

Report To The South Area Planning Committee

Date of Meeting	3 November 2016
Application Number	16/06888/OUT
Site Address	Farmer Giles Farmstead, Teffont, Salisbury, Wiltshire, SP3 5QY
Proposal	Erection of 1 No. dwelling and associated works following demolition of redundant outbulidings, (Outline application for access and layout only)
Applicant	Farmer Giles Farmstead Ltd
Town/Parish Council	Teffont
Ward	Nadder and East Knoyle
Grid Ref	398481 132831
Type of application	Full Planning
Case Officer	Andrew Guest

Reason for the application being considered by Committee

The applicant is related to Cllr Tony Deane. The application has generated objections, so requiring determination by the Southern Area Planning Committee.

1. Purpose of Report

To consider the recommendation of the Head of Development Management that the application should be **APPROVED subject to conditions**.

2. Report Summary

The application seeks outline permission for the erection of a new dwelling and associated works following demolition of redundant outbulidings associated with the former "Farmer Giles Farmstead" Use. (The application is for access and layout only).

The application has received support from Teffont Parish Council, Highways, Landscape, and Public protection, objections from two third parties, and comments from the Cranbourne Chase AONB group.

The application follows an application made in March 2015 for a similar proposal, which was refused by the Southern Area Planning Committee in June 2015.

3. Site Description

The application site comprises of 15.05ha of land and lies within open countryside and is situated to the north-west of Teffont Magna. The site falls outside the Teffont Conservation area and is not within proximity to any listed Buildings, the site does fall within the Cranbourne Chase Area of Outstanding Natural Beauty. Neighbouring the site to the south-east is a large farmyard that falls under separate ownerships, on all sides of the site is open countryside.

The site gently rises from east to west (away from the public highway and site access). It also rises from approximately its centre line to the north and to the south. The existing buildings 'sit' in the central hollow created by these changing levels.

The site itself mainly supports the Farmer Giles Farmstead visitor attraction. However it should be noted that this is diversifying from the previous style of use to solely concentrating on rare breed animals and the dressage business. The tourist attraction of "Farmer Giles Farmstead" is no longer operational.

This site comprises a number of contemporary agricultural buildings (formerly used to display agricultural artefacts and to provide a cafe, souvenir shop and other facilities), incidental paraphernalia including a play area, a large visitors' car park, and small paddocks/enclosures for farm animals and rare breeds. In addition there are three holiday log cabins, stabling for the applicant's horses and dressage business and the associated horse exercise arena.

The Farmer Giles Farmstead visitor attraction is presently closed but the use as such has not been 'abandoned' for planning purposes. The site has three timber holiday lodges on site which are popular as low cost family holidays and provide a further income for the Farmstead. There is an extant permission for a fourth lodge on the site. On the northern boundary of the site there are five caravan pitches which are certified by the Camping and Caravan Club. The southern side of the site is currently used in association with the owners breeding of dressage horses.

4. Planning History

The Farmer Giles Farmstead has been the subject of many applications over the years. Notable applications include the following:

15/01047/OUT	Demolition of some existing buildings and cessation of business. Erection of a dwelling all matters reserved save for access, scale and siting	Refused – June 2015
14/06726/OUT	Demolition of some existing buildings and cessation of business. Erection of a dwelling all matters reserved save for access, scale and siting.	Refused – October 2014
S/2003/0727	Erect 3 holiday cottages	Approved – October 2003
S/1999/1927	Change of use to horse training area with erection of loose boxes	Approved - February 2000
S/1989/0821	Extend area of team room approved under planning permission S/1988/1497	Approved - August 1989
S/1989/0820	Make alterations to and change use of building approved under	Approved -

	planning permission S/88/0134/TP for the display of agricultural machinery in connection with Farmer Giles	August 1989
S/1989/0819	Change of use of part of building used in connection with Farmer Giles Farmstead for sale of tickets and as a shop	Approved - August 1989
S/1988/1497	Use of land as picnic/recreation area, provision of team room, construction of toilet block, extension of building to form entrance lobby	Approved – October 1988
S/1987/0586	Erect agricultural building partly to incorporate viewing area for public to see working farm, to form car parking and improve vehicular access	Approved – July 1987

The most recent application (15/01047/FUL) for the erection of a dwelling on the site was refused at planning committee for the following reasons:

- 1 *The application site lies in open countryside and an Area of Outstanding Natural Beauty. Within the countryside there is effectively a presumption against new residential development except in limited circumstances not relevant in this case. This presumption is in the interests of sustainability and amenity. It follows that as a matter of principle the proposal comprises unacceptable development.*

In terms of harm, the proposal would introduce a house and its curtilage with inevitable domestic paraphernalia, and these would be visually intrusive and alien in such an isolated rural location, distant from other residential properties or any settlement. By reason of their visibility and alien appearance, the house and its curtilage would detract from the wider appearance of the landscape, neither conserving nor enhancing its status as an Area of Outstanding Natural Beauty. There are no exceptional circumstances which outweigh the harm to the countryside.

