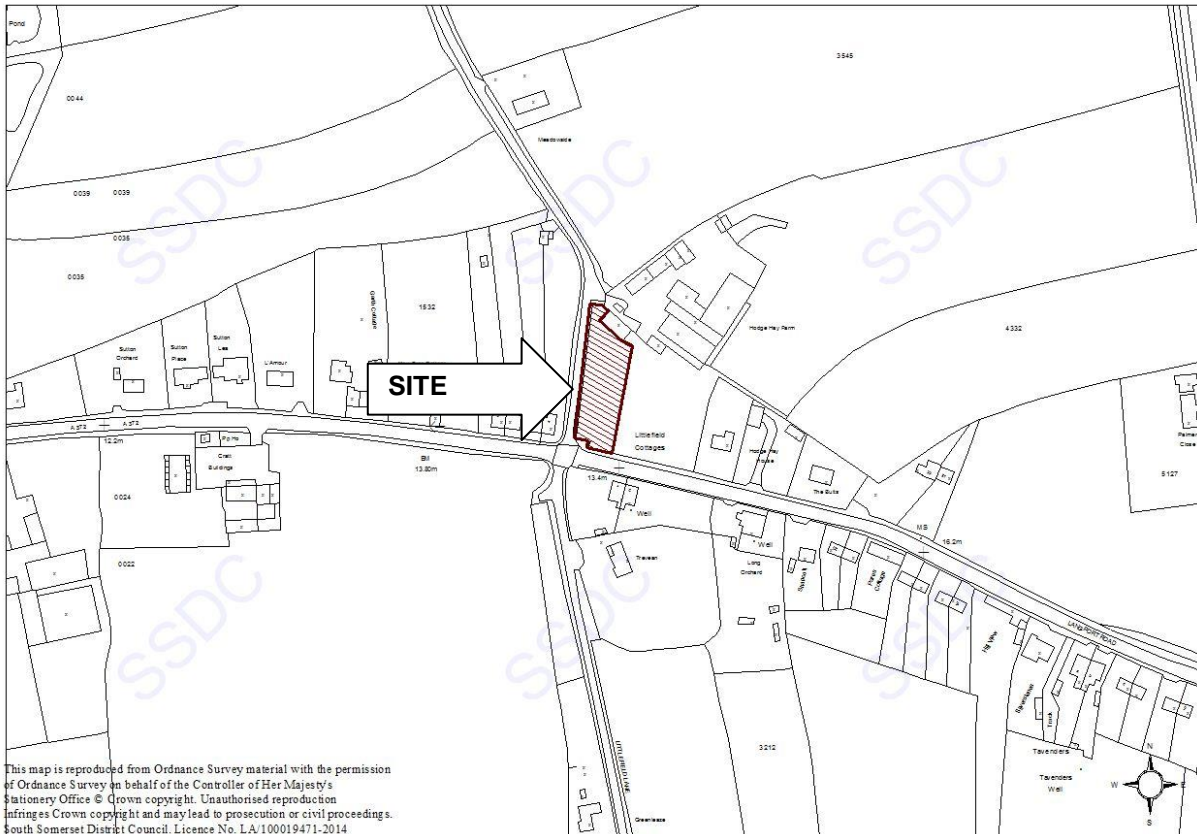
Proposal :	Proposed erection of new dwelling with detached single storey double carport and creation of vehicular and pedestrian access. (GR 346239/126287)
Site Address:	Land At Long Furlong Lane, Long Sutton.
Parish:	Long Sutton
TURN HILL Ward (SSDC Member)	Cllr Shane Pledger
Recommending Case Officer:	Nicholas Head Tel: (01935) 462167 Email: nick.head@southsomerset.gov.uk
Target date :	5th September 2014
Applicant :	Mr & Mrs T Cox
Agent: (no agent if blank)	Mr Joe Edwards, Lake View, The Maltings, Charlton Estate, Shepton Mallet, Somerset BA4 5QE
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

The report was referred to the Ward Member, as the recommendation is at variance with the views of the Parish Council and local residents. The WM requested that the matter be referred to Committee for a full discussion. As the WM is the Area Chair, the report is referred to the Deputy Chair.

