

Bath & North East Somerset Council	
MEETING:	Development Control Committee
MEETING DATE:	18th January 2012
RESPONSIBLE OFFICER:	Lisa Bartlett, Development Manager, Planning & Transport Development (Telephone: 01225 477281)
TITLE:	SITE INSPECTION APPLICATIONS
WARDS:	ALL
BACKGROUND PAPERS:	
AN OPEN PUBLIC ITEM	

BACKGROUND PAPERS

List of background papers relating to this report of the Development Manager, Planning and Transport Development about applications/proposals for Planning Permission etc. The papers are available for inspection online at <http://planning.bathnes.gov.uk/PublicAccess/>.

- [1] Application forms, letters or other consultation documents, certificates, notices, correspondence and all drawings submitted by and/or on behalf of applicants, Government Departments, agencies or Bath and North East Somerset Council in connection with each application/proposal referred to in this Report.
- [2] Department work sheets relating to each application/proposal as above.
- [3] Responses on the application/proposals as above and any subsequent relevant correspondence from:
 - (i) Sections and officers of the Council, including:
 - Building Control
 - Environmental Services
 - Transport Development
 - Planning Policy, Environment and Projects, Urban Design (Sustainability)
 - (ii) The Environment Agency
 - (iii) Wessex Water
 - (iv) Bristol Water
 - (v) Health and Safety Executive
 - (vi) British Gas
 - (vii) Historic Buildings and Monuments Commission for England (English Heritage)
 - (viii) The Garden History Society
 - (ix) Royal Fine Arts Commission
 - (x) Department of Environment, Food and Rural Affairs
 - (xi) Nature Conservancy Council
 - (xii) Natural England
 - (xiii) National and local amenity societies
 - (xiv) Other interested organisations
 - (xv) Neighbours, residents and other interested persons
 - (xvi) Any other document or correspondence specifically identified with an application/proposal
- [4] The relevant provisions of Acts of Parliament, Statutory Instruments or Government Circulars, or documents produced by the Council or another statutory body such as the Bath and North East Somerset Local Plan (including waste and minerals policies) adopted October 2007

The following notes are for information only:-

- [1] "Background Papers" are defined in the Local Government (Access to Information) Act 1985 do not include those disclosing "Exempt" or "Confidential Information" within the meaning of that Act. There may be, therefore, other papers

relevant to an application which will be relied on in preparing the report to the Committee or a related report, but which legally are not required to be open to public inspection.

- [2] The papers identified or referred to in this List of Background Papers will only include letters, plans and other documents relating to applications/proposals referred to in the report if they have been relied on to a material extent in producing the report.
- [3] Although not necessary for meeting the requirements of the above Act, other letters and documents of the above kinds received after the preparation of this report and reported to and taken into account by the Committee will also be available for inspection.
- [4] Copies of documents/plans etc. can be supplied for a reasonable fee if the copyright on the particular item is not thereby infringed or if the copyright is owned by Bath and North East Somerset Council or any other local authority.

INDEX

ITEM NO.	APPLICATION NO. & TARGET DATE:	APPLICANTS NAME/SITE ADDRESS and PROPOSAL	WARD:	OFFICER:	REC:
01	11/03843/OUT 22 November 2011	Mr Peter Wood Fairash Poultry Farm, Compton Martin Road, West Harptree, Bristol, BS40 6EQ Erection of 7no. dwellings following demolition of existing poultry farm.	Mendip	Alice Barnes	REFUSE

Item No: 01
Application No: 11/03843/OUT
Site Location: Fairash Poultry Farm, Compton Martin Road, West Harptree, Bristol



Ward: Mendip	Parish: West Harptree	LB Grade: N/A
Ward Members:	Councillor T Warren	
Application Type:	Outline Application	
Proposal:	Erection of 7no. dwellings following demolition of existing poultry farm.	
Constraints:	Agric Land Class 1,2,3a, Area of Outstanding Natural Beauty, Water Source Areas,	
Applicant:	Mr Peter Wood	
Expiry Date:	22nd November 2011	
Case Officer:	Alice Barnes	

REPORT

REASONS FOR REPORTING THE APPLICATION TO COMMITTEE: The application is being brought to Committee at the request of Councillor Tim Warren for the following reasons: The poultry houses are outdated and if the site was to be used as a poultry farm then replacement buildings would have to be constructed. The units cannot be rented as commercial buildings.

