

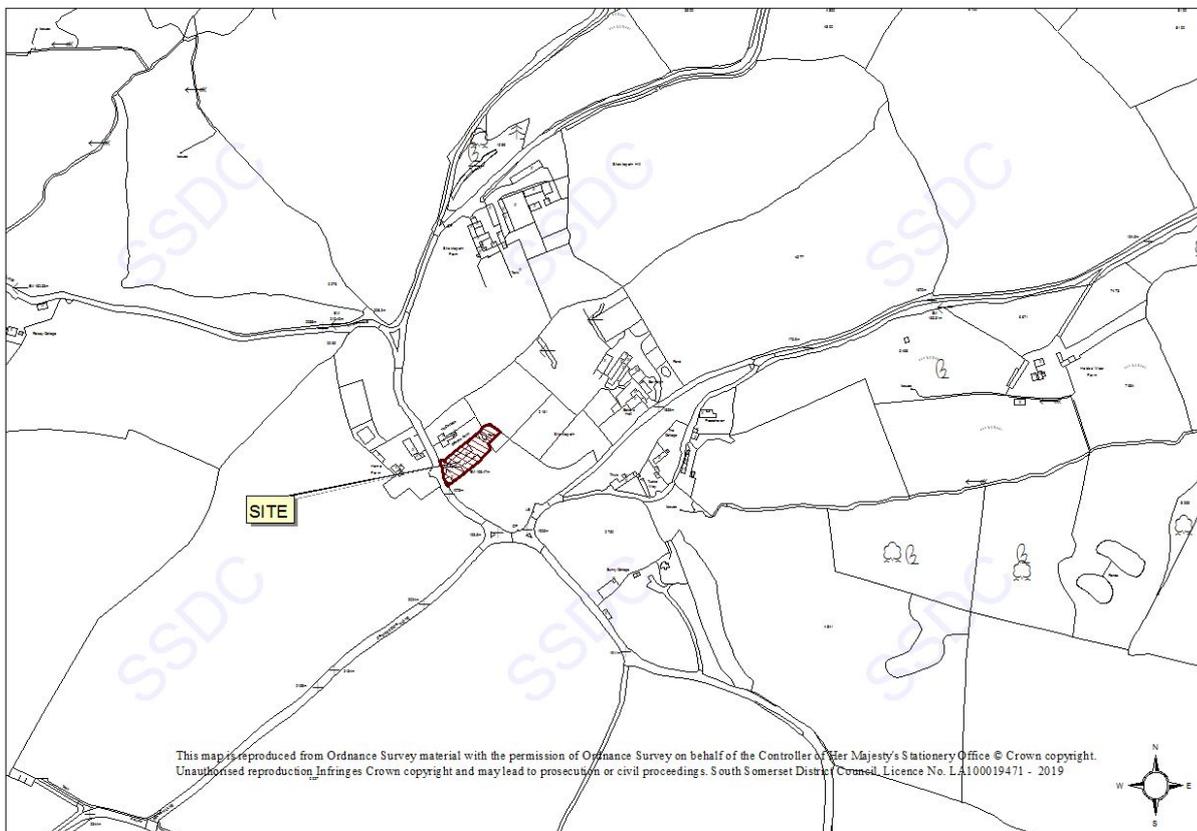
Officer Report on Planning Application: 18/03822/FUL