The proposal is, therefore, contrary to Core Policies 1 and 2 (the settlement and delivery strategies) of the Wiltshire Core Strategy, Core Policy 51 (Landscape) of the Wiltshire Core Strategy, and guidance in the National Planning Policy Framework - paragraphs 109 and 115.

- 2 *The application site supports three holiday lodges. These lodges were given planning permission subject to conditions requiring their removal in the event of Farmer Giles Farmstead Ltd ceasing to trade or operate from the land and/or ceasing to be open to the public.*

The description of development set out on the application forms is "Demolition of some existing buildings and cessation of business and erection of a dwelling all matters reserved save for access, scale and siting". The supporting Design and Access Statement further states that "the 'tourist' use cabins [the lodges] would remain on site".

Having regard to the conditions on the earlier permissions relating to the lodges it is considered to be unclear from the current application how the lodges can remain. Notwithstanding the statement in the Design and Access Statement about their retention,

the application (and the description of development in particular) makes no further allowance for the planning conditions. This lack of clarity amounts to a further reason to object to the development.

5. The Proposal

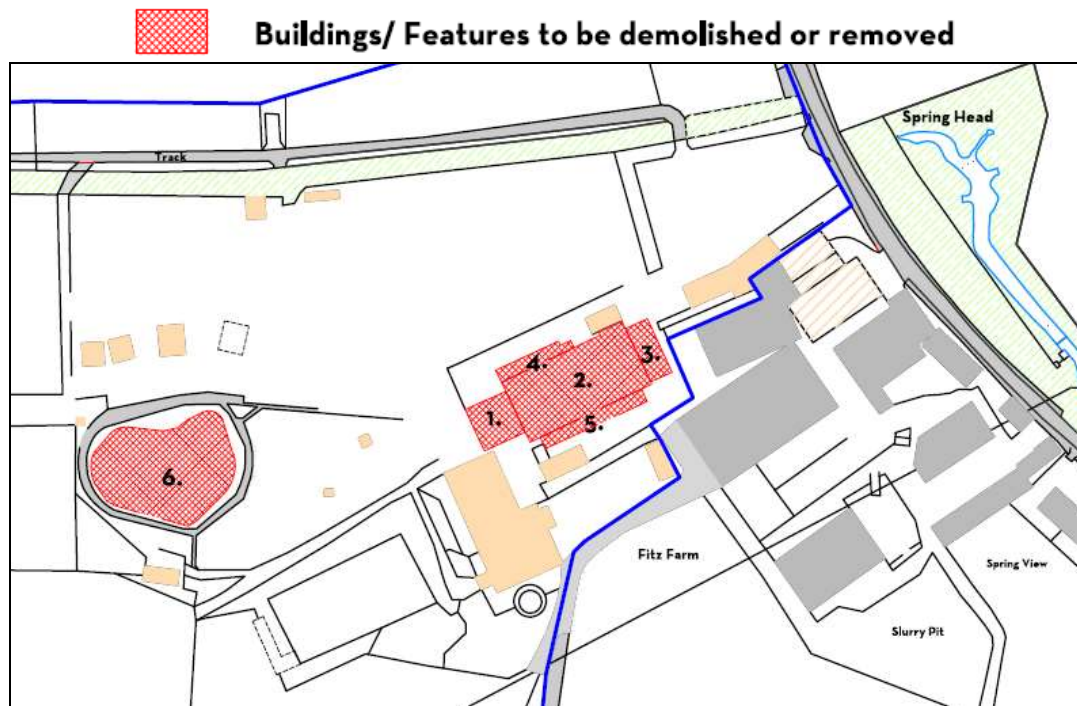
This application is to erect a single dwelling on the site including works for an internal access and associated landscaping works at outline stage. The development would involve the demolition of a number of redundant farm buildings which are outdated and no longer required given the diversification of the Farmer Giles Farmstead business.

