

Area West Committee – 16th February 2011

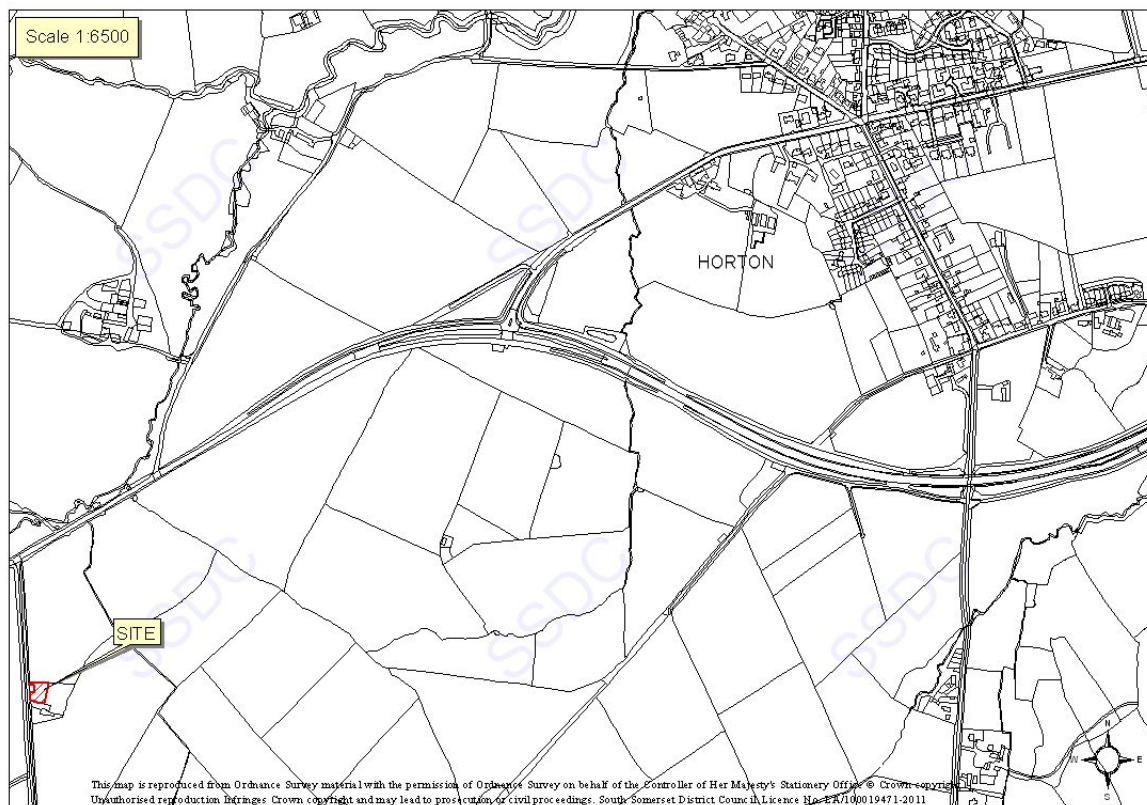
Officer Report on Planning Application: 10/03766/COU

Proposal:	The change of use of land for the hire and storage of motor homes (GR 330799/113872)
Site Address:	Emerald Farm Poltimore Lane Combe St Nicholas
Parish:	Combe St Nicholas
BLACKDOWN Ward (SSDC Member)	Mrs R Roderigo (Cllr)
Recommending Case Officer:	John Millar Tel: (01935) 462465 Email: john.millar@southsomerset.gov.uk
Target date:	8th November 2010
Applicant:	Ms Sarah Foord
Agent: (no agent if blank)	Mr PDM Carpendale, Brimble Lea and Partners Wessex House High Street Gillingham Dorset SP8 4AG
Application Type:	Other Change Of Use

REASON FOR REFERRAL TO COMMITTEE

The application is to be considered by Area West Committee at the request of Cllr Roderigo, with the agreement of the Area Chair, Cllr Turner. It is felt that the issues should be given further consideration by members.