The application has been referred to the Chairman of the Development Control Committee who has agreed that the application should be considered by the Development Control Committee as the site is considered to be in need of redevelopment and is close to the main road with a bus route.

Following the Committee meeting of the 14th December the application has been deferred for a site visit.

DESCRIPTION OF SITE AND APPLICATION

The application site is located on the main A368 between the villages of West Harptree and Compton Martin. It is an agricultural site surrounded by some housing but is largely located within the open countryside. The site is located within the Mendip Area of Outstanding Natural Beauty.

The existing site is currently occupied by agricultural buildings which are of a high density within the site. The site is surrounded by a low fence and is adjacent to an existing crossroads. It is clearly visible from the streetscene and within long range views from the surrounding area. The site is bordered by the A368 to the south and is at the corner of an existing crossroads.

This is an application for the erection of 7 dwellings at Fairash Poultry Farm. This is an outline application with all matters reserved, but the applicant has submitted an indicative layout of the proposed development. The indicative layout shows the provision of 7 houses arranged around a cul-de-sac. The proposed housing would be accessed from the A368. The plans include approximate heights of the proposed buildings. The dwellings are proposed to range from 9m to 11m in height. This suggests that the buildings will range from between 2 and 3 stories in height.

RELEVANT PLANNING HISTORY:

09/01216/FUL - Change of use of poultry buildings to business (Use Class B1, B2 and B8), withdrawn 13/05/2009

4105/F - Erection of an extension to an existing battery chicken house, permission 5/06/1981

4105/G - Erection of an extension for a new battery chicken house for egg production, permission 18/08/1981

4105/J - Erection of an extension for a new battery chicken house for egg production, permission 23/11/1981

4105/K - Extensions and alterations, permission 09/05/1991

SUMMARY OF CONSULTATIONS/REPRESENTATIONS

HIGHWAYS: Objection. The site access is located off the A368, close to a cross roads junction, and on a section of carriageway which is subject to a 40mph speed limit. The road is also winding and has undulations in the alignment, such that visibility is restricted.

The visibility from the point of access is restricted to the north-west by the boundary hedge to Fairash Bungalow, and the application site excludes any further land to secure any improvements.

The site falls outside of the defined Housing Development Boundary, and therefore the development of this site for housing would be contrary to Policy.

The site is located remote from the village, and its local services, and there are no footways leading from the village to the site, to provide for any pedestrian movements. The site would therefore be heavily reliant on the private car as a main mode of travel, which is contrary to national and local policies. Therefore the application should be refused.

HOUSING: Support. The council will seek 35% of the total dwellings on site for affordable housing.

ENVIRONMENTAL HEALTH: The Environmental Noise Survey places the site into NEC B of PPG 24.

It is suggested that standard thermal double glazed units with trickle ventilation would provide the necessary acoustic protection for future occupiers and therefore have no objections is raised to these proposals.

CONTAMINATED LAND: Due to the sensitive nature of the site conditions should be attached requiring a desk study and the reporting of unexpected contamination.

HIGHWAYS DRAINAGE: The applicant's proposal is locate outside of the flood zones. The applicant has indicated that surface water will be disposed of via soakaways. Ground conditions should be established and infiltration testing carried out to ensure soakaways are a feasible drainage option. If not, an alternative drainage methodology should be approved before use.

COMPTON MARTIN PARISH COUNCIL: Object in principle. Whilst the site is part of West Harptree parish it is close to Compton Martin parish. There is no need for an isolated settlement where access is along a busy A road which does not have a verge to walk along. This will result in increased traffic movements at a busy and dangerous crossroads. The application is outside of local plan policy. A scheme to realign the road was considered some years ago and any development should include a section 106 to implement the scheme.

WEST HARPTREE PARISH COUNCIL: No objection to the development but could this opportunity be used to look at the safety of this dangerous junction (fairash crossroads).

COUNCILLOR TIM WARREN: The farm is no longer financially viable and the alternative would be to keep the site vacant. The buildings have been advertised for commercial use without success. The only credible alternative is housing.