The proposal for the house forms part of a wider masterplan for the Farmer Giles Farmstead, which would continue to operate as the over-arching business for the site but diverting away from the tourist attraction use. More focus would be given to the camping and caravan site and existing timber holiday lodges.

It is understood that the masterplan would be implemented on a phased basis with this being the first element.

The proposal is to remove the majority of buildings, car parking areas, and erect a single two-storey house. The application is in outline form with all matters reserved except access and layout. In terms of scale, the applicant is happy to have a condition attached which restricts the development to being no more than two-storey.

Buildings to be removed comprise the Tractor shed, Main Barn, The Blue Room (Reception/café), Lean-to on northern side of the main barn and the lean-to on the southern side of the main barn. The existing man-made pond will also be filled in. The demolished areas can be seen in the plan below.



Plan showing buildings to be demolished

The proposed dwelling would be sited on presently open land to the north west of the existing stable building and directly east of the timber lodges. The outline application only seeks consideration of the layout and access for the development. This being said, the applicant is accepting of a condition that would limit the height of the development to two-storey. Siting is indicated to be approximately 160m west from the public highway.

A new driveway would be created beyond the existing gate to serve the dwelling and the new tarmac area where the buildings will be demolished that will form parking and turning area for vehicles in association with the equestrian use on the site. It would utilise the gateway and would then have a spur off the tarmac area to serve the dwelling.

The existing stable block is retained for the use in the owners dressage horse breeding use.

6. Relevant Planning Policy

Wiltshire Core Strategy:

CP1 – Settlement strategy

CP2 – Delivery Strategy

CP3 – Infrastructure requirements

CP48 – Supporting rural life

CP51 – Landscape

CP57 – Ensuring high quality design and place shaping

Other considerations:

Teffont Village Design Statement
Cranbourne Chase AONB Management Plan

7. Consultations

Teffont PC

Support subject to conditions.

“TPC do support the above planning application but with the following conditions:

- 1. The designated buildings must be demolished before the proposed house is built.*
- 2. The height of the proposed house be no more than 2 storey high.*
- 3. The business attraction Farmer Giles Farmstead be closed permanently.*
- 4. The site of the proposed house is as defined on the outline plans.*
- 5. The landscaping and planting plans genuinely screen the proposed building and improve views of the site from the road.*
- 6. That if planning is given for this application there be no further residential or commercial development on the site.*
- 7. The size of the garage proposed be proportionate to the size of the proposed house.*
- 8. That the Environment Agency are approached for confirmation there are no springs feeding the Teff that will be affected.”*

Wiltshire Council Highways

Recommendation is similar to that for the earlier application.

“On the basis that the traffic relating from the proposed new dwelling would be likely to be significantly less than that generated by the current use of the site, I would not wish to raise a highway safety objection in principle to the development. I have no highway objections to the use of the existing site access as proposed.

On the basis that the vehicular movements associated with the proposed diversification of the Farmer Giles Farmstead would be permanently reduced, certain buildings would be removed from the site and the new dwelling would not create a precedent for further dwellings, I would not wish to raise a highway objection to the proposed development on transport sustainable grounds.”

Wiltshire Council Public Protection

This department gave comments on previous applications in 2014 and 2015 and the response has not altered for this application.

‘In principle we would accept the application and having visited the site it can be seen that there is good separation between the adjacent farm and the proposed site for the dwelling. It is likely that acceptable levels of amenity may be created at the proposed property through careful design and internal layout. Therefore we have no adverse comments for this application.

There is potential for disturbance from the adjacent campsite. This department has experience of investigating noise problems where residential properties that are not associated with a nearby campsite are impacted by noise from campers. It is reasonably foreseeable that should the house and campsite be owned by different people in the future then residents of the property may be disturbed by noise from the use of the campsite. It is therefore recommended that the occupation of the proposed residential property is tied to the use of the campsite through a condition.'

WiltshireCouncil Ecologist

The Ecologist supports the application and request the following condition and informative to be added to any consent.

“Before any works commence, details of a scheme for protecting and enhancing the landscape and ecology of the site will be submitted for planning authority approval in line with the principles discussed in the Extended Phase 1 Habitat Survey and Daytime Bat and Nesting Bird Survey Report (Sedgehill Ecology, July 2014). The scheme will identify existing features of interest which will be retained, the methods that will be used to protect them during the works and provide details of enhancement measures together with a timescale for their implementation. The works will be implemented in accordance with the approved scheme.