SITE DESCRIPTION AND PROPOSAL





Emerald Farm is a smallholding located along Poltimore Lane, just to the south of the A303. The smallholding was formerly part of a larger farm comprising 36.2 acres, however the majority was tenanted leaving only 2.2 acres for the applicants use as a smallholding. The tenanted land has now been sold so the current holding of 2.2 acres is all that remains in the applicant's ownership. It is a relatively isolated site, within open countryside and beyond any defined development areas. Planning permission was granted in 2007 for the erection of a barn for the storage of a tractor, trailer, hay and straw, small machinery, pesticides and veterinary stores, all in relation to the smallholding and maintenance of the land and hedges. The barn is located along the roadside boundary and there is an area of hard standing to the front and sides of this building.

This application is made for the change of use of the area of hard standing for business purposes for the storage and hire of motor homes. The use has already been commenced and as such, this application is made retrospectively.

HISTORY

08/04532/FUL: Demolition of a single storey extension and outbuilding, erection of a two storey rear extension, single storey side extension, front porch and conversion of attached stone outbuilding to garden room - Permitted with conditions.

07/04704/FUL: The erection of a timber framed structural agricultural building - Permitted with conditions.

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 decision must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise.

Relevant Development Plan Documents

Somerset and Exmoor National Park Joint Structure Plan:
STR1 - Sustainable Development
STR6 - Development Outside Towns, Rural Centres and Villages
Policy 5 - Landscape Character

South Somerset Local Plan 2006:
ST3 - Development Areas
ST5 - General Principles of Development
ST6 - The Quality of Development
EC3 - Landscape Character

Policy-related Material Considerations:

PPS's/PPG's

Planning Policy Statement 1: Delivering Sustainable Development
Planning Policy Statement 4: Planning for Sustainable Economic Growth
Planning Policy Statement 7: Sustainable Development in Rural Areas

South Somerset Sustainable Community Strategy

Goal 5 - A competitive, high performing economy that is diverse, adaptable and resource efficient.
Goal 11 - Protection and enhancement of our natural environment and biodiversity.

CONSULTATIONS

Parish Council: The Parish Councillors have no objections to this application.

SSDC Technical Services: No comment.

Highways Agency: From the information supplied in your letter, we are content that the proposal will not have any detrimental effect on the Strategic Road Network. On this basis, we offer no objections to the application, and a TR110 has been included with this letter to that effect. Also we note the proposed conditions limiting the number of vehicles on site and are in support of this.

County Highway Authority: The proposed development site lies remote from any Development Boundary Limits and is distant from services and facilities, whilst public transport services are infrequent. As a consequence, employees/customers of the new development are likely to be dependant on their private vehicles. Such fostering of growth in the need to travel would be contrary to government advice given in PPG13 and RPG10, and to the provisions of policies STR1 and STR6 of the Somerset and Exmoor National Park Joint Structure Plan Review (Adopted: April 2000) and would normally receive a recommendation of refusal from the Highway Authority as a result. However, given the nature of the development it is considered that the principle of the development must mainly be a matter for the Local Planning Authority to determine.

It is noted that the Highway Agency have not raised an objection to the proposal as it is considered that the impact of the traffic movements associated with this development on the junction of Poltimore Lane with the A303 or on the free flow of traffic at this point is unlikely to be significant.

It was noted from my site visit that the existing access is poorly consolidated and as such loose material is currently being dragged on to the highway. The Highway Authority as part of this proposal would wish to see the access properly consolidated and surfaced (not loose stone or gravel) and adequate drainage provided so as to prevent the discharge of surface water on the highway.

The Highway Authority would also wish to see the visibility currently achieved to the south improved.

As a result, if the principle of the development is deemed acceptable then I would advise you that from a highway point of view there is no objection to the proposal. However, in the event of permission being granted I would recommend that the following conditions be imposed:

1. The access over at least the first 5.0m of its length, as measured from the edge of the adjoining carriageway, shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details of which shall have been submitted to and approved in writing by the Local Planning Authority.
2. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority.
3. There shall be no obstruction to visibility greater than 900mm above adjoining road level in advance of lines drawn 2.0m back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 43.0m both sides of the access. Such visibility shall be fully provided before the development hereby permitted is first brought into use and shall thereafter be maintained at all times.

Note: The alteration of the access and/or minor works will involve construction works within the existing highway limits. These works must be agreed in advance with the Highway Service Manager for the South Somerset Area at The Highways Depot, Houndstone Business Park, Yeovil, 08453 459155. He will be able to advise upon and issue/provide the relevant licences, necessary under the Highways Act 1980.

