

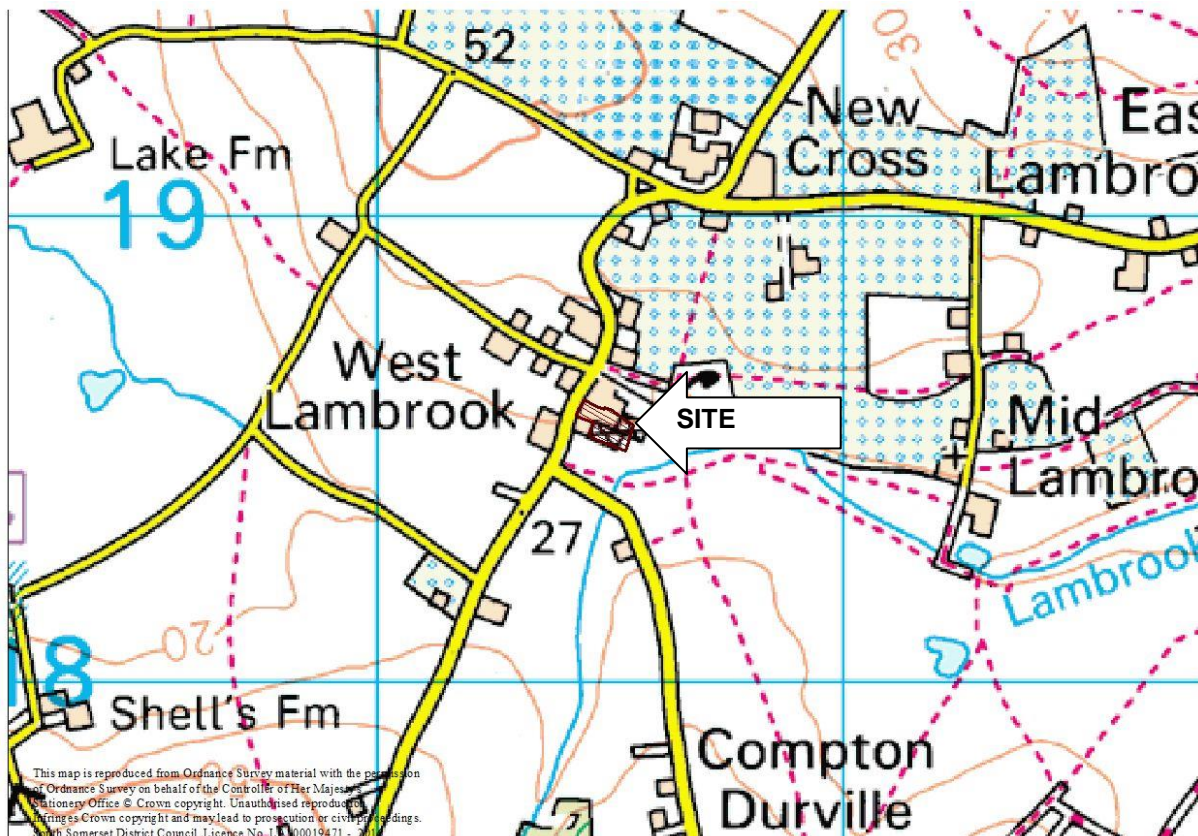
Officer Report On Planning Application: 15/05688/FUL

