

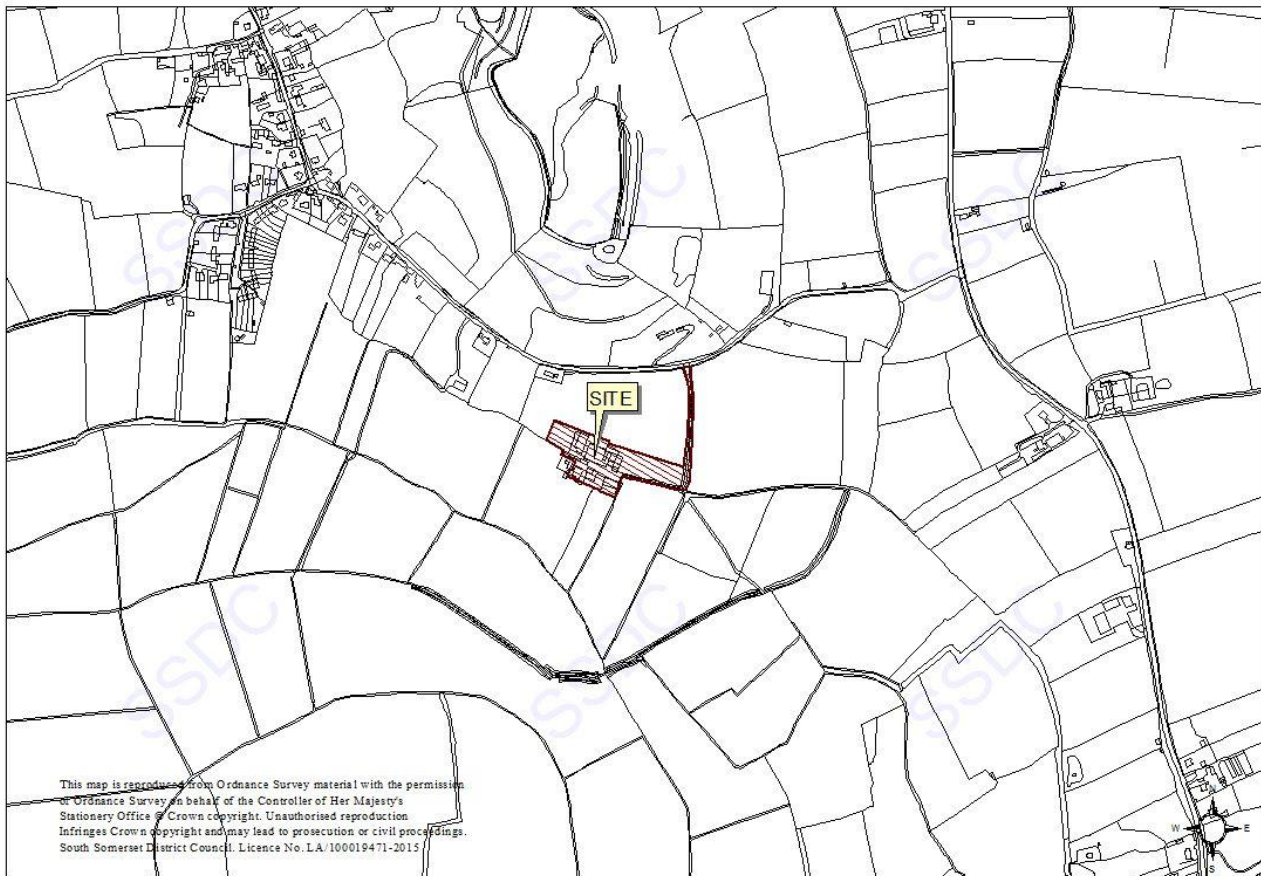
Officer Report On Planning Application: 17/03501/FUL

