

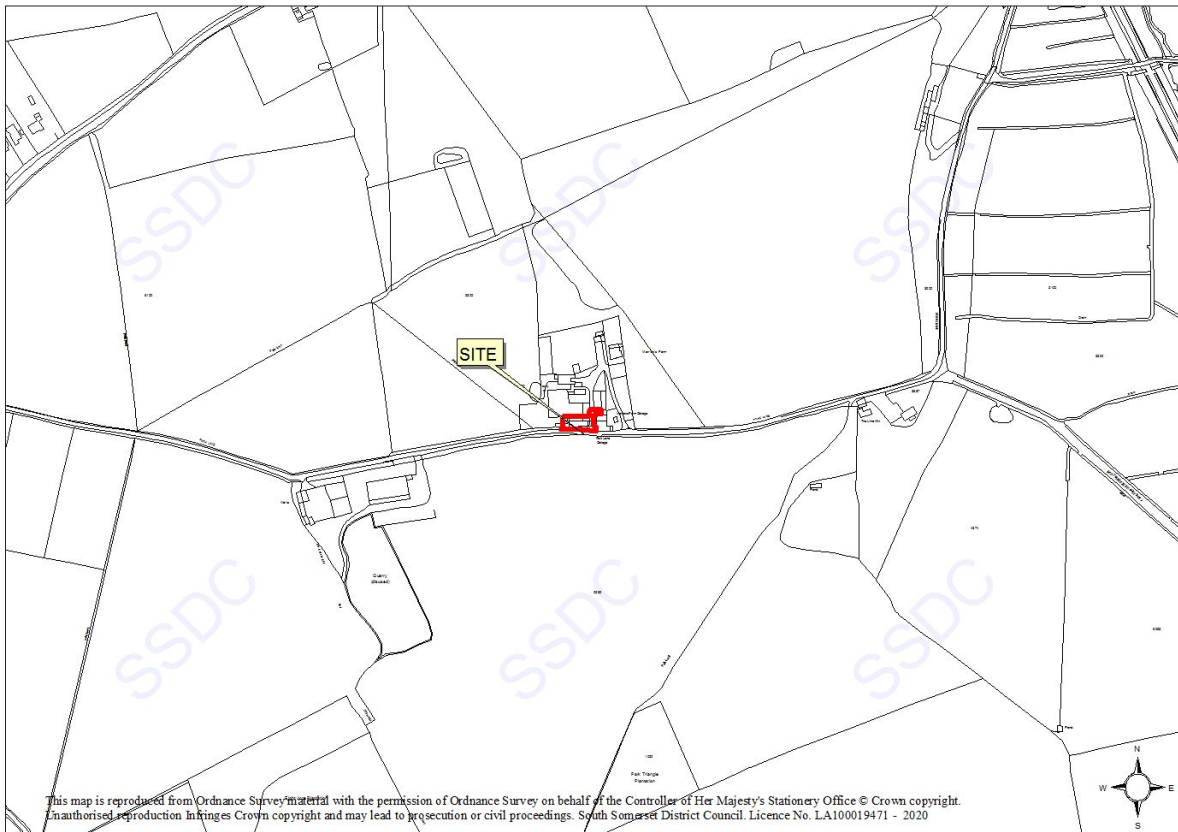
Officer Report On Planning Application: 20/01112/FUL