INFORMATIVE:

The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any [protected species](#), or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced [ecologist](#) and consider the need for a licence from Natural England prior to commencing works. Please see Natural England’s [website](#) for further information on protected species.”

Wiltshire Landscape Officer

The Landscape Officer supports the application

*“The site is located within CC&WWD AONB and I have considered the submitted information with regard to the purposes of the designation and I do not consider that there will be any **significant** adverse landscape and visual effects on the AONB as a result of this proposal.*

The Landscape Strategy submitted with the application details the design evolution; it considers the constraints and opportunities of the site and has explored options for the location of the new building with regard to its potential visibility in the landscape. I agree with the report that location A is the preferred option; it sits snugly in the topography below ridgelines and benefits from a degree of screening from existing

buildings and vegetation. Placing it away from the road retains the road side character of a farmstead.

The rationalising of the farm layout and new structure planting will be beneficial to the appearance and amenity of the site. I do not want to comment on the demolition (this is relevant to the future business plans for the site rather than a landscape issue) but I can comprehend that retaining the hardstand might be of use in a farming context.

Although there is some adequate information provided for the strategic planting I understand further details will be submitted as reserved matters concerning the design of the building and its environs. It is unclear whether the proposed advanced planting will commence with this approval or wait until the reserved matters, either way it would be useful to have a programme of planting and/or phasing of the works.”

Area of Outstanding Natural Beauty Office

Make the following comments.

The Cranborne Chase and West Wiltshire Downs AONB has been established under the 1949 National Parks and Access to the Countryside Act to conserve and enhance the outstanding natural beauty of this area which straddles three County, one Unitary and five District councils. It is clear from the Act, subsequent government sponsored reports, and the Countryside and Rights of Way Act 2000 that natural beauty includes wildlife, scientific, and cultural heritage. It is also recognised that in relation to their landscape characteristics and quality, National Parks and Areas of Outstanding Natural Beauty are equally important aspects of the nation’s heritage assets and environmental capital. This [AONB’s Management Plan](#) is a statutory document that is approved by the Secretary of State and is adopted by the constituent councils. It sets out the Local Authorities’ Objectives and Policies for this nationally important area. The national Planning Practice Guidance [Natural Environment paragraph 004] confirms that the AONB and its Management Plan are material considerations in planning.

The National Planning Policy Framework states (paragraph 109) that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes which include AONBs. Furthermore it should be recognised that the ‘presumption in favour of sustainable development’ does not automatically apply within AONBs, as confirmed by paragraph 14 footnote 9, due to other policies relating to AONBs elsewhere within the Framework. It also states (paragraph 115) that great weight should be given to conserving landscape and scenic beauty in AONBs, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in these areas.

The location is in the West Wiltshire Downs landscape character area. Greater details of the landscape, buildings and settlement characteristics can be found in the [Landscape Character Assessment 2003](#). That document should be available in your office, and it can be viewed in [FULL](#) on our [web site](#).

More detailed information in connection with AONB matters can be found on the AONB [web site](#) where there is not only the adopted AONB Management Plan but also Position Statements and Good Practice Notes ([Planning Related Publications](#)). In particular when considering construction within the AONB I would draw attention to our [Good Practice Note on Colour in the Countryside](#). In connection with this application our [Position Statement on Farm Diversification](#) may have particular relevance.

Overview

I note that the Planning Design and Access Statement seeks to make a case for a residential dwelling by referring to a masterplan and landscape strategy. However, the application red line [on the Site Location Plan] only identifies the access route through the 15ha holding to the potential location of the dwelling and excludes all those landscape and masterplan elements. There is, therefore, no commitment to those wider, strategic, proposals and uses of the total holding. Without a guarantee attached to the adoption and implementation of the masterplan it seems the case for the dwelling cannot be substantiated.

Whilst the landscape led approach to the site is welcomed, along with the comparison of locations within the overall site, the fact that only simple building shapes have been used in that process does not provide definitive evidence that the development of a dwelling within a sensitive edge of village situation within a nationally important Area of Outstanding Natural Beauty could satisfy the criteria of 'conserving and enhancing natural beauty'. Clearly a full, detailed, application would be the way to demonstrate that. A full application could also incorporate a masterplan which would then provide an adopted framework for the other uses of the overall site.

The application is vague about the size of the proposed dwelling, with the exception that it would be 'a maximum of two storeys'. The response to part 17 of the application form does not provide any greater information as the number of bedrooms is shown as 'unknown' within the category of 'market housing'.