SSDC Economic Development Manager: I do worry that this application could be classed as development in the countryside, and almost certainly a change of use for the land in question.

I understand that the applicant holds just a few acres of land and redundant farm buildings. This makes it unlikely that a case for supporting a farming business can be made.

My main concerns would be:-

- Suitability of location for such a business. Demand is unlikely to be generated by either local or passing trade, so the issue of sustainability comes into question. There are many far more suitable sites in nearby urban areas where a business of this nature could be carried out.
- Setting a precedent. With many smaller farms being broken into even smaller holdings, there is danger of other prospective landholders citing this as a local exemplar for COU in unsustainable locations.

I suspect there will also be a host of other security, landscape and access issues that will need to be considered.

I am unable to support this application.

SSDC Agricultural Development Officer: 19th October 2010: As it's a clear COU, with no significant underlying farm business, I agree with David's comments on the application.

24th September 2010: I will need to know the scale of the underlying farm business to demonstrate that this is a farm diversification in support of the underlying farm business rather than a COU from Ag.

Plus have they looked at the implications for business rates in their proposal. Many farms who consider diversification into caravan/motor home storage, get their fingers burned with the hike in business rates and find that the proposal is no longer economically viable.

SSDC Principal Landscape Officer: I note that this application seeks a COU rather than proposes an agricultural diversification. As such, it would appear that farming is no longer the main enterprise at this holding, hence I assume policy ST3 applies, where 'development will be strictly controlled to that which ... maintains or enhances the environment ..' whilst the proposal before us intends to utilise the existing surfaced yard and building, the change from farming to a commercial use does not inherently add to or sustain the local environment, thus I am not convinced that policy ST3 is satisfied. There is also a potential for security fencing etc on the back of an approved commercial use, which would be at variance with local character. Regarding the existing building, should not the onus be on its agricultural redevelopment? I would also question if caravan storage is either an authentic agricultural diversification, or an appropriate use of farmland, in what is clearly a rural, agricultural landscape?

In visual terms, I note that the site does not enjoy robust enclosure, and the image on 'Google streetscene' bears out the potential visibility of the camper vans, which would be particularly evident in winter. There is minimal development presence in this locality, and camper vans are thus perceived as an intrusion within this open countryside, in a manner that is at variance with local landscape character, policy EC3. Consequently there is no landscape support for this proposal.

REPRESENTATIONS

The application has been advertised by site notice for the requisite period. One letter of support was received from a contributor referring to themselves as part owners of the property at Emerald Farm. The following main points are as follows:

- The present registered use of the premises for free-range eggs and rare breed business is marginally economic and can only be realistically sustained with additional economic activity.
- The proposed business will provide additional part-time employment in a rural area with limited employment opportunities.
- The business will be beneficial to local tourism as van hire provides a service to those vacationing in the area and the Southwest of the country.
- The premises are ideally located for motor home operation being adjacent to the main trunk road, with easy access to the A303 and M5.
- Environmentally, the use of the site for motor homes will have little harmful impact due to low volumes of traffic locally. Furthermore, the visual impact will be minimal as a result of screening of the boundaries by existing hedges and proposed additional planting.

CONSIDERATIONS

This application is made retrospectively to consider the retention of a business operation comprising the storage of motor homes on an area of hard standing at Emerald Farm. These motor homes are available for hire, usually with the hirer's own vehicle being left at the farm. During the tourist season (Easter to October) it is intended to store up to 8 motor homes on site, with no more than 5 being kept on site during the winter period.

The site is located off the A303, within open countryside and is bounded to the north, east and west by native species hedging. Despite the planting, the application site is visible from public vantage points beyond.

The main planning considerations in this case relate to the principle of development in the open countryside and the impact of the proposal on local landscape character.

PRINCIPLE OF DEVELOPMENT

Local and national planning policies and guidance restrict development in the open countryside. Saved policy ST3 of the South Somerset Local Plan states that "outside the

defined development areas of towns, rural centres and villages, development will be strictly controlled and restricted to that which benefits economic activity, maintains or enhances the environment and does not foster growth in the need to travel." Similarly, guidance within PPS4 states "local planning authorities should ensure that the countryside is protected for the sake of its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, the wealth of its natural resources and to ensure it may be enjoyed by all. In rural areas, local planning authorities should strictly control economic development in open countryside away from existing settlements, or outside areas allocated for development in development plans."

