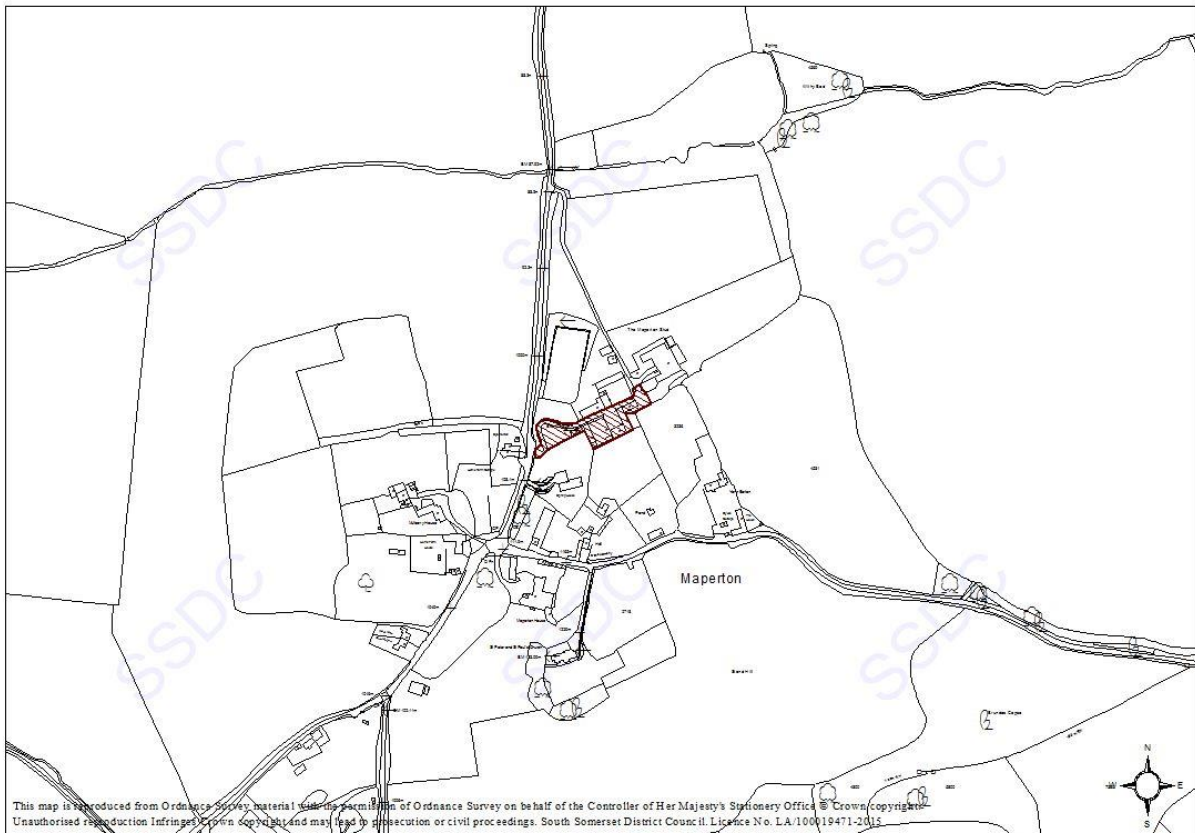


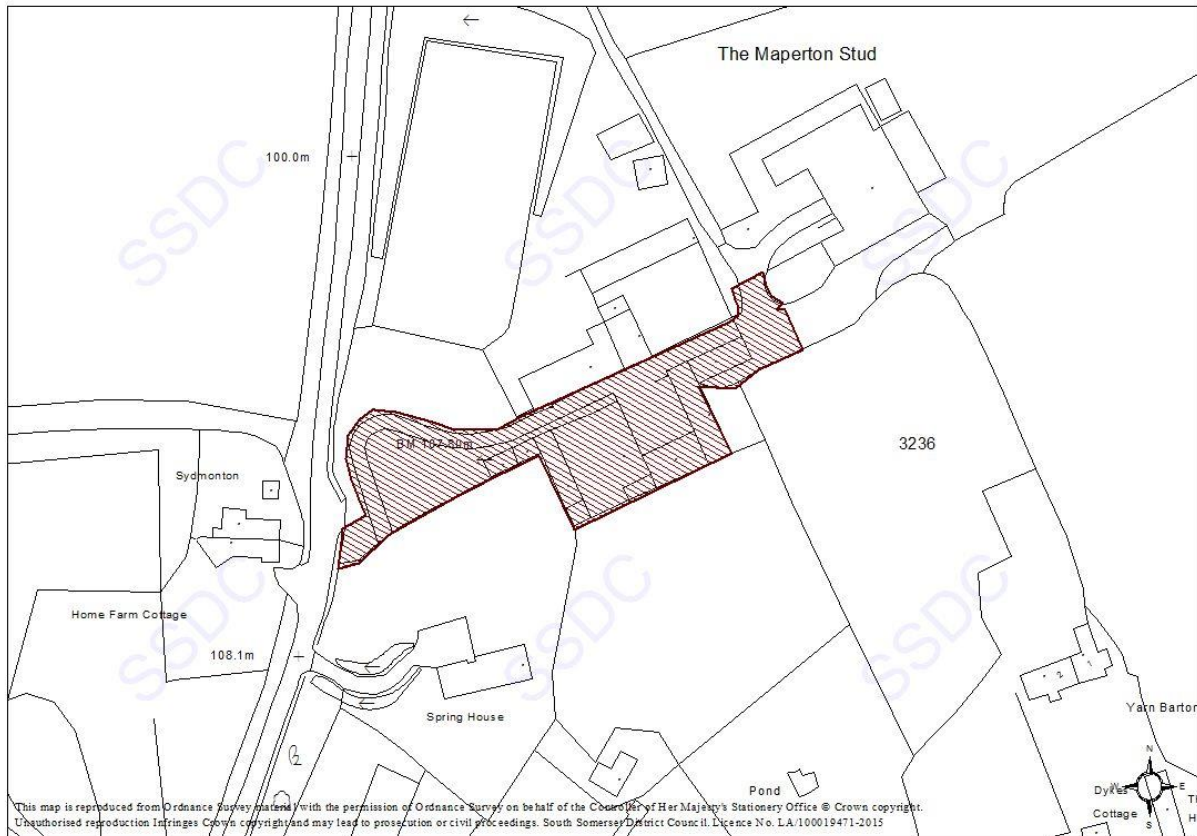
AREA EAST COMMITTEE
Officer Report On Planning Application: 15/03868/FUL

Proposal :	Proposed change of use and conversion of former equestrian building to form 4 no. dwellings (GR 367327/26576).
Site Address:	Maperton Stud Maperton Wincanton
Parish:	Maperton
BLACKMOOR VALE Ward (SSDC Member)	Cllr Tim Inglefield Cllr William Wallace
Recommending Officer:	Dominic Heath-Coleman Tel: 01935 462643 Email: dominic.heath-coleman@southsomerset.gov.uk
Case	
Target date :	21st October 2015
Applicant :	Mr Alex Hill
Agent: (no agent if blank)	Mr Michael Easton 21 shrubbery grove Royston Herts PE19 2TZ United Kingdom
Application Type :	Minor Dwellings 1-9 site less than 1ha

The application is before the committee, at the request of the ward members and with the agreement of the area chair, in order to allow the concerns of neighbouring occupiers to be debated in public.

SITE DESCRIPTION AND PROPOSAL





The proposal seeks permission for the change of use and conversion of former equestrian buildings to form four dwellings. The site consists of a variety of outbuildings in various stages of disrepair, which are predominantly finished in natural stone and brick under clay tiled roofs. Opposite the buildings is an existing farmhouse and a variety of farm buildings. The site is close to various residential properties and open countryside. The site is not located within a development area as defined by the local plan.