REPRESENTATIONS: One representation has been received objecting to the application for the following reasons;

- The proposed buildings will be higher than the existing buildings, blocking the view to nearby properties.
- The road access is not suitable for the amount of traffic generated by seven dwellings.
- There is no pavement access to nearby villages.
- There has never been any visible advertisement that the property was 'up for rental or for sale' since 2009.
- Two representations have been received in support of the application for the following reasons;
- The proposed development will enhance neighbouring properties.
- Concern is raised over the access to the property.
- Comments have also been received raising the question;
- What is the proposed boundary treatment?

POLICIES/LEGISLATION

BATH & NORTH EAST SOMERSET LOCAL PLAN INCLUDING MINERALS AND WASTE POLICES - ADOPTED OCTOBER 2007: Policies D.2 and D.4 relate to the impact of the development on the character of the area. Policies T.24 and T.26 set out highway safety and parking requirements. Policy HG.10 relates to housing outside settlements. Policy Ne.2 relates to developments which relates to the impact of development on the area of outstanding natural beauty. Policy Ne.1 relates to the impact on landscape character. Policy ET.7 relates to the use of agricultural land. Policy HG.9 relates to affordable housing on rural exception sites.

SUBMISSION CORE STRATEGY, MAY 2011

Bath and North East Somerset Submission Core Strategy (May 2011) is out at inspection stage and therefore will only be given limited weight for development management purposes. The following policies should be considered:

CP6 - Environmental Quality

NATIONAL POLICY:

Planning Policy Statement 1 (PPS1): Delivering Sustainable Development

Planning Policy Statement 3 (PPS3): Housing

Planning Policy Statement 7 (PPS7): Sustainable development in rural areas.

Planning Policy Guidance 13 (PPG13): Transport

Draft National Planning Policy Framework - This document is a draft document currently under consultation and is given very limited weight at this stage.

OFFICER ASSESSMENT

PRINCIPLE OF PROPOSED DEVELOPMENT: This is an application for outline permission with all matters reserved. The application site is located between the villages of Compton Martin and West Harptree. The application site is therefore located outside the housing development boundaries of the two villages. The site is

not closely connected to the two villages and is located within the open countryside. Policies HG.4 and HG.6 seek to restrict new housing developments to within settlements with adequate facilities to sustain further growth without increasing unsustainable transport movements. Therefore the principle of development is not accepted.

Policy HG.10 of the local plan relates to housing outside settlements. The policy states that housing developments will not be permitted unless they are essential for agricultural or forestry workers. In this case the proposed dwellings are market housing and would not be used for this purpose. Therefore the proposed development does not comply with this policy.

The applicant has provided a marketing report to show that the site is no longer viable as an agricultural site. The report states that the existing buildings can no longer be used as they do not satisfy modern agricultural standards. The site was marketed for a range of commercial uses including office use and holiday lets. There was a limited response to the advertising. The buildings on the site appear best suited to agriculture. Such a report does not outweigh the fact that the application does not comply with the housing policies within the local plan or the emerging core strategy.

Policy HG.9 relates to rural exception sites whereby exceptions to housing policy can be made if 100% affordable housing is being proposed. This has not been proposed in this application therefore the proposal does not comply with policy HG.9.

PPS7 seeks to locate new development close to existing service centres. It also states that if existing agricultural buildings are proposed to be replaced with new housing then this should be treated as a new housing development. PPS 3 also states that new housing development should be located close to existing community facilities and services. Therefore the proposed development is not considered to comply with national policy.

HIGHWAYS: The highways officer has objected to the application. The site is located on a busy main road between West Harptree and Compton Martin and there is no pavement access to either village centre. Therefore occupiers of the site would be heavily reliant on private cars to reach local shops and services.

The site access is located off the A368, close to a cross roads junction, and on a section of carriageway which is subject to a 40mph speed limit. The road is also winding and has undulations in the alignment, such that visibility is restricted. The visibility from the point of access is restricted to the north-west by the boundary hedge to Fairash Bungalow, and the application site excludes any further land to secure any improvements. Therefore it does not appear that improving the visibility splay is within the applicant's control.

Whilst there is a bus stop close to the site there is no pavement access to the site from the bus stop and accessing the bus stop would include crossing a busy road. Services to the bus stop run less than hourly Monday to Saturday therefore this is not considered to offer a viable alternative to car travel.