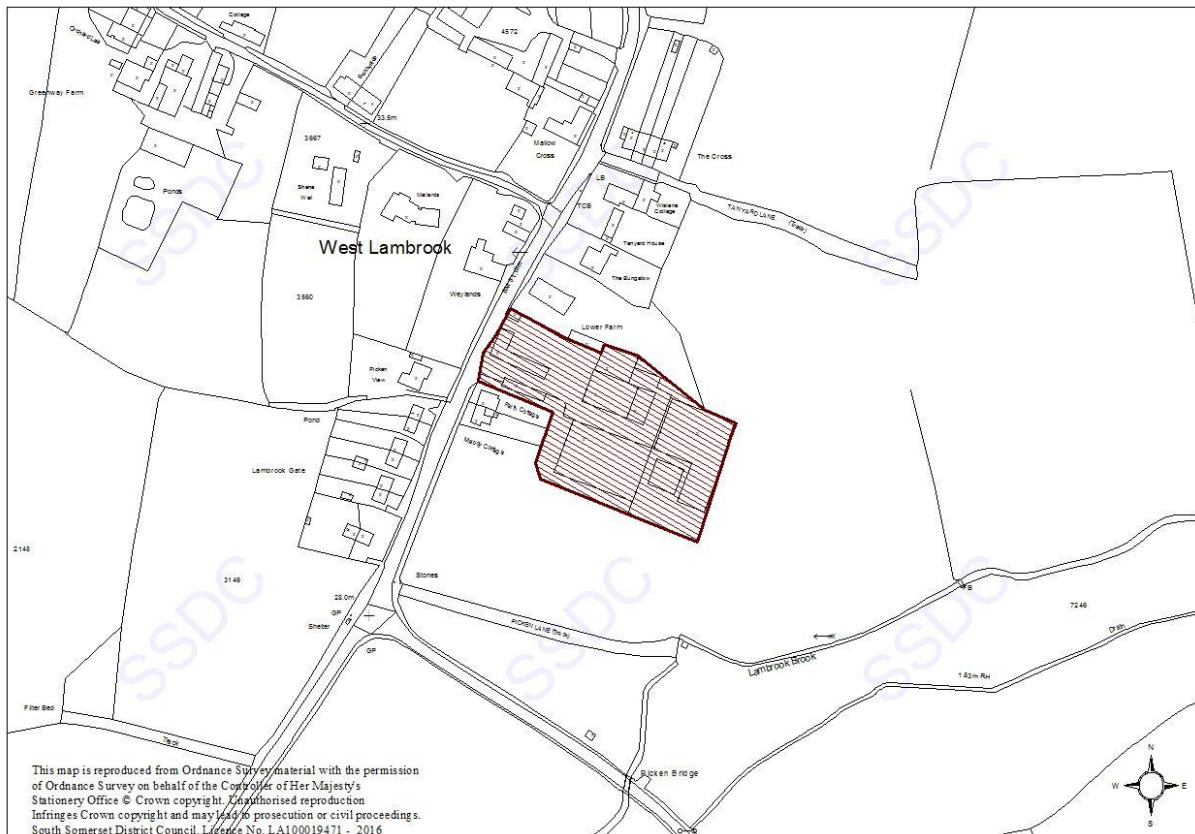
Proposal :	Removal of existing sheds and glasshouses, conversion of a stone barn to dwelling and the erection of three dwellinghouse (GRL341473/118608)
Site Address:	Lower Farm, Lambrook Road, West Lambrook.
Parish:	Kingsbury Episcopi
BURROW HILL Ward (SSDC Member)	Cllr Derek Yeomans
Recommending Case Officer:	Nicholas Head Tel: (01935) 462167 Email: nick.head@southsomerset.gov.uk
Target date :	3rd March 2016
Applicant :	Mr Reg Dyer
Agent: (no agent if blank)	Mr Nicholas Beddoe Savills (UK) Ltd, York House, Blackbrook Business Park, Taunton TA1 2PX
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

The report is referred to Committee at the request of the Ward Member to enable a full discussion of the issues raised by the proposal.

SITE DESCRIPTION AND PROPOSAL





The site is located on the east side of Lambrook Road within the small settlement of West Lambrook. It comprises a farmyard with traditional stone buildings on the road frontage, including an L-shaped structure, constructed from a combination of natural stonework, brickwork and rendered elements, framing the western end of the site. To the north of this building, forming the northern boundary of the site, is the main farmhouse (listed, Grade 2) and its garden; to the east and south-east are other larger, more modern farm buildings, including extensive glass houses. There is an open sided shed (timber poles with mono-pitch roof) immediately to the south of the L-shaped barn, alongside the accessway onto the highway.

The traditional stone/brick building is listed by association with the Grade II listed farmhouse. To the west of the site, across Lambrook Road, is a Grade2* listed building (Weylands).

Permission is sought for the removal of the agricultural sheds and glasshouses, conversion of the L-shaped barn to a dwelling and the erection of three new dwellinghouses and a garage/store building.

HISTORY

13/03285/FUL - Alterations and the change of use of an existing farm shop to a single three bedroom dwelling - refused

13/03286/LBC - Alterations and the change of use of an existing farm shop to a single three bedroom dwelling - refused

13/01798/FUL - Alterations and the change of use of an existing farm shop to a single storey three bedroom dwelling - refused

13/01799/LBC - Alterations and the change of use of existing farm shop to a single three bedroom residential dwelling - refused.

13/00407/FUL - Alterations and the change of use of existing farm shop to a single three

bedroom residential dwelling. Refused.