SITE DESCRIPTION AND PROPOSAL





The site is located on the north side of the A372 Langport Road, to the west of the village, and on the eastern corner of Long Furlong Lane.

It is located approximately 650m to the west of the edge of the Long Sutton defined development area, and it as the western end of existing linear development extending westward from the village (mostly on the south side of the A372). There is a mix of dwelling types along the A372, of varying sizes, designs and finishes.

The site is within a large open area of agricultural land measuring a total of about 3500 sq m., between Long Furlong Lane and the next dwellinghouse, Hodge Hay House. The site itself is an area of 1100 sq m, fronting onto Long Furlong Lane. Across the lane is open land/garden area of the cottages fronting onto the A372. To the north of the site is a farmyard; agricultural land separates the site to the east to the rear and the nearest dwellinghouse.

Permission is sought for the erection of a new dwellinghouse with detached double carport, and the creation of access onto Long Furlong Lane.

HISTORY

No relevant recent history.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S54A of the Town and Country Planning Act 1990 and requires that decisions must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise.

For the purposes of determining current applications the local planning authority considers that the relevant development plan comprises the saved policies of the South Somerset Local Plan.

The policies of most relevance to the proposal are:

Saved policies of the South Somerset Local Plan (April 2006):

ST3 - Development Areas
ST5 - General Principles of Development
ST6 - The Quality of Development
ST10 - Planning Obligations
EC3 - Landscape Character
EC5 - Nationally Important Sites - Sites of Special Scientific Interest
EP1 - Pollution and Noise

National Planning Policy Framework (March 2012):

Chapter 4 - Promoting Sustainable Transport
Chapter 6 - Delivering a Wide Choice of High Quality Homes
Chapter 7 - Requiring Good Design
Chapter 11 - Conserving and Enhancing the Natural Environment

Planning Practice Guidance - Department of Communities and Local Government, 2014.

Policy-related Material Considerations

South Somerset Sustainable Community Strategy

Somerset County Council Parking Strategy, March 2012 and September 2013.
Somerset County Council Highways Standing Advice, June 2013.

CONSULTATIONS

Parish Council: Supports the application.

Highways Authority: No objection is raised: Standing Advice is referred to. In respect of the poor visibility at the junction of Long Furlong Lane with the A372, the following comment was received: *This was issued as Standing Advice as there is technically no impact; a single residential unit generates a minimal level of trips and would not result in any detrimental or severe (NPPF) impact to the junction regardless of whether visibility is not to the required standard. It would not be appropriate to refuse an application for a single dwelling on the existing surrounding highway network.*

SSDC Area Engineer:

SSDC Landscape Officer: *The recently published PPG (Natural Environment) has re-iterated the necessary role of landscape character assessment in planning for change due to development without sacrifice of local character and distinctiveness. An understanding of landscape character is also utilised to help determine a view on what may - or may not - be acceptable in terms of development form in any particular landscape, and it is this capacity of landscape character assessment to inform appropriate development that is pertinent to this application.*

The site lays outside the core of Long Sutton village, but lays amongst a number of roadside plots that extend along the Langport Road. This stretch of road is characterised by primarily

single-plot depth residential plots, interspersed by small paddocks and larger fields, within a wider countryside context. The application site lays within a paddock that is clearly rural in character, as expressed by its pasture cover and native hedge surround, and this pasture is one of the intervening open spaces that characterises this stretch of road, and assists in breaking up the potential for ribbon development. Consequently there is no landscape case for development here, for the proposal to place a residential plot on farmland is seen as both an erosion of the countryside, and an adverse impact upon local landscape character. Additionally, there is no intrinsic environmental enhancement in supplanting farmland with a domestic use, to fail to meet LP policy ST3. This provides a clear basis for a landscape objection, policies ST5 para 4, and ST3.

SSDC Environmental Protection Unit: *I would recommend refusal of this application.*

It is the close proximity of the proposed dwelling and its curtilage to the working farm which raise concerns about the quality of life and amenity which could be enjoyed by the occupants.