The proposed conversion work will involve some repair and alterations to the existing buildings, and the erection of a small extension to one of the buildings to replace a section that is beyond economic repair. The work will include various alterations to the existing access.

HISTORY

14/03496/FUL - Change of use and conversion of former equestrian buildings to form four dwellings - Application withdrawn 18/09/2014

98/00469/COU - The use of two rooms as offices - Application permitted 30/03/1998

98/00470/COU - The use of two rooms of barn for natural therapy treatment - Application permitted 27/03/1998

96/00939/FUL - Erection of extension - Application permitted with conditions 06/06/1996

90/01678/FUL - The continued use of land as a site for a caravan (to accommodate staff and students) - Application permitted with conditions 06/06/1990

89/01251/FUL - Alterations and conversion of barn into a dwellinghouse and creation of hard driveway - Application refused 11/10/1989

841036 - The carrying out of alterations to access and use of land at Maperton Stud, Maperton, as a site for two caravans for students/employees - Conditionally approved 13/09/1984

771160 - Construction of all-weather riding area on land at Maperton Stud, Wincanton - Conditionally approved 17/11/1977

770003 - Use of premises as riding school including provision of an all weather riding arena on land at Maperton Stud, Wincanton - Conditionally approved 28/01/1977

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)

Policy SD1 - Sustainable Development

Policy SS1 - Settlement Strategy

Policy EQ2 - General Development

Policy EQ3 - Historic Environment

Policy EQ4 - Biodiversity

Policy TA5 - Transport Impact of New Development

Policy TA6 - Parking Standards

National Planning Policy Framework

Chapter 6 - Delivering a Wide Choice of High Quality Homes

Chapter 7 - Requiring Good Design

CONSULTATIONS

Parish / Town Council - As long as every effort is made to improve the access and to use the other gate referenced in the application for construction traffic, the parish council has no objections.

County Highway Authority - Initially raised concerns with the proposed access, in terms of visibility and width. On the receipt of amended plans he confirmed that his concerns had been addressed, subject to a condition on any permission to secure works that prevent users of the public right of way being forced to climb over the retaining wall into the site.

SCC Rights of Way - Notes the presence of a public right of way that runs along the proposed access to the site. No objections are raised, but the developer's duties in relation to the public right of way are noted.

SSDC Ecologist - Notes the submitted bat and bird survey. He concludes that development impacts are likely to be low provided appropriate mitigation is employed. He suggests the use of a condition to secure appropriate mitigation.

REPRESENTATIONS

Letters of objection were received from the occupiers of six dwellings in Maperton. Objections were raised on the following grounds:

- The proposal for four dwellings is a large percentage increase on the existing population of Maperton and is excessive and out of keeping with a settlement with very limited facilities. The scheme therefore runs counter to local plan policy SS2.
- The proposal will do nothing for the sustainability of the community as occupiers are unlikely to work in the village and, due to the size of the dwellings; they are unlikely stay long term.
- The access is substandard in terms of visibility and the proposal represents a substantial increase in traffic movements.

- There is a problem with substandard visibility at Dancing Cross creating a hazard. Increased traffic generated from this site will further increase the risk of accidents at this point in the highway and other substandard highway points in the locality.
- The proposed amendments to the access will have an adverse impact on the conservation area.
- The existing northern access to the site would be better in terms of visibility.
- There is poor water pressure in the settlement, which could be exacerbated by the proposed development.
- The broadband speeds are slow in the settlement and would be made worse by the proposed development.
- Concerns regarding the impact of the scheme on the users of the existing right of way.
- The scheme should be treated with caution as very possibly a speculative development project.
- There should be no expansion of development to the rest of the farm complex as such expansion would be wholly out of character with village.
- A concern has been raised that boundaries of the site have been incorrectly plotted and incorporate land in the ownership of a neighbouring occupier.