13/00408/LBC - Alterations and the change of use of existing farm shop to a single three bedroom residential dwelling. Refused.

11/01562/FUL - Alterations and the change of use of existing farm shop to use class B1. Approved 29.06.2011 (OFFICER NOTE: The building remains unconverted).

11/01563/LBC - Alterations and the change of use of existing farm shop to use class B1. Approved 29.06.2011.

08/02026/LBC - Alterations and the change of use of existing farm shop to Use Class B1. Approval 10/06/2008.

08/01299/FUL - Alterations and the change of use of existing farm shop to Use Class B1. Withdrawn on 29/05/2008.

901801 - Erection of dwelling for horticultural worker. Refused on 23/01/1991.

872894 - The erection of four dwellings. Application refused 11/12/1987, Appeal dismissed.

871039 - The erection of an agricultural implement shed. Approval on 19/06/1987.

771183 - Erection of horticultural glasshouse. Approved on 14/09/1977.

761928 - Erection of general purpose agricultural building. Approved on 04/01/1977.

761532 - Erection of glasshouse. Approved on 19/11/1976.

POLICY

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.

Policies of the South Somerset Local Plan (2006 - 2028)

SD1	Sustainable Development
SS1	Settlement Strategy
SS2	Development in Rural Settlements
SS5	Delivering New Housing Growth
SS6	Infrastructure Delivery
HG3	Provision of Affordable Housing
HG4	Provision of Affordable Housing - Sites of 1-5 Dwellings
TA5	Transport Impact of New Development
TA6	Parking Standards
EQ2	General Development
EQ3	Historic Environment
EQ4	Biodiversity

National Planning Policy Framework (March 2012):

4. Promoting sustainable transport
6. Delivering a wide choice of high quality homes
7. Requiring good design
8. Promoting healthy communities
11. Conserving and enhancing the natural environment
12. Conserving and enhancing the historic environment

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

Policy-related Material Considerations

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

CONSULTATIONS

Parish Council: No objections.

Highways Authority: Various detailed comments, but the following points are noted:

- proposed access is to utilise an existing agricultural access onto Lambrook Road which is considered suitable for the current proposal. Visibility from the existing access is considered acceptable, however to the left existing shrubbery should be cleared to ensure that suitable visibility can be achieved
- 14 parking bays are required for the new development
- drainage issues are raised
- a licence will be required for works in or near the highway

No objection is raised, subject to conditions.

SDDC Highway Consultant: Refer to County comments. A comment is made about the adequacy of the visibility splay.

SDDC Conservation Officer: The point was originally made that removal of the existing large agricultural barns is not considered a necessity. Enhancement of the setting is therefore not inherently achieved by the erection of three new dwellings. *I do not feel the existing buildings to be harmful to the setting of the listed building such that it is imperative that they be removed.*

In changing the form and details of the proposal from houses to the appearance of a barn conversions, the proposed design, as conditioned, also addresses my concerns over the setting of the listed building. No objection, subject to conditions.

SDDC Landscape Officer: *the landscape effects of the potential re-development of this farmyard site would appear to be;*

- a) the removal of non-traditional agricultural buildings and glass-housing from the site, to reduce the overall building mass and footprint extent, and;*
- b) the introduction of domestic form at the village edge, with its associated lighting, and vehicular activity.*

The site lays to the south of the host farmhouse, which is contained to the south and southeast by built form. An L-shaped barn of traditional form adjacent the roadside is to be retained for conversion, whilst to its east, modern farm buildings and sizeably-scaled glass-housing is intended for removal, with their replacement being three dwellings of traditional design. These dwellings are shown as being located toward the west end of the footprint of the buildings to be removed, enabling a close correspondence with the historical building arrangement, and the dedication of much of the regained space to gardens, buffered by hedgerows and an orchard, to contain the development to the south and east.

The proposal will result in a substantive reduction of building form, and the enhancement of hedgerow and orchard planting, whilst a further area (to the south) appears to be returning to agricultural use. I view these intentions as positive. Whilst the change to residential use will introduce a greater level of vehicular activity and nightlight, I consider the site sufficiently well-related to residential village form to be acceptable. There may be the issue of where the displaced farm buildings might be re-sited, but should new-build be needed, that will be for another day. On balance, I have no landscape objection to the proposal, providing the landscape gains inferred by the application come forward.