The business in question is a new business being carried out by the applicant, who lives on site and runs a smallholding on the 2.2 acres of associated land. The smallholding supports an expanding free-range egg and rare breed business. Despite the presence of the other business, this application is not considered as a farm diversification scheme but as a separate enterprise in its own right and as a change of use of the land from agricultural to business use.

The site is in a relatively isolated location and is not well related to any rural settlements. It is considered to be an unjustified economic development in an unsustainable location, which is remote from existing settlements and local service centres. The applicant does highlight policy EC12 of PPS4, which states that "local planning authorities should support small-scale economic development where it provides the most sustainable option in villages, or other locations, that are remote from local service centres, recognising that a site may be an acceptable location for development even though it may not be readily accessible by public transport." The applicant feels that the nature of the business, which generally relies on holidaymakers driving to the site from outside of the district, means that wherever it is located customers will be travelling from afar and will not use public transport. As such, it is argued that the location close to the A303 is appropriate. While it is acknowledged that users may be tourists who are already using vehicles, it is still not considered that this makes the proposal any more acceptable. The enterprise is not of an agricultural nature and there is no overriding justification that its presence in a countryside location is essential.

The Council's Economic Development Manager was consulted during the application process and is unable to support the proposal. Economic Development are of the view that the business use is more suited to an existing business site in a nearby urban area, particularly as there is unlikely to be demand from either local or other passing trade. This also brings the question of sustainability into question and supports the view that there is no essential need for this business to be provided in a countryside location. Economic Development also raise a concern about setting a precedent for similar situations where smaller farms are broken up into even smaller holdings. The Council's Agricultural Development Officer agrees with these comments, particularly as there is no justification on agricultural grounds.

Landscape Character

As well as concerns in regard to the location of this development and its sustainability, it is also considered to be at variance with local landscape character, in an area where development presence is minimal. The storage of mobile homes/caravans and any customer's vehicles would be viewed as out of keeping with and uncharacteristic of the surrounding landscape and consequently would fail to maintain or enhance the environment, causing unacceptable harm to the distinctive character and quality of the local landscape.

The site is fairly well visible from public views but the applicant has proposed to carry out additional planting to the field boundaries to prevent the site being visible from surrounding public vantage points and has also proposed conditions to limit the number of vehicles on site to 8 during the tourist season and 5 over the winter period. Despite these proposals, they are not deemed to make the proposal any more acceptable. Additional planting may reduce the visual impact but the vehicles will still be visible from the access points as a minimum and overall this still does not overcome the principle of development in this countryside location or the general landscape issues.

A point made by both the Economic Development Manager and the Council's Principal Landscape Officer is the matter of security. Such an enterprise could potentially be a target for crime/theft, particularly as a result of the isolated location and proximity to the A303. By approving the development, there is the potential for pressure to improve security, which in reality may only be achieved by the installation of security fencing, which could further detract from the landscape character of the locality. This is considered to further support the view that this type of enterprise is more suited to a purpose built business setting, within an existing settlement or rural centre.

While not the intention, mention has been given to the possibility of storing the vehicles within the existing agricultural building, if considered desirable by the Local Planning Authority. As the application site red line does not include the building in question, this should be considered in a new application but even so, this is not considered acceptable, as it also doesn't deal with the principle of development and it would take this building out of agricultural use, which it was approved for very recently.

CONCLUSION

Overall, the change of use of land for the storage of mobile homes/caravans is considered to be an unjustified economic development in an unsustainable location, which fails to maintain or enhance the environment and causes unacceptable harm to the distinctive character and quality of the local landscape. As such, the retention of this business use is not considered to be acceptable and the recommendation to members is to refuse permission.

RECOMMENDATION

Refuse.

FOR THE FOLLOWING REASON:

1. The change of use of land for the storage and hire of motor homes is unacceptable, as it is an unjustified economic development in an unsustainable location, which is remote from existing settlements and local service centres. Furthermore, development of this form is out of keeping with and uncharacteristic of the surrounding area and consequently would fail to maintain or enhance the environment, having a detrimental impact on the distinctive character and quality of the local landscape. As such the proposal is contrary to the aims and objectives of PPS4, policies 5, STR1 and STR6 of the Somerset and Exmoor National Joint Structure Plan Review and saved policies ST3, ST5, ST6 and EC3 of the South Somerset Local Plan 2006.
-