CONSIDERATIONS

Principle of Development

The site is located within a settlement with a very limited number of services and facilities. As such, it would normally be considered an unsustainable location for new residential development contrary to the provisions of the local plan, including policy SS2. However, other than the rebuilding of a small area of one of the buildings, the scheme almost entirely consists of the conversion of existing redundant equestrian buildings. Paragraph 55 of the NPPF suggests that isolated homes in the countryside should be allowed "*...where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting.*" In this case, as the buildings are semi-derelict yet worthy of preservation, it is considered that their conversion to residential and consequent preservation would represent such an enhancement.

A neighbour has raised a concern that the proposal will do nothing for the sustainability of the community, as occupiers are unlikely to work in the village and, due to the size of the dwellings, they are unlikely stay long term. It is accepted that the occupiers of the dwellings are unlikely to be employed in the settlement, given the lack of local employment opportunities. However, government policy makes it clear that residential conversion schemes can be supported regardless of the inherent sustainability of the settlements they are situated on. It is clear that central policy is that the benefits of such conversions outweigh any harm in this regard. Whether the occupiers stay in the dwellings long term is not relevant to the consideration of the scheme.

As such, notwithstanding local objections in this regard, the principle of residential conversion is considered to be acceptable and to accord with the aims and provisions of the NPPF.

Visual Amenity

Other than the vehicular access and part of the driveway, the site is not within a conservation area. The actual conversion works will have no significant impact on the setting of the nearby conservation area. In any case, the proposed works required to convert the buildings are considered to be of an adequate standard of design and materials.

A concern has been raised locally that the proposed works to the vehicular access will have an adverse impact on the character of the conservation area. However, the boundary wall and vegetation at this point are not considered to be particularly special and are in a poor state of repair. It is considered that the proposed works to improve highway safety will at least preserve the character of the conservation area, subject to suitable landscaping, which can be secured through an appropriate condition on any permission issued.

As such, the proposal is considered to preserve the character of the conservation area in accordance with policies EQ2 and EQ3 of the local plan.

Residential Amenity

It is considered that the proposed window arrangement of the conversion scheme is such that there will be no inter-overlooking between the proposed dwellings, or towards any neighbouring residential properties, subject to a condition to ensure that the windows to the north west elevation of barn 'A' are obscurely glazed. There will be no impact on residential amenity by way of overshadowing or overbearing.

The proposed dwellings are in close proximity to a number of agricultural buildings in the applicant's ownership, which will be retained. In order to ensure a suitable standard of amenity for the future occupiers of the proposed dwellings, the applicant has agreed to a condition on any permission issued to ensure that the retained agricultural buildings are not used for the accommodation of livestock, for the storage of slurry or sewage sludge, for the housing of a biomass boiler or an anaerobic digestion system or the fuel or waste from such a boiler or system, or for housing a hydro turbine.

As such, it is considered that there will be no demonstrable harm to the residential amenity of adjoining occupiers, and that the future residents of the proposed dwellings would enjoy an adequate standard of amenity in accordance with policy EQ2 of the South Somerset Local Plan and the aims and objectives of the NPPF.

Highways

There has been a significant level of local concern with the proposed access arrangements and the impact of the scheme on the surrounding highway network. However, the county highway authority, after raising initial concerns, has confirmed that they are satisfied with the likely impacts of the scheme and therefore raise no objections. They have suggested a condition on any permission to secure works that prevent users of the public right of way being forced to climb over the retaining wall into the site. Such a condition is considered to be reasonable and necessary and would address the local concerns in this regard. Other conditions to ensure visibility splays are provided and retained, that appropriate parking spaces are provided and retained, and to control the detail of the access arrangements are considered to be appropriate and necessary.