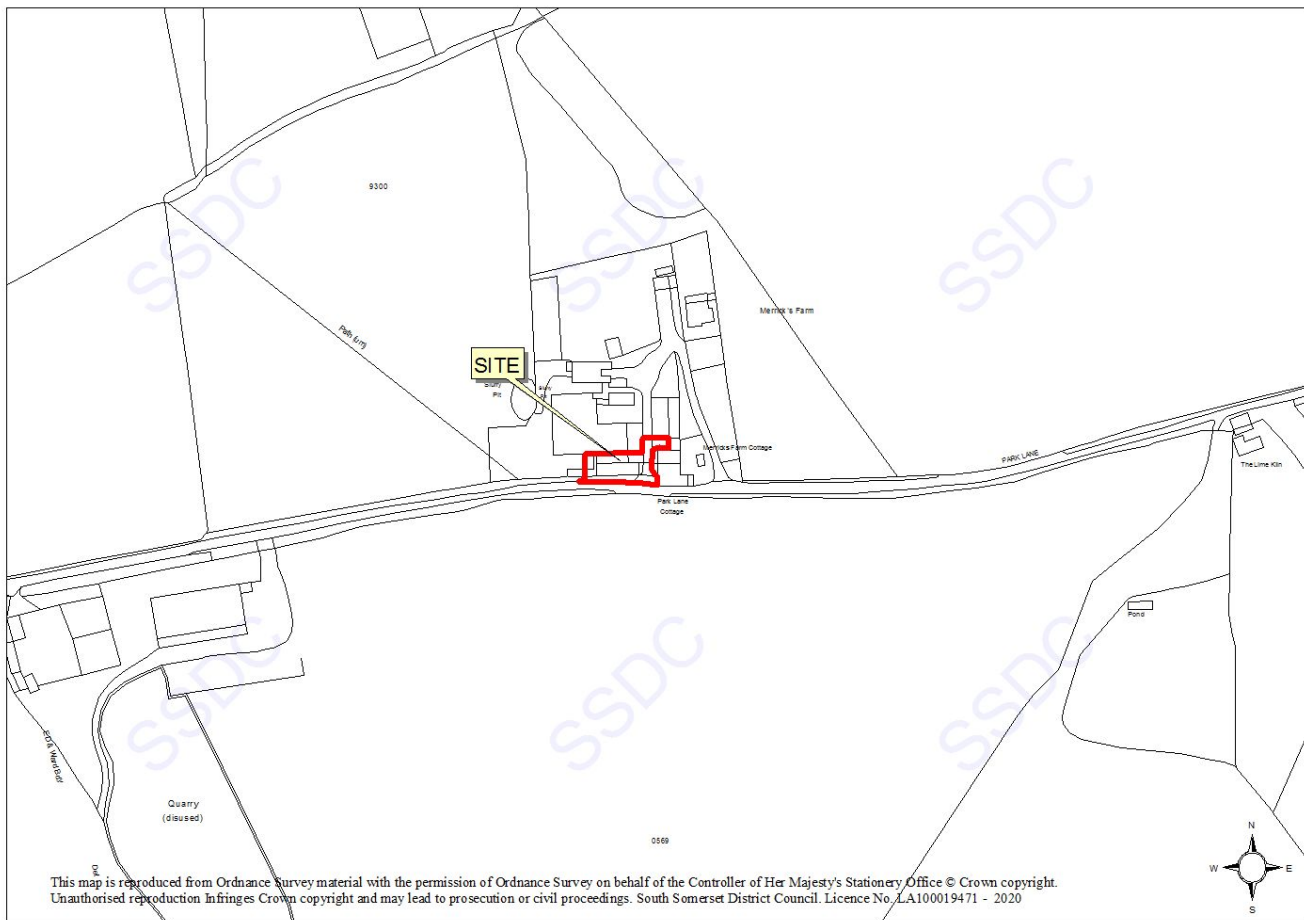
Proposal :	Change of use of 2 existing holiday units to straightforward open market dwellings, together with a provision of residential curtilage and parking spaces.
Site Address:	Merricks Farm, Park Lane, Huish Episcopi.
Parish:	Huish Episcopi
CURRY RIVEL, HUISH AND LANGPORT Ward (SSDC Members)	Cllr T Osborne Cllr C Paul
Recommending Case Officer:	Trudy Gallagher
Target date :	13th June 2020
Applicant :	Mr S Brooke
Agent: (no agent if blank)	Paul Dance, 11 North Street, Stoke sub Hamdon TA14 6QQ
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

This application has been referred for determination at the Area North Committee by the ward members and the Chair, following the receipt of contrary comments from the Parish Council.

SITE DESCRIPTION AND PROPOSAL





The site consists of two existing units of holiday accommodation (one with the flexibility to be used as seasonal workers accommodation), proposed domestic garden/curtilage and associated access and vehicular parking.

The site is located on the highway frontage to Park Lane at the southern extremity of and main entrance to a substantial complex of agricultural buildings associated with the applicant's residence, Merrick's Farmhouse to the north. To the east of the farm entrance lies two separate residential properties, Merrick's Farm Cottage and Park Lane Cottage.

The site is located outside of any development area as defined by the current local plan. The site does not have any direct link to the existing PROW network and so most cycling and walking would follow the route of all vehicular traffic along the rural lanes.

This application seeks permission to remove the existing restrictive conditions and allow the units to both be used as permanent, unrestricted 1 bedroom dwellinghouses. The most westerly unit measures a total of approximately 42sqm internally and the most easterly approximately 36sqm.