Clarification and Consistency

There are a number of points that would benefit from clarification, particularly as different plans use different numbers or letters for the same element. For example, the holiday lodges are shown on 'Existing Key Plan' as 'A', on the 'Illustrative Masterplan' as part of '9' and '9a', and on the 'Advanced Strategic Planting' as 'G'. Clearly there is a lot of scope for confusion, especially when an element of the overall site is being referred to in the text of the Planning Design and Access Statement or the Landscape Strategy. This AONB **recommends** that the documentation needs to be fully amended both to provide consistency and to avoid misunderstandings, especially those that could arise in Committee discussions.

A related point is that whilst it is very helpful to have dimensions of structures on plans such dimensions do have to relate to the correct structure. For example, on 'Advanced Strategic Planting' plan 'D' is a small structure [potentially smaller than the proposed dwelling] but it is shown as 'Main Barn, 45.6m x 22.56m'. Cross-referring to the 'Existing Key Plan' structure 'D' is, indeed, the main barn but not the

structure marked as 'D' on the other plan! Item 'D' on the 'Advanced Strategic Planting' plan is 'J. Sheep pens' on the 'Existing Key Plan'. This seems to be a consequence of changing the letters and numbers of site structures and features on different plans. I have not checked for further errors of this type but, again, without the applicant reviewing and amending the documentation lettering and numbering there is considerable scope for confusion and misunderstandings. From my knowledge of the site the 'Existing Key Plan' appears identify the features reasonably accurately.

Pre-application Discussions

My pre-application discussions with the planning agent and landscape architect did include the possible production of a vision for the future of the holding, which could lead to a masterplan. The combination of uses within that masterplan could provide a case for a dwelling on the site. From an AONB perspective, reuse of the farmstead buildings for local employment and local tourism activities could, subject to their potential impacts on the purposes of AONB designation, gain support from the AONB Management Plan.

Planning Design and Access Statement

Paragraph 2.2 of the Planning Design and Access Statement combines elements C, D, E, G, K, and L as simply D. The following paragraph does helpfully clarify the relationship with the adjacent Fitz Farm, and notes that Farmer Giles and Fitz Farm appear to be one large farmstead although they are in separate ownerships. The actual operation of the Farmer Giles Visitor Attraction appears to have been very low key, to an extent of not operating, for the last three years.

There is some scope for misunderstanding the status of the caravan and camping areas. The 5 Caravan Certificated Location [to give it its formal title] is for Caravan Club members only, is limited to 5 touring caravans at any one time, and the certificate is an exemption provided by the Caravan Club. It is not, therefore, a caravan site for the general public and it does not have a caravan site licence. The camping area appears to be of short use duration and therefore not subject to a specific planning approval or site licence. The proposal to extend the camping [paragraph 2.12] is not part of the current planning application.

Whilst equine use of the holding is a clear aspiration, and there is the existing manege and stables barn, wider equine use of the holding might be facilitated by an explicit planning permission.

The description of the proposals [section 3] concentrates on the longer term vision, which is not the subject of this or any planning application, rather more than the current proposal for a residential dwelling. It is disappointing that the proposal is in outline only, particularly as the reasons for the previous refusal included the key issues of scale, external appearance, location, and landscaping. It also appears that other aspects of the masterplan would be realised after the construction of the dwelling [paragraph 3.8]. This situation seems to be back to front. Gaining formal approval of a masterplan would provide a clear indication that the various elements would be acceptable, as well highlighting any elements, such as landscape and planting works, which would need to be implemented in advance of other elements. The AONB Partnership therefore **strongly recommends** that a detailed application

is needed for the proposed dwelling if that is to progress before an overall masterplan is formally approved.

Paragraph 3.5 appears to be inaccurate as building M is part of Farmer Giles [and not leasehold] and it is building F that is part of Fitz Farm and leasehold. Furthermore, it seems rather strange that a continuing use of old leasehold buildings close to the road which are visually intrusive is being proposed whilst functional buildings that have been key to the Farmer Giles Visitor Attraction are being proposed for demolition. The farmyard' vision [paragraph 3.6] has the remnant concrete slab from the demolition of the main barn creating a hard surface open space exposed south-westwards to the buildings of Fitz Farm, with the remnant and somewhat isolated kitchen building [G] on the edge of the access route. This seems to make little sense. The submitted documentation is rather silent about this 'farmyard', perhaps because the site would no longer be a farm.