SSDC Ecologist: No objection, subject to conditions relating to protected species. It is noted that the application would be subject to appropriate habitats regulations reporting:

An assessment against the three derogation tests of the Habitats Regulations 2010 is a legal requirement in the determination of this application. Permission can only be granted if all three derogation tests are satisfied. Such assessment should be included in the relevant committee or officer report. The tests are:

- 1. the development must meet a purpose of 'preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment'*
- 2. 'there is no satisfactory alternative'*
- 3. the development 'will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range'.*

In respect of test 3: The survey findings indicate that Building A is a confirmed bat roost used by small numbers of Brown Long-eared and Soprano Pipistrelle bats. Based on the numbers of bats seen emerging and the bat signs found, it is considered most likely that this is a non-maternity day roost. The application states the compensation bat loft is feasible to provide and the development plans don't contradict this. I therefore conclude that favourable conservation status is likely to be maintained due to the presence of only low numbers of bats, of species that are relatively common and have a widespread distribution in Somerset, and the securing of appropriate mitigation and compensation by condition.

SSDC Environmental Protection Officer: Should development be permitted, it should be subject to a condition dealing with the possibility of land contamination.

SSDC Strategic Housing Officer: Recommends that the on-site contribution of 35% for affordable housing be met by the provision of 1 dwelling unit. [This is no longer relevant: Change in Government policy on contributions].

Historic England: Raised concerns about the domestic impact of the proposal on the setting of the farmyard and listed buildings: *Whilst the structure that exists to the rear of Lower Farm at present is alien in scale, massing and materials it is overtly associated with the historic farm group that sits beside the road. The removal of this structure will be an enhancement however the proposed scheme would create an overtly domestic character, which would be out of keeping with the setting context of the Lower Farm group and Weylands. The NPPF explains that proposals should be developed relative to significance with a view to minimising or avoiding harm.*

No further comments were offered in response to the amended plans. They advise that the application should now be determined on the basis of the Council's own expert advice.

REPRESENTATIONS

Three representations been received from two local residents.

The first contributors (occupants of Faith Cottage): Objections were initially raised for the following main reasons:

- the new development will increase hours of use of the existing access, causing more amenity harm than the existing business use of the site;
- all infill buildings around existing listed buildings are single storey - this development should reflect that character;
- W Lambrook has no services or facilities other than a post box, telephone box and a workers' bus leaving once a day;
- the barn conversion plus one dwelling should be adequate to finance the removal of the sheds and tidying of the site;
- there would be unacceptable overlooking;
- there are drainage concerns

In later letters, the objectors remain of the view that the form of development is inappropriate. However, the amenity objection to the scheme is withdrawn on the basis of revised plans received on 27 April. This is on the basis that 'Although we have serious reservations on conservation grounds about the proposed 3 new houses, we support the change of use of the curtilage to wholly domestic'.

A second letter (occupants of Weylands) supports the application, making the following main points:

- this is a nice-looking modest development;
- more houses are required in the village;

However, a concern was raised about the safety of the access onto Lambrook Road, given observed speeds of traffic at this point.

A third letter supports the application.

CONSIDERATIONS

Principle of Development

The site falls within a rural settlement with no services and facilities, The proposal seeks to justify the creation of four dwellinghouses on the basis of improvement to the setting and the re-use of an existing building.

Visual and Landscape Impact

A clear assessment of the landscape impact is offered by the Landscape Officer (above). It is agreed that the removal of large structures and limitation of built form to the outer edges of the settlement would ultimately enhance the landscape setting of the site.

The proposal has been amended during the course of the application. The principal concern has been the scale and appearance of the replacement buildings on the east side of the site, which had excessively domestic characteristics, and lengthened front elevation with garages

placed centrally. These have now been re-designed to represent a more simple, less domestic structure, more appropriate to the farmyard setting. The relationship of the buildings to the courtyard to the west of them has also been amended, avoiding domestic enclosures, and is now considered to be acceptable.

The general visual and landscape impact of the amended scheme is considered to be acceptable.

Impact on Heritage Assets

The site falls within the curtilage of the Grade 2 listed farmhouse (Lower Farmhouse). There are also other listed buildings in the vicinity, particularly the Grade 2* listed Weylands, across the road from the farmhouse. The application has been accompanied by a detailed heritage statement. The Conservation Officer has sought numerous amendments to the form of the new-build element of the proposal, which is now supported after initial concern about its appropriateness to the setting.

The point was originally made by the Conservation Officer that removal of the existing large agricultural barns is not considered a necessity. Enhancement of the setting is therefore not inherently achieved by the erection of three new dwellings.