It has been expressed by neighbours that an existing access to the site across farmland to the north, would be safer means of access to the site to serve the proposed development. However, the access is to the north is not shown as being on land with the applicant's control and, in any case, it is the scheme that has been applied for that must be considered.

Therefore, notwithstanding local concerns, it is considered that there will be no demonstrable harm to highway safety arising from the proposed scheme in accordance with local plan policies TA5 and TA6 and the aims and objectives of the NPPF.

Infrastructure

Concerns have been raised locally that the proposed density of the development is too high for the locality in terms of the lack of infrastructure, in particular in relation to mains water pressure and broadband provision. Whilst the provision of four dwellings is significant it is not considered that the scheme is likely to significantly exacerbate any existing problems arising from a lack of services and facilities. In regards to the provision of telecommunications, there is no reason to assume that four additional dwellings is likely to further slow broadband speeds, and in any case slow rural broadband cannot be reason to constrain further development. In regards to mains water pressure, it is incumbent on the water provider, Wessex Water, to ensure that any residential development and existing properties are adequately served. If additional works are required, Wessex Water has powers, through non-planning legislation, to secure any necessary contributions from the developer.

Contributions

Policy HG4 requires a contribution to be paid towards the provision of affordable housing, in Maperton this is payable at a rate of £40 per square metre of internal floor space within the development. The applicant has indicated that they would be willing to enter into a s.106 agreement with the council to

secure such a contribution.

Other Matters

The SSDC Ecologist was consulted and raised no objections subject to the imposition of a condition to secure appropriate bat and bird mitigation.

A neighbour has suggested that the scheme should be treated with caution as it is very possibly a speculative development project. When it comes to residential development, it is irrelevant from a planning point of view whether the development is speculative. The vast majority of residential development schemes are carried out on a speculative basis.

A concern has been raised that there should be no expansion of development to the rest of the farm complex; as such expansion would be wholly out of character with village. No such expansion is proposed as part of this scheme, and would be considered on its merits if such a scheme came forward.

Finally, a neighbour has raised a concern that the boundaries of the site have been incorrectly plotted and incorporate land in the ownership of a neighbouring occupier. Such a boundary dispute is not a planning matter, and the area of land in question is not vital to the success of the scheme. As such, the dispute should not constrain the development.

Conclusions

The principle of the proposed residential conversion is considered to be acceptable and in accordance with the aims and provisions of the NPPF. There will be no demonstrable harm to residential amenity, visual amenity, protected species, or to highway safety in accordance with local plan policies EQ2, EQ3, TA5, TA6, or EQ4.

RECOMMENDATION

That application reference 15/03868/FUL be approved subject to:-

- a) The prior completion of a section 106 agreement (in a form acceptable to the Council's solicitor(s)) before the decision notice granting planning permission is issued to:-
 - 1) Secure a contribution of £40 per square metre of internal floor space towards the provision of affordable housing in the district.
- b) The following conditions:

Justification

01. The proposal is considered to be acceptable in this location and, by reason of its size, scale and materials, respects the character of the area, and causes no demonstrable harm to residential amenity, visual amenity, protected species, or to highway safety in accordance with policies EQ2, EQ3, TA5, TA6, or EQ4 of the South Somerset Local Plan (Adopted April 2006) and the aims and provisions of the NPPF.

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.
02. The development hereby permitted shall be carried out in accordance with the following approved plans: HIL/MAP/14/04B and HIL/MAP/14/06A received 26 August 2015 and HIL/MAP/14/02D received 03 November 2015

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

03. No work shall be carried out on site until particulars of the following have been submitted to and approved in writing by the Local Planning Authority:
- a) details of materials (including the provision of samples where appropriate) to be used for the external walls and roofs;
 - b) a sample panel, to be prepared for inspection on site, to show the mortar mix and coursing of the external walls;
 - c) details of the recessing, materials and finish (including the provision of samples where appropriate) to be used for all new windows (including any rooflights) and doors;
 - d) details of all hardstanding and boundaries
 - e) details of the rainwater goods and eaves and fascia details and treatment.