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| Proposal : | Partial demolition of farmyard and the erection of 4 No. dwellings associated access, turning, parking, gardens, orchards and visibility splay improvements at Decoy Lane/Peak Lane junction. |
| Site Address: | Decoy Farm, Peak Lane, Compton Dundon. |
| Parish: | Compton Dundon |
| WESSEX Ward (SSDC Members) | Cllr S Page Cllr D Ruddle |
| Recommending Case Officer: | Alex Skidmore Tel: 01935 462430 Email: alex.skidmore@southsomerset.gov.uk |
| Target date : | 13th November 2017 |
| Applicant : | Mr & Mrs A Witcombe |
| Agent: (no agent if blank) | Mr Clive Miller, Sanderley Studio, Kennel Lane, Langport TA10 9SB |
| Application Type : | Minor Dwellings 1-9 site less than 1ha |

REASON FOR REFERRAL TO COMMITTEE

The application has been referred to the Area North Committee at the request of Cllr Ruddle as a Ward Member and with the agreement of the Area Chair in view of public interest and to allow the matters of concern to be discussed more fully.

SITE DESCRIPTION AND PROPOSAL



having a more prominent appearance that is out of keeping in this open rural context where it is highly visible from a number of public vantage points. For these reasons the development is considered to be an unsustainable form of development that will cause harm to the rural character and appearance of this site and surrounding area and is therefore contrary to the aims and objectives of policies SD1, SS2, TA5, TA6 and EQ2 of the South Somerset Local Plan as well as the provisions of the National Planning Policy Framework, including paragraph 55.

02. The proposed development will lead to additional vehicle and pedestrian traffic on the network which will lead to increased conflicts between vehicles and vulnerable road users to the detriment of highway safety and therefore the site does not provide a safe and suitable access for all and is contrary to the aims and objectives of policy TA5 of the South Somerset Local Plan and the provisions of Section 4 of the National Planning Policy Framework.

99/00613/AGN: Notification of intent to erect a general purpose agricultural building. Permission not required.

97/01477/AGN: Notification of intent to erect an agricultural lean-to building. No objections.

931414: Notification of intent to erect a general purpose agricultural building. Permission not required.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF states 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)

SD1 - Sustainable Development

SS2 - Development in Rural Settlements

TA5 - Transport Impact of New Development

TA6 - Parking Standards

HG4 - Provision of Affordable Housing - Sites of 1-5 dwellings

TA1 - Low Carbon Travel

HW1 - Provision of open space, outdoor playing space, sports, cultural and community facilities in new development

EQ2 - General Development

EQ3 - Historic Environment

EQ4 - Biodiversity

EQ7 - Pollution Control

National Planning Policy Framework

Part 1 - Building a strong, competitive economy

Part 4 - Promoting sustainable transport

Part 6 - Delivering a wide choice of high quality homes

Part 7 - Requiring good design

Part 8 - Promoting Healthy Communities

Part 10 - Meeting the challenge of climate change, flooding and coastal change

Part 11 - Conserving and enhancing the natural environment

Part 12 - Conserving and enhancing the historic environment

CONSULTATIONS

Compton Dundon Parish Council: Recommend approval. However, the Council draws attention to unresolved legal issues regarding permitted parking for existing neighbours and plans for landscaping these areas.

County Highways: Object.

The application is for the partial demolition of farmyard and the erection of 4 dwellings and associated works, including proposed visibility splay improvements at the Decoy Lane / Peak Lane junction at Decoy Farm, Compton Dundon. A previous application (15/03900/FUL) for a similar scheme at this location was refused in 2015 partly for highways reasons:

'The proposed development is distant from any settlement and is served by narrow roads with restricted width and forward visibility and with no street lighting, walking and cycling will not be an attractive or safe option. The introduction of five additional dwellings will result in additional vehicular and pedestrian movements onto a substandard part of the network.'