In terms of planning policy [section 4] it is noticeable that no reference is made to paragraphs 109 or 115 of the NPPF; both of which are crucial to countryside in an AONB. As the farmstead has been fundamentally a farm overlain with visitor facilities it seems to be a moot point whether any real weight can be given to the hint in paragraph 4.7 that it is a brownfield site. It is also noticeable that Wiltshire Core Strategy policy 51 is not discussed nor is there an explicit demonstration of how the proposal complies with the objectives and policies of the adopted AONB Management Plan. Nevertheless, it appears that a very strong and achievable case needs to be made to overcome previous policy objections.

*Whilst the AONB Management Plan does support the reuse of existing farmstead buildings the AONB **does not agree** with the extensive demolition proposed [but not part of any formal application]. Using the annotation on the 'Existing Key Plan', D is a substantial barn that has been at the centre of the Farmer Giles Visitor facilities and still appears to have a useful life. The lean-to structures on either side [K and L] do not add to the character of the site, and the 'shed' C is really just a canopy extension from the main barn. The removal of these [C, K, L] would tidy up the site. E also includes toilet facilities that might well have an extended life in connection with group visits and a modified approach to tourism / day visitors and the proposed employment/ retail units near the car park. The proposal to retain the kitchen [G] does not seem to make much sense if the nearby toilets are demolished; either both go or both stay. Section 5 of the Planning Design and Access Statement focuses on the masterplan elements in support of the proposal for a dwelling but there is no guarantee that these would materialise if outline planning permission is granted. The proposed location of the dwelling is considered in greater detail the Landscape Strategy, however the first bullet point of paragraph 5.18 [Planning Conditions] is contradictory. This AONB **strongly recommends** that landscape works are fully implemented before the occupation of a dwelling.*

Landscape Strategy

This document sets out the local landscape character from the variety of published landscape character assessments that relate to the locality. It also refers to the AONB Management Plan and the AONB's Landscape Sensitivity Study. The plans and photographs demonstrate that Farmer Giles Farmstead occupies a valley that

risers from east to west, and that the southern side is steeper and higher than the northern side. The structures and buildings are largely in the eastern section. Apart from the road that passes the eastern end, there is a public Right of Way to the south-east of the site and a bridleway on the ridge to the east. The main features of the site are identified and three potential locations for a dwelling are assessed, including the extent of visibility / visual intrusion from publically accessible viewpoints. The annotated photographs from those viewpoints are particularly helpful.

Viewpoint 4, page 26, demonstrates that the majority of the buildings visible in the scene from the footpath are Fitz Farm. It can also be seen from that photograph that if the proposed dwelling [A, coloured blue] were to be moved a little further southwards, and hence down the side of the valley, it would scarcely be visible from the position on this footpath. A similar movement of the proposed building would also reduce the visibility from viewpoint 5 [page 27]. Viewed from within the site, movement down the slope would also reduce the visibility in Private View A [page 31].

The document then looks at rationalising uses [page 34]. As stated above, I do not agree with all the proposed demolition. Indeed, the open slab created if the main barn is demolished would appear as a significant void within the site and a more natural place for a new building rather than on the green valley side.

I do agree with the filling in of the artificial, and dilapidated, pond, and feel that the treatment of the car park is feasible and more realistic than the scheme in the applications refused in 2014. Similarly the Advanced Strategic Planting would be beneficial although it would also serve to emphasise the incongruity of the bare, open, concrete slab if the main barn is demolished. However, retaining that barn whilst removing the side lean-tos and the end canopy would improve vehicle circulation [especially in the direction of the stables and manege] and retain an undercover focus for employment / visitor / tourism uses.

Conclusions

*The AONB Partnership is **very concerned** that the application for a dwelling is in outline only, and that there is no proposal or mechanism to ensure the masterplan and its associated changes of use and landscape treatments [if agreed to be appropriate] form the template for future development of the site.*

*The documentation as submitted does have errors and too much scope for misinterpretation and confusion. The AONB **strongly recommends** that documentation is revised to avoid those issues.*

The AONB does not have 'in principle' objections to equine use of the site neither would there be fundamental objections to local sustainable tourism and local employment opportunities subject to issues of scale, visibility, and not conflicting with or prejudicing the purposes of AONB designation and this AONB's key characteristics.

*This AONB **strongly recommends** that a negotiated masterplan plan should be the basis on which the site should be developed. Without that agreed masterplan there does not appear to be a sufficiently robust and supportable case for a new dwelling.*

As you will be aware, the AONB is concerned about light pollution. Any permissions granted at this site should ensure any external lighting is approved by the Local Planning Authority and complies with the [AONB's Position Statement on Light Pollution](#) and the more recent [Good Practice Note on Good External Lighting and Paper by Bob Mizon on Light Fittings](#).