The following documents are included within the application submission:

- a. Planning Statement
- b. Site Location Plan 1:2500 scale
- c. Proposed Site Plan 1:200 scale
- d. Map of Passing Bays (presumed scale of 1:2500)
- e. Map of PROW for surrounding area
- f. Proposed Internal Floor Plan - 1:100 scale
- g. Agents letter of response to SSDC Highways Consultant

HISTORY

98/01296/FUL - Granted 1998 for change of use of redundant stables to a single unit of accommodation for holiday makers / seasonal workers

04/00700/FUL - Granted 2004 for conversion of adjoining barn to provide a single unit of holiday accommodation

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, and 12 of the NPPF indicate it is a matter of law that applications are 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
SS1 Settlement Strategy
SS2 Rural Settlements
TA1 Low Carbon Travel
TA5 Transport Impact of New Development
TA6 Parking Standards
EQ1 Addressing Climate Change in South Somerset
EQ2 General Development
EQ4 Biodiversity

National Planning Policy Framework - February 2019

Chapter 2 - Achieving sustainable development
Chapter 4 - Decision-making
Chapter 5 - Delivering a sufficient supply of homes
Chapter 8 - Promoting healthy and safe communities
Chapter 9 - Promoting sustainable transport
Chapter 12 - Achieving well-designed places
Chapter 14 - Meeting the challenge of climate change, flooding and coastal change
Chapter 15 - Conserving and enhancing the natural environment
Chapter 16 - Conserving and enhancing the historic environment

National Planning Practice Guidance, including National Design Guide - September 2019

Other Relevant Documents

Somerset County Council Parking Strategy (SPS) (September 2013) and Standing Advice (June 2017)
South Somerset Landscape Character Assessment
National Design Guide 2019

CONSULTATIONS

Huish Episcopi Parish Council: 19.05.2020

"The Parish Council met last night and it was resolved that there are no objections to the above planning application."

SSDC Highway Consultant:

The proposed development would lead to an increase in traffic travelling to and from the site compared to the current use given the daily needs associated with an open market residential use as opposed to a holiday use of the two buildings that may not be occupied all the time. That said, the overall increase in use may not be significant when assessed across the whole day. Park Lane is largely single vehicle width. Two vehicles would be able to pass one another at the bellmouth onto the A378 towards the Curry Rivel end but beyond this heading towards the site passing appears limited. I note the comments of the highway officer in response to the 2004 application who considered the location to be unsustainable so this issue needs to be considered by the case officer. No other highway safety matters were raised. I am unable to see any details as to the bedroom accommodation and therefore cannot confirm if the proposed level of car parking accords with the optimum standards. I assume electric vehicle charging points will be required for each unit.

SCC Highways:

Standing advice applies.

REPRESENTATIONS

One letter of objection has been received, making the following points:

'I am the owner of Park Lane Cottage, adjacent to the proposed change of usage applied for. It's my second home where I spend a lot of time. I've been locked down in Bristol so have only just seen this notification. I have no objection in principle to this application, but I'm concerned about the consequences of more usage of the lane. There are ditches on both sides for most of its length which are hidden by undergrowth. This makes the lane difficult to manoeuvre in the dark when it isn't possible to judge where the hazards are. There is only one passing place. I believe Merricks Farm is responsible for the maintenance - I pay a contribution to them for it. So, my question is, can improvements to the access by the applicant be a part of the conditions for granting the application.'

CONSIDERATIONS

Principle of Development

In policy context, national guidance contained within the NPPF sets out a presumption in favour of sustainable development. The NPPF states that in order to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Furthermore, the NPPF advises that planning decisions should avoid the development of isolated homes in the countryside unless one or more of a certain set of circumstances are met. Such circumstances include (i) there being an essential need for rural workers; (ii) enabling development to secure the future of heritage assets; (iii) re-using redundant or disused buildings; (iv) subdivision of an existing dwelling; or (v) the design of the new dwelling is of exceptional quality. None of those five circumstances apply in this instance.

Policy SD1 of the Local Plan also recognises that, when considering development proposals, the Council will take a proactive approach to reflect the presumption in favour of sustainable development contained in the NPPF and seek to secure development that improves the economic, social and environmental conditions within the District. Planning applications that accord with the policies in the Local Plan will be approved without delay, unless material considerations indicate otherwise.