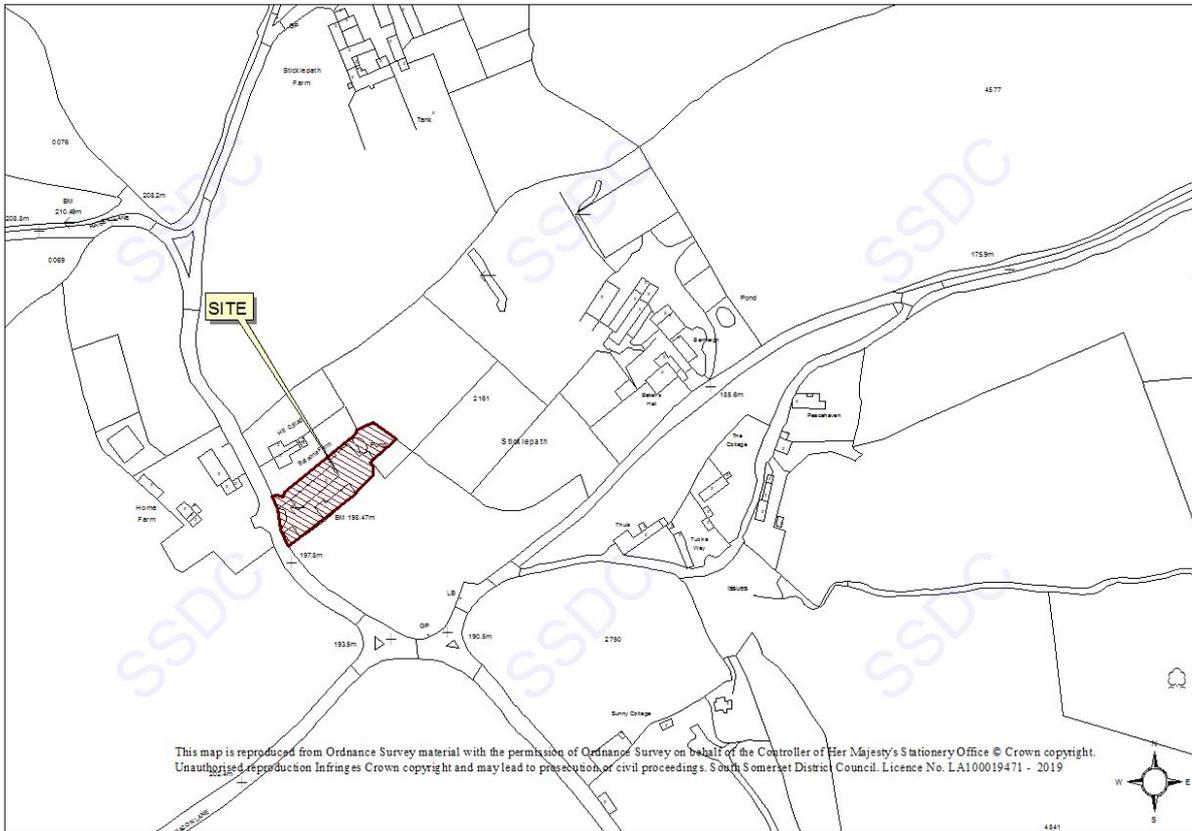
Proposal :	The change of use and conversion of existing outbuilding to form a dwelling and the removal of agricultural storage building
Site Address:	Batstone Farm, Priddles Lane, Combe St Nicholas
Parish:	Combe St Nicholas
BLACKDOWN and TATWORTH Ward (SSDC Member)	Cllr Martin Wale, Cllr Jenny Kenton
Recommending Case Officer:	Mike Hicks
Target date :	7th February 2019
Applicant :	Mr & Mrs Pitcher
Agent: (no agent if blank)	Greenslade Taylor Hunt Winchester House Deane Gate Avenue Taunton TA1 2UH
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE:

To allow consideration of the range of planning issues involved in this application.

SITE DESCRIPTION AND PROPOSAL





The site is located in an isolated location and consists of a single storey concrete block building currently used as a cattery. There is an adjoining dwelling, agricultural building and garage. The site is located on a hillside approximately 500 metres from the Blackdown Hills AONB.