The new application has not addressed these issues (other than improved visibility splays) due to the location and rural nature of the site. Therefore, the Highway Authority would again have to raise an objection to this application on highway grounds for the following reason(s):-

- The proposed development will lead to additional vehicle and pedestrian traffic on the network which will lead to increased conflicts between vehicles and vulnerable road users to the detriment of highway safety and therefore the site does not provide a safe and suitable access for all as required by Section 4 of NPPF.

SSDC's Highway Consultant: Refer to SCC's comments.

County Rights of Way: There is a public right of way (PROW), footpath L 7/9, that runs along the proposed access to the site. Any proposed works must not encroach on to the width of the footpath and the health and safety of walkers must be taken into consideration whilst works are carried out. It should be noted that it is an offence to drive a vehicle along a footpath unless the driver has lawful authority (private rights) to do so.

County Archaeology: No objections.

Environmental Health: No objection but recommend a condition to restrict the use of the retained agricultural building to non-livestock related agricultural use to protect the amenity of future occupants.

Ecology: Has no comments or recommendations to make.

Conservation Officer: (Previous comments) I note that there is a duck decoy to the south which is a heritage asset but is unlikely to be affected by this proposal.

Landscape Officer: Objects.

I recall the earlier application submission relating to this site, to which I raised a landscape objection. My main concerns with that earlier proposal related to the (i) minimal reduction in the overall spread of built form, along with its additions of gardens and parking hardstanding, such that there was no clear reduction in the development footprint, and (ii) the introduction, primarily via the conversions, of a residential character to this distinctly rural setting, which is identified as 'semi-open moorland' within the district's landscape character assessment. Semi-open moor is described as 'a spacious but patterned and punctuated openness created by grass fields, with lines of pollard willows and isolated groups and lines of planting picking out parts of the field boundaries'. This description broadly

describes the landscape context of this site, and generally it is observed that there is minimal development presence in this semi-open moor, other than the occasional farm groups that are dispersed throughout the character area. Consequently I considered the initial proposal with its introduction of domestic elements to be located such that its conversion to a residential use would adversely impact upon the character and appearance of the locality.

Following detailed pre-application discussion, a revised proposal is now before us, which indicates a development layout that is confined to the existing farmyard area, with the built form proposed to be a less amount than the existing buildings, to play down its massing effect within the landscape. The design approach, with its U-shaped plan form, has sought to maintain a traditional farmyard character, to ensure that it has a coherent correspondence with the rural landscape, as well as ensuring parking and lighting elements are contained. As required by LP policy EQ2, the layout suggests landscape enhancement in the form of new hedgerow boundaries, to define and contain the site, along with two traditional orchards, and groups of native tree planting, to soften the outline of the new development, and place it within a credible landscape context.

I view the above refinements as a clear improvement over the initial scheme, and whilst I have some concern over the mass of the proposed main dwelling, I consider the design of this scheme to be better balanced than the original, with an outline landscape approach that addresses not only definition and containment of the site, but also its setting. These are positive elements, to balance against the principle adverse issue of the introduction of a residential complex into the distinctly rural character of the rural moorland that does not traditionally accommodate such residential plots. This remains an incongruous landscape impact, but with the improvements to the overall proposal, I no longer consider the adverse impact to be so great as to provide over-riding landscape grounds for refusal.

REPRESENTATIONS

Written representations have been received from 20 different households expressing support for the proposed development and offering the following comments:

- The proposal is sympathetic to the aesthetics of our beautiful village and surrounding countryside.
- The development would be a very positive enhancement to the area and has been well designed to be entirely in keeping with the area.
- The site is well suited for four dwellings and is in keeping with a farm-like horseshoe design.
- The site is in a good location with plenty of access and the village is in need of new interesting housing.
- This is an attractive development. Its scale and size of properties might attract families, young people are particularly needed in Compton Dundon.
- A lovely design, horseshoe shaping and different levels of roofs will blend in and look stunning.
- This is a very sound and sensible application. It will enhance the approach to the village. Decoy Farm is the first visible building that anyone sees from this direction.
- Much needed homes for the village and will be a vast improvement to the old cattle farm.
- The new houses would complement the existing house.
- This attractive proposal will replace the existing dilapidated redundant buildings.
- If this application was declined then the significant flow of traffic to and from the site would recommence.
- The farm buildings at Decoy Farm are at a stage where they are in need of updating to meet modern farming practices, this would mean being an intensive farm. Should the farm be updated this would mean larger structures together with new slurry stores and would result in increased traffic on the roads.