If you are minded to give sympathetic consideration to the current application then the AONB Partnership **strongly recommends** that:

- The dwelling is located further southwards, down the slope, to minimise cutting into the slope and improve integration within the local landscape,
- The height of the building is a maximum of two storeys,
- A detailed site masterplan is submitted to the planning authority and agreed in writing before construction starts,
- Landscape treatments and planting are implemented before occupation of the dwelling,
- The pond is filled and the landscape restored before occupation of the dwelling,
- The lean-tos and end canopy of the main barn are demolished before occupation of the dwelling and the main barn is retained.

8. Publicity

The application was publicised by way of a site notice and letters to near neighbouring residential properties. Two third party representations of objection have been received.

The objections are summarised as follows:

- Previous application refused – nothing changed to allow different decision now;
- Contrary to Core Strategy. New housing not allowed in countryside except in exceptional circumstances;
- Contrary to NPPF – “.... Great weight should be given to conserving landscape and scenic beauty in ... AONB's ...”;
- No benefit to Teffont;
- A house would detract from AONB, and have much greater impact than existing buildings / car park to be removed. Car park is not intrusive in any event. L&V Report does not demonstrate acceptable impact;
- Because outline, insufficient detail to properly assess quality of design. Not necessarily an objection to modest house on site of existing buildings.
- Not in accordance with Teffont VDS;

9. Planning Considerations

Principle

Planning law requires local planning authorities to determine applications in accordance with the development plan, unless material considerations indicate otherwise. If the development plan contains material policies and there are no other material considerations then planning applications are required to be determined in accordance with the development plan. Where there are other material

considerations, the development plan will be the starting point, and other material considerations should be taken into account in reaching the decision. Such considerations will include whether the plan policies are relevant and up to date.

Core Policy 1 of the Wiltshire Core Strategy sets out the 'Settlement Strategy' for the county, and identifies four tiers of settlement – Principal Settlements, Market Towns, Local Service Centres, and Large and Small Villages. Within the Settlement Strategy Teffont is identified as being a Small Village. Only the Principal Settlements, Market Towns, Local Service Centres and Large Villages have defined limits of development, and there is a general presumption against development outside of these. That said, some very modest development may be appropriate at Small Villages to respond to local needs and to contribute to the vitality of rural communities.

Core Policy 2 of the Wiltshire Core Strategy sets out the 'Delivery Strategy'. It identifies the scale of growth appropriate within each settlement tier. The policy states that at the Small Villages such as Teffont development will be limited to infill within the existing built area where this seeks to meet housing needs of the settlement or provide employment, services and facilities and provided that the development:

1. respects the existing character and form of the settlement;
2. does not elongate the village or impose development in sensitive landscape areas; and
3. does not consolidate an existing sporadic loose knit areas of development related to the settlement.

Core Policy 48 ('Supporting Rural Life') of the Wiltshire Core Strategy more specifically relates to rural areas. It states that outside the defined limits of development of the Principal Settlements, Market Towns, Local Service Centres and Large Villages, and outside the existing built areas of Small Villages, proposals for residential development will be supported where these meet accommodation needs required to enable workers to live at or in the immediate vicinity of their place of work in the interests of agriculture or forestry or other employment essential to the countryside, subject to appropriate evidence.

In this case the site lies within the countryside, outside of Teffont. A major factor of the masterplan is to erect a house on the site which is neither essential to support a rural enterprise nor to provide affordable housing under the limited circumstances allowed by Policy CP48. It follows that the proposal is not in accordance with the

settlement and delivery strategies of the Core Strategy, and does not comply with CP48, this given conflicts with the Core Strategy.

It has previously been considered that there may have been 'material considerations' which do, exceptionally, 'tip the balance' away from the usual presumption against otherwise unacceptable development in the countryside. These material considerations are the visible improvements to the site and surrounding AONB resulting from the removal of the redundant buildings from the site; and the benefits to certain principles of sustainable development following the cessation of the use of the land that was previously proposed.

In this case the application site lies within the countryside, outside of Teffont. As acknowledged by the applicant, the proposal to erect a house on the site which is neither essential to support a rural enterprise neither will it provide affordable housing under the limited circumstances allowed by Policy CP48. This given, the proposal is not in accordance with the settlement and delivery strategies of the Core Strategy, and does not comply with any of the 'rural life' exceptions set out in CP48, and such conflicts with the Core Strategy.