Policy SS1 highlights the areas where new development is expected to be focused, grouping certain towns and villages into a hierarchy, of settlements including the Strategically Significant Town (Yeovil), Primary Market Towns, Local Market Towns and Rural Centres. All other settlements are 'Rural Settlements', which Policy SS1 states "will be considered as part of the countryside to which national countryside protection policies apply (subject to the exceptions identified in Policy SS2)".

Policy SS2 makes provision for development in other settlements and sets out a series of exceptions for new development within their boundaries such as community facilities employment provision or housing to meet an identified local need.

Policy SS5 refers to housing growth being delivered through a variety of development forms including building conversion, but caveats that this will still need to be in accordance with policies on development in rural settlements. There is no provision within this policy or the settlement policies for development in the open countryside of general residential development even through the conversion of existing buildings.

Policy EQ2 is also relevant, and states the following:

'Development will be designed to achieve a high quality, which promotes South Somerset's local distinctiveness and preserves or enhances the character and appearance of the district. Development proposals, extensions and alterations to existing buildings, structures and places will be considered against:

- Sustainable construction principles;
- Creation of quality places;
- Conserving and enhancing the landscape character of the area;
- Reinforcing local distinctiveness and respect local context;
- Creating safe environments addressing crime prevention and community safety;
- Having regard to South Somerset District Council's published Development Management advice and guidance; and
- Making efficient use of land whilst having regard to:
 - Housing demand and need;
 - Infrastructure and service availability;
 - Accessibility;
 - Local area character;
 - Site specific considerations
- Innovative designs delivering low energy usage and/or wastage will be encouraged.

Developers must not risk the integrity of internationally, nationally or locally designated wildlife and landscape sites; development proposals should protect the residential amenity of neighbouring properties; and new dwellings should provide acceptable residential amenity space in accordance with Policy HW1.'

Assessment

Planning Permission 98/01296/FUL was granted for one of the existing holiday lets in 1998, it was for the conversion of a redundant stable block into a unit to provide holiday accommodation / accommodation for seasonal workers. It was granted subject to a number of Conditions, including

Condition 2 which stated 'To safeguard the amenities and character of the area and, as the accommodation is unsuitable for use as a permanent separate dwelling, the accommodation hereby approved shall be used only for bona fide holiday makers for individual periods not exceeding 4 weeks in total in any period of 12 weeks, or shall be used for seasonal workers assisting the owner/occupier of Merricks Farm in the locality in agriculture as defined in Section 336 of the Town and Country Planning Act 1990. A register of holiday makers and seasonal workers shall be kept and made available for inspection by an authorised Officer of the District Council at all reasonable times.'

Condition 3 stated ' To safeguard the amenities and character of the area and, as the accommodation is unsuitable for use as an independent dwelling, the accommodation hereby approved shall at no time be let or sold off separately from Merricks Farm.'

The second permission 04/00700/FUL was granted in 2004 and was in respect of the conversion of the adjoining barn for holiday letting. Condition 3 stated 'The occupation of the holiday accommodation hereby permitted shall be restricted to bona fide holiday makers for individual periods not exceeding 4 weeks in total in any period of 12 weeks. A register of holiday makers shall be kept and made available for inspection by an authorised Officer of the District Council at all reasonable times.'

Condition 4 stated 'The accommodation hereby approved shall at no time be let or sold off separately from Merricks Farm and there should be no other fragmentation of the planning unit to facilitate this.'

Policy guidance clearly encourages new general residential development to be located within existing settlement boundaries with good accessibility via sustainable modes of transport including walking and cycling. The application site lies within the open countryside and is clearly both visually and physically separate from any settlement defined in the local plan. The settlement of Langport lies one quarter of a mile to the northwest as the crow flies. Langport possesses a good range of community facilities or services, such as a public house or shop. However, the site is over 800m to the nearest local services in Langport by use of the existing highway, whether on foot, by cycle or the private motorcar, and 800m in the opposite direction towards Curry Rivel to the nearest bus stop. Due to the distance to walk from the site to such facilities along a narrow, poorly maintained country road with no footways or lighting, any occupiers would be reliant on the use of a motor vehicle, unless they wished to walk along an unpaved and unlit stretch, which would clearly not be desirable from a public safety point of view.

For the above reason, the proposed development of the site is not considered to be in a sustainable location or meet the aims of sustainable development identified within the Local Plan and NPPF. Therefore, the conditions previously applied to restrict the development to tourist accommodation only in the interests of sustainability are still applicable.