- The type of traffic resulting from the proposed residential scheme would be more sympathetic to a village than heavy farm machinery.
- If the farm was modernised and brought back into use the farmer would need on-site accommodation. During the winter months lighting is required at night for the safety of cattle and workers.
- The site is within 400 yards of the main B3151 road and a bus stop which can be accessed by one of the many footpaths. You can get to the village hall and church by other footpaths.
- All school children in the village are now collected by bus or parents drive them to school.
- Traffic to and from the site would be less than the current farm use.

CONSIDERATIONS

This application is seeking the partial re-development of this former dairy and cattle farm and the erection of four new build dwellings. It is proposed to demolish all the existing farm buildings with the exception of one barn located on the south side of the site which they would like to retain for the purpose of machinery and crops storage resulting from the associated 120 acre landholding.

Principle:

There are a number of local services and facilities within Compton Dundon which means it can be considered a Rural Settlement where, under policy SS2, limited development may be permitted provided it helps to improve the sustainability of the village (i.e. meeting a local housing need, creating new employment opportunities or enhancing local services / facilities).

The application site, which is greenfield land, is however divorced from and some distance from the built up area of the village and between 1.2 and 1.9 km from the main services including the church and village hall / post office with the pub being even more distant. The site does not benefit from any pavement links to these services (or to the nearest bus stop located on the main road), which combined with the distances involved, is considered to be poorly related to these services and to be unsustainable in nature with future residents likely to be dependent on the use of private motor vehicles for the majority of their day to day needs.

The applicant has argued that future residents will be happy to walk into the village along the road or use the local network of unsurfaced public footpaths across the surrounding fields to access the services and facilities in the village. Such a suggestion is quite unrealistic. Such routes are unlit, isolated and mostly muddy and it is highly unlikely that future residents will wish to undertake such practices as a norm during daylight hours in good weather let alone in poor weather or in the dark, especially given the distances involved. It also makes the unreasonable assumption that all future residents will be agile and mobile enough to be able to do this.

The applicant argues that there is an uncomfortable relationship between Old Decoy Farmhouse and the farm because the house is in separate ownership to the farm. The accompanying Planning Statement however goes on to state that the farmhouse was separated from the farm more than 50 years ago. There does not appear to be a history of complaints by the occupiers of the farmhouse to the Council's Environmental Health team in respect of the farm activities and in any case anyone choosing to live in the farmhouse has done so with the knowledge that there is an adjacent farm which is likely to cause odours, noise and other nuisances. It is acknowledged that the removal of the majority of the farming activities from the site is likely to be of some benefit to the occupiers of the farmhouse however such benefits in planning terms for the aforementioned reasons are not considered to be compelling reasons that justify the current proposal.

It is suggested in the accompanying Planning Statement that permitted development rights set out under Class Q of the GPDO, which relates to the conversion of agricultural buildings to dwellings,

should be considered a fall-back position to the redevelopment of this site. Such a statement however is entirely misleading. Class Q restricts the overall number of dwellings to 3 and the amount of resulting residential floor space to a maximum of 450 square metres, it also requires that the buildings be capable of being converted without the introduction of any new loadbearing features or substantial rebuild. The proposed scheme clearly does not meet the requirements of Class Q and neither has it been demonstrated through a prior Class Q application that such a scheme could be achieved on the site, indeed in light of the first reason for refusing the 2015 conversion scheme it is very doubtful that such a scheme could be accepted:

"The application site is in an isolated location where it is remote from day to day services and is considered to be an unsustainable location for new build development. The development, due to the level of works required to facilitate this scheme, does not represent a genuine reuse of these buildings and is instead tantamount to a new build development ..."