It is my opinion that any occupants of the propose dwelling would be potentially affected by noise, odour, dust arising from a farming business in such close proximity.

These adverse impacts would have most impact on the use and enjoyment of the external private area to the dwelling but will also have a significant potential to cause loss of amenity to the dwelling itself.

These conflicts cannot be overcome without major constraint upon the existing farming business

Should a permission be granted it is recommended that it be subject to an agricultural tie.

Natural England: No objection.

REPRESENTATIONS

Two letters of support have been received, making the following points:

- the dwelling will enable the applicant to be on site in the interests of his farming business
- living next door to the farm has not been inconvenient in any way (comment of an existing neighbour next to the farmyard)

CONSIDERATIONS

Principle of Development

The site is outside of the defined development area, and on a sizeable parcel of agricultural land adjacent to a farmyard.

Whilst the proposed development is not strictly an isolated new dwelling as it sits within an existing linear form of development, it is still subject to the same degree of protection as the open countryside and therefore considered to be unsustainable by virtue of its distance from local services. As well as being outside of the village defined development area, the site is located more than 1.2km from both the primary school and village shop. While there is a continuous footway from the site along the north side of the A372 to Shute Lane, there is a need to cross the main road to access the village, with no safe means of crossing. Both of these factors reinforce the likely reliance on use of the motor vehicle. For this reason, the proposed development of the site is not considered to meet the aims of sustainable

development identified within the NPPF.

There is, therefore, a principle objection to the proposal on sustainability grounds.

Justification of a Dwelling

From the submission details, it would appear that the proposal is for a dwelling for the owner/operator of the adjacent farming business, on the basis that it would be convenient to be near his place of work. However, the application has not been justified by any business plan or agricultural appraisal, which would be required to establish both a functional need for such a dwelling as well as the financial viability of the enterprise. In this unsustainable rural location, it is not considered that any justification has been offered that would overcome the sustainability concerns raised by the application.

Precedent: Previous Approval to the East of this Site

The applicant makes reference to an application recently approved on a site to the east of the current application site. That application (14/00273/FUL) was approved for the following reason:

The proposed dwelling will have an acceptable impact upon the surrounding landscape, the setting of the listed building, highway safety and neighbour amenity. Furthermore, in the absence of the required housing land supply it is considered that this is an acceptable infill plot that is within reasonable distance of the village facilities that can be accessed by a pavement.

Since that approval, it has been possible for the Council to demonstrate a 5-year supply of housing land, plus a 20% buffer. The benefit of adding to the housing supply is therefore no longer a consideration.

That application also related to an 'infill' type of plot, a site of about 1000 sq m, bounded on either side by domestic gardens. The proposed dwellinghouse would be within about 10-15m of adjoining dwellings, and within the same building line. This current site, by comparison, is a large open piece of agricultural land, making an important visual contribution to the countryside character of the setting, and is set away from built form, other than farm buildings.

It is not considered that the previous approval would indicate a precedent for the approval of this current application.

Visual and Landscape Impact

The Landscape Officer has clearly set out an objection to the proposal on the grounds of its impact on this rural setting. The proposal would supplant open agricultural land or paddocks with domestic development, and there would be a loss of this sizeable gap in the built form along this section of the A372.

An issue not specifically referred to by the Landscape Officer is the likely impact on Long Furlong Lane itself. It is a narrow, rural lane, lined by mature hedges. The proposal would require significant harm to the hedging, and widening of the visual impact of the lane, by the requirement to provide visibility splays for the new access. The splay to the south would have an impact on a considerable length of the existing hedge, as shown on the submission site plan.

The proposal is considered to be contrary to the established local pattern and character of development, and harmful the local setting and landscape, contrary to Policies ST3, ST5 and

EC3 of the Local Plan.

Design of House

The proposal is for a traditional-style farmhouse, to be constructed in natural stone, with tiled roof. Given the variety of dwellings in the area, it is not considered that this design raises any particular concerns that would indicate refusal, aside from the sheer impact of so substantial a dwelling in this position on open land, within 10m of the A372.