Once approved such details shall be fully implemented unless agreed otherwise in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to comply with Policies EQ2 and EQ3 of the South Somerset Local Plan.

04. The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Local Planning Authority 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; 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 occupation of the building or the completion of the development, whichever is the sooner; 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.

Reason: In the interests of visual amenity and to comply with Policies EQ2 and EQ3 of the South Somerset Local Plan.

05. Before the dwelling hereby permitted is first occupied, the revised access over the first 5m of its length shall be properly consolidated and surfaced with tarmac unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of highway safety and in accordance with policy TA5 of the South Somerset Local Plan.

06. Before the dwellings are occupied provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto any part of the highway, details of which shall have been submitted to and approved in writing by the local planning authority. Once implemented the scheme shall be thereafter maintained at all times.

Reason: In the interests of highway safety and in accordance with policy TA5 of the South Somerset Local Plan.

07. The areas allocated for parking and turning on the submitted plan, drawing no. HIL/MAP/14/02D received 03 November 2015 shall be kept clear of obstruction and shall not be used other than for parking and turning of vehicles used in connection with the development hereby permitted.

Reason: In the interests of highway safety and in accordance with policy TA5 of the South Somerset Local Plan.

08. Any entrance gates shall be hung to open inwards and set back a minimum distance of 5m from the highway at all times.

Reason: In the interests of highway safety and in accordance with policy ST5 of the South Somerset Local Plan.

09. There shall be no obstruction to visibility greater than 900mm above adjoining road level in advance of lines drawn 2.4m back from the carriageway edge on the centre line of the access and extending to a point on the carriageway edge 30 metres in each direction. Such visibility shall be fully provided before the development hereby permitted is first brought into use and shall thereafter be maintained at all times.

Reason: In the interests of highway safety and in accordance with policy TA5 of the South Somerset Local Plan.

10. The buildings labelled 'Farm Building' on the submitted plan HIL/MAP/14/02D shall not be used for the accommodation of livestock, for the storage of slurry or sewage sludge, for the housing of a biomass boiler or an anaerobic digestion system or the fuel or waste from such a boiler or system, or for housing a hydro turbine, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of the residential amenity of the future occupiers of the dwellings hereby approved and in accordance with the aims and provisions of the NPPF.

11. Before the dwellings are occupied provision shall be made to accommodate users of the public right of way at the point of access to the site, details of which shall have been submitted to and approved in writing by the local planning authority. Once implemented the scheme shall be thereafter maintained at all times.

Reason: In the interests of highway safety and in accordance with policy TA5 of the South Somerset Local Plan.

12. The development shall not commence until a Bat and Bird Mitigation and Enhancement Plan has been submitted to, and approved in writing by the local planning authority. The plan shall include as appropriate, details of:

- provision for further surveys or pre-commencement inspections for bats and nesting birds,
- avoidance, mitigation and compensation measures for bats and swallows,
- provision of enhanced roosting opportunities for bats and compensation nesting provision for swallows.

The Bat and Bird Mitigation and Enhancement Plan shall be implemented in full, unless otherwise agreed in writing by the local planning authority.

Reason: For the protection and conservation of protected species and biodiversity in accordance Local Plan policy EQ4, NPPF, and to ensure compliance with the Wildlife and Countryside Act 1981 and the Habitats Regulations 2010, and for the enhancement of biodiversity in accordance with NPPF.

13. The windows to the north east elevation shall be fitted with obscure glazing prior to the occupation of the dwellings hereby approved. The obscure glazing will be maintained and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of residential amenity and in accordance with policy EQ2 of the South Somerset Local Plan.

Informatives:

01. The developer should be aware of the comments of the County Rights of Way Officer in relation to their duties regarding the public right of way that runs along the access to the site. The comments are available to view on the LPA's website using reference number 15/03868/FUL