AREA OF OUTSTANDING NATURAL BEAUTY AND LANDSCAPE IMPACT: Whilst this is an application for outline permission the applicant has submitted an indicative layout of the proposed site and given an indication of the heights of the proposed buildings. The proposed development will likely represent an increase in height from the existing buildings. The proposed development being located within the open countryside is likely to be visually prominent within the landscape. Whilst it is common to view agricultural buildings within the open landscape a housing development would appear at odds with the open rural character of the area.

The existing buildings range between are single storey buildings, but the site include food hoppers which are higher than the existing buildings. The proposed building would range between 9 and 11m in height. The increase in height will increase the prominence of the buildings from outside the site. For example when the site is approached from the north it is seen set against the Green hillsides of the Mendips. Therefore the proposed development is considered to be harmful to the character of the surrounding area of outstanding natural beauty. Policy Ne.2 states that development which adversely affects the natural beauty of the landscape of the designated Area of Outstanding Natural Beauty will not be permitted. Therefore the proposed development does not comply with policy Ne.2.

Policy Ne.1 seeks to protect landscape character. The policy states that development that does not either conserve or enhance the character and local distinctiveness of the landscape will not be permitted. For the reasons outlined above the proposed development is considered to be contrary to policy Ne.1.

AMENITY: The applicant has submitted a noise assessment stating the site is within noise category B. This assessment is currently awaiting further comments from the environmental health officer and will be included in the update report. The environmental health officer has stated that it is suggested that standard thermal double glazed units with trickle ventilation would provide the necessary acoustic protection for future occupiers and therefore have no objections is raised to the proposals.

The existing site is located adjacent to the residential property of Fairash Bungalow. The existing property being currently located adjacent to a farm is likely to result in a reduction in noise levels from a proposed housing estate. As this is an outline application no elevations have been submitted. Therefore it is not possible to fully assess the impact of overlooking from the proposed dwellings onto Fairash Bungalow. It would appear from the indicative layout that the closest dwelling being plot 1 is approximately 20m from Fairash Bungalow. It is unlikely that the proposed development would harm the amenity of Fairash Bungalow from overlooking.

OTHER MATTERS: The housing officer commented in support of the application and has requested that the council will seek 35% of the total dwellings on site for affordable housing. The applicant has not proposed to provide affordable housing. Policy HG.8 within the local plan relates to affordable housing, it seeks to provide affordable housing within settlements. In this case the site is located outside any settlements and would not fall within the requirements for affordable housing.

CONCLUSION

The principle of the proposed development is not accepted as it does not comply with policies set out within the local plan or the emerging core strategy in respect of new housing. The proposed development is considered to result in an increase in vehicle movements as the site is not connected to existing settlements and is considered to be in an unsustainable location. The proposed development is set within the open countryside and would be harmful to the rural appearance of the area of outstanding natural beauty. Therefore the proposed development is recommended for refusal.

RECOMMENDATION

REFUSE

REASON(S) FOR REFUSAL

1 The proposed development has been located outside of the housing development boundary, remote from existing settlements and poorly served by public transport. The housing will not be used for either forestry or agriculture. The proposed development is therefore contrary to policy HG.10 of the Bath & North East Somerset Local Plan including minerals and waste policies - adopted October 2007. Planning Policy Statement 7 (PPS7) and Planning Policy Statement 3 (PPS3).

2 The proposal is located remote from services, employment opportunities and is not well served by public transport. It is contrary to the key aims of Planning Policy Guidance Note 13 which seeks to reduce growth in the length and number of motorised journeys. The proposal is therefore contrary to policy T.24 of the Bath & North East Somerset Local Plan including minerals and waste policies - adopted October 2007

3 The provision of housing within the open countryside will harm the natural beauty of the surrounding Mendip Area of Outstanding Natural Beauty. The proposed is therefore contrary to policies Ne.1 and Ne.2 of the Bath & North East Somerset Local Plan including minerals and waste policies - adopted October 2007

4 The use of the existing sub-standard access to serve the development, together with the generation of conflicting traffic movements close to an existing junction, would be prejudicial to road safety. The application is therefore contrary to policy T.24 of the Bath & North East Somerset Local Plan including minerals and waste policies - adopted October 2007

PLANS LIST: Existing and proposed site plan layouts, 3832/101, rev A, date stamped 27th September 2011