Highway Safety

The Highways Authority has not commented on the application or objected, maintaining that 'Standing Advice' applies. This is not the case, as the road at this point has a 60 mph speed limit - which is not catered for in the standing advice. The Highways Authority was also questioned on the intersection with the A372, which appeared to the case officer to be sub-standard. The Highways Officer's comments are noted above.

Examining the application, it would appear that speeds this close to the intersection, certainly in a northerly direction, would not require anything above the 30 mph visibility splay of 43m. The applicant's drawing shows that this can be achieved in both directions, albeit at the cost of significant amounts of hedging.

It is not considered, on the basis of the above observations, that the proposal would represent a highway safety hazard to the degree that a refusal of the application would be warranted.

Ecology

The site falls within the consultation zone of the Wet Moor Site of Special Scientific Interest. No harm to the SSSI has been identified - no objection is raised by English Nature.

Impact on Residential Amenity

The proposed dwelling is to be located in close proximity to a working farmyard and large agricultural buildings. The EPU Officer has raised a clear objection on this basis. Future occupants would enjoy a poor standard of amenity resulting from noise, odour and other nuisances, contrary to the aims of both the Local Plan and the NPPF.

The EPU Officer suggests that this might be acceptable in the case of a worker employed in agriculture on the site. The applicant has been approached on the issue, but is not prepared to consider an agricultural tie for a dwellinghouse in this position.

No concerns are raised in regard to amenity impacts on surrounding development. The nearest dwellinghouse is across Long Furlong Lane; the elevation facing that way only has one upper storey window (bedroom) which is proposed to be obscure glazed. On the east side, the nearest house is too distant to create any overlooking issue.

EIA Regulations

Not relevant.

Conclusion

The proposal represents an unjustified development in an unsustainable countryside setting that would foster growth in the need to travel. The significant visual harm to the setting and

local landscape, in the loss of this important gap in the built form along the A372, is not considered to be outweighed by any advantage in relation to the provision of this single house for open market occupation. The proposal is contrary to the aims of the NPPF and saved Policies ST3, ST5 and EC3 of the Local Plan, and is recommended for refusal.

S.106 AGREEMENT

Should consideration be given to approval of the dwelling as housing for the adjacent farmer, it would be appropriate to seek to tie the dwelling to the farm (a suggestion explicitly rejected by the applicant). This could be done primarily by way of an occupancy condition. However, it might also be appropriate to seek a non-fragmentation agreement to ensure that occupants of the house have a primary ongoing relationship with the adjacent farm to avoid future noise and other nuisance issues arising.

RECOMMENDATION

Refuse.

REASONS:

01. The proposal fails to respect the form, character and setting of the locality and of the landscape at this point, and the relationship of built development to that character. The resulting development would foster ribbon development; it would result in the loss of an open space with visual and environmental value; and it would harm the rural character of Long Furlong Lane. In these respects, the proposal is contrary to the aims of the NPPF and saved Policies ST3, ST5, ST6 and EC3 of the South Somerset Local Plan, 2006.
02. The proposal represents an unjustified development in an unsustainable countryside location that would foster growth in the need to travel by private motor vehicle, and that would not maintain the existing environment, contrary to the aims and objectives of the NPPF, and saved Policies ST3, ST5, ST6 and EC3 of the South Somerset Local Plan, 2006.
03. The proposed dwelling, by reason of its location adjacent to a working farmyard, would offer an unacceptable standard of amenity for future occupants, in respect of noise and odour generated by the farmyard, contrary to the aims and objectives of the NPPF and saved Policy EP1 of the South Somerset Local Plan, 2006.

Informatives:

01. In accordance with paragraphs 186 and 187 of the NPPF the council, as local planning authority, takes a positive and proactive approach to development proposals focused on solutions. The council works with applicants/agents in a positive and proactive manner by;
 - offering a pre-application advice service, and
 - as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions

In this case, the applicant/agent did not take the opportunity to enter into pre-application discussions and there were no minor or obvious solutions to overcome the significant concerns caused by the proposals.