HISTORY

04/01365/COU- Change of use of part of an existing agricultural building to that of a 12 pen boarding cattery- Permitted with conditions.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and the NPPF indicate it is a matter of law that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The South Somerset Local Plan (2006 - 2028) was adopted on the 5th March 2015. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) and Section 70(2) of the Town and Country Planning Act 1990 (as amended), the adopted local plan now forms part of the development plan. As such, decisions on the award of planning permission should be made in accordance with this development plan, unless material considerations indicate otherwise. Legislation and national policy are clear that the starting point for decision-making is the development plan, where development that accords with an up-to-date local plan should be approved, and proposed development that conflicts should be refused, unless other material considerations indicate otherwise.

South Somerset Local Plan (2006-2028)

Policy SD1 - Sustainable Development

Policy SS1 - Settlement Strategy

Policy TA5 - Transport impact of new development

Policy TA6 - Parking standards

Policy EQ2 - General Development

Policy EQ4 - Biodiversity

National Planning Policy Framework (2018)

National Planning Practice Guidance
Guidance within the PPG is a material consideration.

CONSULTATIONS

Parish Council:

No objections.

County Highway Authority:

Standing advice applies.

SSDC Highway Consultant:

Refer to SCC comments.

REPRESENTATIONS

Following consultation no representations have been received.

CONSIDERATIONS

Principle of residential development/ Character and appearance

The site is located in an isolated location where there is a strong presumption against residential development set out by National Guidance and Local Policy. The Local Plan seeks to locate housing development within certain settlements as set out in the settlement strategy policy- SS1. Paragraph 79 of the NPPF provides certain exceptions to the above advice. It states:

"Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

- a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;
- b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;
- c) the development would re-use redundant or disused buildings and enhance its immediate setting;
- d) the development would involve the subdivision of an existing residential dwelling; or
- e) the design is of exceptional quality, in that it:
 - is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
 - would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area".

The applicant has accepted that the proposal would not meet the 'redundant' test of the above guidance as the building is still used for business purposes, however a case is made that there would be an enhancement of the immediate surroundings of the site. The applicant cites some other cases where it was accepted that non redundant buildings could be converted to residential use.

In this instance, it is considered that the above tests have not been sufficiently met. The 'enhancement' would result from the demolition of a relatively modest agricultural building and the planting of a hedge along the boundary of the site. It is considered that these enhancements are marginal. An additional dwelling, the associated domestic paraphernalia, garden area lighting etc. would impact on the rural character of the area and this impact would be increased by the prominent nature of the site on a hill side and within proximity to the Blackdown Hills AONB.

Whilst it is accepted that there would not be harm to the locality, there would be no enhancement to the immediate surroundings and accordingly the principle of a new residential planning unit in this location would be contrary to guidance in paragraph 79 of the NPPF and the Local Plan Settlement Strategy, Policy SS1.

Highway Implications

With conditions to secure an improvement to visibility to the south of the access and the retention of the parking area it is considered that the highway aspects of the proposal are acceptable. The access and parking and turning areas are considered to be acceptable.

Accordingly it is considered that the proposal would comply with Policy TA5 of the South Somerset Local Plan (2006-2028).

Residential Amenity

The proposal is considered to be acceptable in relation to the impact on neighbouring properties given the scale of the development and distance from adjoining neighbours. Accordingly it is considered that the proposal would comply with Policy EQ2 of the South Somerset Local Plan (2006-2028).

RECOMMENDATION

Refuse planning permission for the following reason:

01. The site is located within an isolated location, remote from services and facilities and in a sensitive landscape setting. The building is not redundant and the applicant has not demonstrated that the proposed dwelling would achieve an enhancement of the landscape setting of the site. Accordingly it is considered that the proposal would result in a new planning unit in an unsustainable location, contrary to policy SD1 and SS1 of the South Somerset Local Plan (2006-2028) and the relevant sections of the NPPF (2018).

For the following reasons

01. In accordance with paragraph 38 of the NPPF, the council, as local planning authority, approaches decisions on proposed development in a positive and creative way, working proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area 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

The applicant sought pre application advice from the Council, however the issues raised relate to the principle of the development and there are no alterations that would be made to overcome these objections.