The Planning Statement submitted in support of the application makes reference to support within the NPPF for new residential development where the Local Planning Authority are unable to demonstrate a 5-year housing land supply. Since the application was originally circulated to ward members, it has been announced that SSSDC can now demonstrate over 5 years of deliverable housing land (totalling 6 years). Therefore, the tilted balance in paragraph 11 of the NPPF is not longer engaged and policy SS2 carries full weight. The development is also contrary to SS2 as no information has been received to demonstrate that the housing would meet a 'local need.'

Scale and appearance

The proposals would have no external impact on the scale or appearance of the existing building.

Impact on character of area

Visual: As there are no proposed external alterations to the existing building the only visual impact would be the formalisation of domestic garden and parking spaces. There would therefore be no potential for

adverse visual impact on the character of the area.

Highways and parking

SCC Highways have simply referred to standing advice.

SSDC Highways Consultant does not object but provides observations on parking provision, electric charging points, passing places and the bellmouth of the junction at the Curry Rivel end of Park Lane.

Although the scheme demonstrates provision of two spaces per proposed dwellinghouse, one of the dwellinghouses spaces would be on the opposite side of the main access to the farm complex and farmhouse. This is not a satisfactory arrangement as it brings pedestrians passing between the spaces and the accommodation into immediate conflict with the traffic associated with the continued use of the farm complex.

Residential Amenity

The "Technical housing standards - nationally described space standards" set a minimum internal floor area for single storey, two person dwellings at 50sqm. Notwithstanding that the dwellinghouses proposed are only one bedroom the bedrooms are of sufficient area to accommodate a double bed and thus the units must be assessed on the basis of 2 person occupancy. Accordingly, both units fail to meet the minimum requirement by between 8sqm and 14sqm respectively.

The northern and rear boundary of the proposed private domestic curtilage/gardens of the two units is formed by a substantial two storey agricultural building. The applicant has confirmed they are willing to accept conditions attached to any grant of planning permission prohibiting the use of the buildings for livestock use. Whilst this is feasible utilising a Grampian style condition it would not remove the potential for noise and/or odour and/or operating hours of other agricultural activity within and associated with the buildings which might have serious adverse impact on the living conditions of future occupiers given the small size and position of the proposed private external amenity space and the proximity and scale of the proposed dwellinghouses.

Due to the size and position of the proposed units and the distance from existing dwellings, it is not considered that the proposal would be likely to cause demonstrable harm to the living conditions of existing residential occupiers. There is therefore no objection on potential impact upon the residential amenity of existing dwellinghouses.

Conclusions and Planning Balance

The proposal is advanced as a positive use of underutilised accommodation. However, the number of units proposed is at too great a density given the internal space available and the extent of private domestic curtilage/garden is too small given the proximity and scale of neighbouring agricultural buildings. Furthermore, the dwellings are in an unsustainable location that would result in the occupiers being reliant on the private car.

Notwithstanding the applicants supporting arguments and in particular the potential addition to the supply of local housing, it is considered that there are no significant material considerations which would otherwise outweigh the above objections sufficient to make the application acceptable in policy terms, particularly in light of the Council's recently announced five year housing land supply position.

RECOMMENDATION

REFUSE

FOR THE FOLLOWING REASON(S):

01. The proposal would represent a substandard level of internal living space for single storey, two person, permanent residential accommodation, well below the national space standards for such dwellinghouses. The scale, position and layout of private domestic curtilage/garden would also be inadequate for the proposed dwellinghouses, given the scale and proximity of existing agricultural buildings and the range of unneighbourly agricultural uses which the buildings and farm complex could be put to (notwithstanding the potential to preclude livestock use by condition). The proposed development therefore constitutes a substandard form of residential development that is contrary to EQ2 of the South Somerset Local Plan (2006-2028) and to the aims and objectives of the National Planning Policy Framework and Technical Housing Standards - Nationally Described Space Standards.

 02. The site lies outside of any settlement boundary in the open countryside where development is strictly controlled for the benefit of all. The relative distances to services and facilities are in excess of reasonable walking distance and there are no suitable pavements to enable easy access. It is therefore in an unsustainable location where the proposed occupants would be reliant on the private vehicles to access facilities and services. As such, the proposal is not in accordance with policies SD1, SS1, SS2, SS4, SS5, TA1, TA5, EQ1, and EQ2 of the South Somerset Local Plan (2006-2028) and the provisions of the NPPF.
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