For this reason it is not accepted that there is an established precedent to develop this site for residential purposes.

The applicant has claimed that the proposal with the associated landscaping measures will enhance the site and assist in improving the current visual impact of the site within its countryside setting. Whilst this scheme is an improvement to that the previously submitted, the Landscape Officer is clear that he considers the residential development of this site to have an incongruous landscape impact. Whilst he is not seeking the refusal of the application on landscape grounds it is clear that the proposal does not result in the enhancements suggested by the applicant and instead there is a detrimental landscape impact. In essence whilst the existing farm development is visually prominent due to its isolated position within this open moorland setting, such development is to be expected in the countryside. The proposed residential development, whilst it has a smaller overall footprint to the existing farm buildings, is still relatively substantial in scale and due to its design and layout will be unmistakably domestic in character that will be at odds in this remote open moorland context. As such it is not agreed that there is a robust landscape / visual amenity reason for supporting this proposal.

At the heart of the NPPF is a presumption in favour of sustainable development, which is defined as comprising a combination of environmental, social and economic roles that should be considered when determining planning application.

In terms of its social role, the Council is currently unable to demonstrate a five-year housing land supply and it is acknowledged that the four dwellings that this development would provide will make a positive, albeit very modest contribution towards meeting this shortfall. The social role, as set defined within the NPPF, however looks beyond just the crude requirement to build new houses and requires that residential development create a high quality built environment that is accessible to local services. In this instance the proposed development, as identified above, is in an isolated location where access to local services other than by car is extremely poor and in turn future occupiers are likely to feel dislocated from the activities available within the village. Furthermore the scheme will not be meeting any identifiable local or site specific need and offers no other wider benefit that might otherwise weigh in its favour.

The need for future occupiers to drive everywhere for their day to day needs is contrary to the need to minimise pollution and mitigate against climate change. Furthermore, the proposal fails to enhance the natural environment due to the incongruous nature of a residential scheme in this location. The application therefore also fails to make a positive contribution environmentally.

There will be some economic benefit during the construction phase of the development however this again will be modest and very short lived.

In view of the comments above it is concluded that the modest benefits of the development fail to

outweigh the more substantive concerns arising from the site's remote location and that the proposal fails to meet the requirements of sustainable development as set out within the NPPF. As such the proposal is considered to be an unjustified form of development that is unacceptable in principle.

Landscape impact / visual amenity

Planning Practice Guidance (PPG) confirms the necessary role of landscape character assessment in planning and sets out that development should not sacrifice local character and distinctiveness. Such advice is reflected in LP policy EQ2 which seeks to conserve and enhance landscape character and to reinforce local distinctiveness and respect local context.

Decoy Farm lies to the south of Peak Lane and at a lower level to the lane in what is semi-open moorland that is characterised as an open landscape patterned by lines and isolated groups of planting. Furthermore, there is minimal development presence in this moorland setting other than occasional farm groups and the site itself is divorced both from the lane and the local settlement pattern. This group of buildings has a prominent presence in the locality, especially when viewed above from Peak Lane.

Whilst the proposed development is an improvement on that previously proposed and offers better mitigation in terms of the proposed orchard planting and reduced footprint it is still nonetheless, because of its residential nature, considered to be an incongruous form of development that is at odds in this isolated and open moorland setting. Such a development is not what is expected to be seen in this context and whilst the design of the proposal is attempting to have the appearance of a farmyard conversion scheme it is not considered that this is entirely convincing.

It is acknowledged that the Landscape Officer has not raised a substantive standalone landscape reason for refusal however he is clear that he considers the residential development of this site to be incongruous in character due to its context. The condition of some of the farm buildings are now in a poor condition, however, the overall condition of the farmyard is not so poor that it causes a blot on the landscape or is at risk of becoming so in the near future. It is therefore considered that the proposal does not represent any identifiable landscape or visual amenity enhancement.