Having said that, the Conservation Officer notes that he raises no objection to the design, as amended.

Conversion of the existing road-side barn would secure the future of this building, and can be achieved without harm either to the building or the greater setting.

It is not considered that there is any significant harm to the designated heritage assets represented by the proposal.

Five-year Land Supply

At present, the Council is unable to demonstrate an adequate supply of housing land as required by the NPPF. Some weight therefore has to be given to the contribution that additional dwellings would make towards the improvement of this situation. Policies seeking to restrict development in the countryside (and rural settlements) are largely 'out-of-date' for this reason, and the NPPF advises that proposals assessed as **sustainable development** should be approved.

Sustainability: Proposed New Dwellings

Whilst the conversion of the roadside stone/brick barn can be supported, in that it makes use of a farm building and conserves a designated heritage asset, the locality raises concerns for the creation of further residential development.

West Lambrook is a small hamlet with no services or public transport. Additional residents in this settlement would be dependent for their day-to-day needs on private vehicular transport. Enhanced sustainability benefits that would accrue from additional dwellings are few, if there are any.

The applicant has sought an additional three dwellinghouses, evidently on a fairly arbitrary basis (there is no detailed justification on the basis, for example, of the evaluated cost of removal of the existing barns versus the costs of the construction). It is not considered that this locality is appropriate for additional dwellinghouses, given its poor access to services and public transport.

The applicant makes reference to Policy SS2 of the Local Plan. There are concerns with this in that:

- the settlement does not qualify as being relevant to this policy (no local services; 'clustering' with nearby settlement not realistic given the distances and poor pedestrian links to Stembridge (approx 2km distant) or Shepton Beauchamp (approx. 1.3km distant))
- the policy can, in any event, be regarded as 'out-of-date'.

The development would locate four new households in this remote locality, where they would be exclusively dependent on private vehicles for day-to-day needs. Although one of these dwellings can be justified on the basis of retention and re-use of a designated heritage asset under guidance set out in Paragraph 55 of the NPPF, the additional three dwellings have not been justified, and would represent unsustainable development.

Impact on Highway Safety

The Highway Officer raises no objections, on the basis of a detailed assessment and a site visit. The Council's Highway consultant points out the submitted visibility splay might be slightly sub-standard, but given the considered view of the Highway Authority and the conditions on site, it is not considered that there is any highway safety reason for refusal.

Ecology

The proposal has been considered against the three Habitats Regulations tests set out above by the Council's Ecologist:

1. The proposal will result in bringing into use this disused site, at the same time as meeting the objectives of the NPPF and the Local Plan in providing housing.
2. There is not considered to be a satisfactory alternative, if the aim is to enhance the setting by removing these large structures.
3. Mitigation measures are possible, and the proposal is not therefore considered to be detrimental to the maintenance of the population of the species concerned.

Conditions and informatives can be included in any permission as advised by the Ecologist.

EIA Regulations

Not relevant.

Conclusion

The proposal would result of the creation of four new dwellinghouses in a location remote from services and facilities, and would foster growth in the need to travel. Whilst one of these dwellings (the barn conversion) could be justified as desirable in the interests of designated heritage assets, and thereby enjoys the support of national and local policy, the additional three dwellings have not been justified other than as general 'enhancement' of the setting, which enhancement is not considered to represent a priority that would outweigh the harm of the identified unsustainability of the proposal. Whilst the new dwellings would contribute towards the Council's five-year supply of housing land, it is not considered that this benefit outweighs the inherent unsustainability of new development in this location, remote from services. The proposal is accordingly recommended for refusal.

S.106 AGREEMENT

Not relevant.

RECOMMENDATION

Refuse.

FOR THE FOLLOWING REASON:

01. The proposal would result of the creation of four new dwellinghouses in a location remote from key services and facilities, which would foster growth in the need to travel by private vehicles to meet the day-to-day needs of future occupants of the development. Whilst some benefits have been identified in relation to heritage assets and the provision of housing land, it is not considered that these outweigh the essential unsustainability of the proposal which is contrary to the aims and objectives of the NPPF and Policy SD1 of the South Somerset Local Plan.

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 was advised during pre-application discussion that the proposal did not accord with the development plan and that there were no material planning considerations to outweigh these problems - i.e. the issue of sustainability of the location. Notwithstanding this fundamental objection, the Local Authority continued to engage with the applicant during the course of the application to overcome objections to the design of the development.