Residential amenity:

The general layout and design is such that the scheme should allow the future occupiers of the new units an appropriate level of amenity in terms of privacy and amenity space and the layout and distance of the new dwellings from Old Decoy Farmhouse is such that the development will not lead to any demonstrable harm to the existing dwelling.

The applicant has stated that they intend to use the retained barn for the purpose of general agricultural storage only, i.e. for storing machinery and crops, and not for the keeping of livestock in order to safeguard the amenity of future occupiers. This could be controlled through by way of a legal agreement, which was previously proposed under the 2015 application.

Highway safety:

Access to the development will be via the unclassified lane which leads on to Peak Lane to the north. This lane is a narrow single track lane with a single passing place at the sharp bend part way along and also serves as access to the existing adjoining dwelling and the retained agricultural building and as such will be serving a total of five residential properties and a possible ongoing farm business.

The highway authority has also noted the substandard nature of this part of the highway network and raised highway safety concerns on this basis. They state that the development is distant from any settlement and is served by a narrow road that has restricted width and forward visibility and no street lighting and that walking and cycling will not be an attractive or safe option. The introduction of these additional dwellings will result in significant additional vehicular and pedestrian movements onto a substandard part of the network. Whilst the applicant proposes to improve visibility at the Decoy Lane /

Peak Lane junction the proposed development will still lead to additional vehicle and pedestrian traffic on the network which will lead to increased conflicts between vehicles and vulnerable road users to the detriment of highway safety. It is therefore considered that the site will not be served by a safe and suitable means of access and that the proposal is contrary to LP policy TA5 and Section 4 of the NPPF.

Other matters:

The Conservation Officer is satisfied that the development will not affect the setting or interest of any of the nearby archaeological sites.

The Councils Ecologist is also happy that the proposal is unlikely to harm any protected species or lead to any other ecology related issues.

It has been previously noted that a public right of way passes through the farmyard however the layout of the proposal is such that there is no reason to expect the development to obstruct or adversely affect this right of way.

Conclusion

The site is in an isolated location where it is remote from any day to day services and facilities and therefore is unsustainable in nature where new residential development should be strictly controlled and restricted to that which has an over-riding need. The scheme will not be meeting any identifiable local or site specific need and offers no other wider social benefit that might otherwise outweigh the accessibility concerns. The proposal fails to reinforce local distinctiveness or to make a genuine positive enhancement to the setting of the locality, furthermore, the development will not be served by an appropriate and safe means of access and as such will be prejudicial to highway safety. There are no clear identifiable benefits that outweigh these fundamental sustainability, landscape and highway safety concerns and as such the application is recommended for refusal.

RECOMMENDATION

Refuse consent for the following reasons:

01. The site is in an isolated location where it is remote from any day to day services and facilities and where future residents will be dependent on driving to meet their day to day needs and is therefore unsustainable in nature. The scheme will not be meeting any identifiable local or site specific need and offers no other wider social benefit. The proposed development, due to its domestic character and appearance, will have an incongruous presence in this isolated and open moorland setting and therefore fails to reinforce local distinctiveness or to make a genuine positive enhancement to the setting of the locality. No other compelling reason has been identified that might otherwise outweigh these identified harms and as such the proposal is considered to be an unsustainable form of development that is harmful to the rural character and appearance of the site and surrounding area, contrary to the aims and objectives of policies SD1, SS2 and EQ2 of the South Somerset Local Plan and the provisions of the National Planning Policy Framework.
02. The proposed development will lead to additional vehicle and pedestrian traffic on the network which will lead to increased conflicts between vehicles and vulnerable road users to the detriment of highway safety. It is therefore considered that the proposed development will not be served by a safe and suitable access contrary to the aims and objectives of policy TA5 of the South Somerset Local Plan and the provisions of Section 4 of the National Planning Policy Framework.