This being said, it is considered by officers, as it was in the previous application that in this case there are 'material considerations' which do, exceptionally, 'tip the balance' away from the usual presumption against otherwise unacceptable development in the countryside. These material considerations are the visible improvements to the site and surrounding AONB resulting from the cessation in main of the tourist attraction element of the Farmer Giles Farmstead use and with this the removal of the related demolition of the large proportion of the buildings on the site. There are further benefits gained by way of the general tranquillity of Teffont, again, arising from tourist attraction and the removal of its associated traffic. It is considered that the weight to be attached to these as material considerations is sufficiently high to override the policy position.

Impact on Landscape and the AONB

The Countryside and Rights of Way Act 2000 states that "*a local planning authority whose area consists of or includes the whole or any part of an area of outstanding natural beauty has power to take all such action as appears to them expedient for the accomplishment of the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty or so much of it as is included in their area*"; and "*in exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty*".

Core Policy 51 of the Wiltshire Core Strategy states that "*Development should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character, while any negative impacts must*

be mitigated as far as possible through sensitive design and landscape measures". The policy further states that *"Proposals should be informed by and sympathetic to the distinctive character areas identified in the relevant Landscape Character Assessment(s) and any other relevant assessments and studies"*.

CP51 further states that *".... proposals will need to demonstrate that aspects of landscape character have been conserved and where possible enhanced through sensitive design, landscape mitigation and enhancement measures"*. Relevant 'aspects' required to be conserved or enhanced include –

- *The locally distinctive character of settlements and their landscape settings; and*
- *The separate identity of settlements and the transition between man-made and natural landscapes at the urban fringe.*

The NPPF states that *"Great weight should be given to conserving landscape and scenic have the highest status of protection in relation to landscape and scenic beauty"*. In respect of 'brownfield' land the NPPF further states that *"Planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value"*.

This application differs from the previous refused application in that it is accompanied by a detailed Landscape Strategy. This report details the design evolution; it considers the constraints and opportunities of the site and has explored options for the location of the new building with regard to its potential visibility in the landscape. Since the previous refusal, the applicant has gone through a process of identifying potential locations for the dwelling within the property and it has concluded within the landscape strategy that this is the most suitable location in terms of the views in and out of the AONB and the thus have the most limited impact on the AONB. It is clear that in concluding on this location for the siting of the dwelling, the site has been subject to careful analysis on the impact any dwelling would have on the wider landscape. The landscape appraisal notes a number of key points that would be included within the proposal that would enhance the site including filling in the redundant pond, additional tree planting to soften the car park and vehicular turning area and new tree planting along the northern border.

Wiltshires Landscape Officer does not consider that there will be any significant adverse landscape and visual effects on the AONB as a result of this proposal. They agree with the report that this location is the preferred option given it sits snugly in the topography below ridgelines and benefits from a degree of screening from existing buildings (not being demolished) and vegetation. Siting it away from the road retains the road side character of a typical farmstead.

The rationalising of the farm layout and new structure planting will be beneficial to the appearance and amenity of the site.

The dwelling would be sited at least on a more open part of the site (currently used as paddock land). Siting it here would not be harmful to the general openness of the countryside, the location being largely screened by the topography of the site and the established tree and hedgerow planting. The overall footprint would be significantly smaller than that of the buildings that are to be demolished. Any views of the dwelling from highways or other public vantage points would be distant and glimpsed only, and would not be inappropriate if towards a suitably designed house which will be dealt with at reserve matters stage. It is not considered critical to the determination of this application to have the detailed design of the house presented now; nor is it considered critical to have a full landscape and visual impact assessment given the context of the site and the adequacy of the Landscape and Visual Report now accompanying the application. As previously stated, the height of the development can be limited in this application via condition and detailed landscape plans requested via condition.

To summarise, the enhancement to the AONB resulting from the overall proposals is considered to be a material consideration which in this instance overrides the usual policy presumption against new residential development outside of defined settlements.

Sustainability

The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. It further states that pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including (but not limited to) "..... replacing poor design with better design" . Moreover, the NPPF states that to fulfil the principles of sustainability local planning authorities should promote the development and diversification of agricultural and other land-based rural businesses; and support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. The NPPF further states in more general terms that local planning authorities should actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.

There are a number of issues to consider in relation to the application arising from these sustainability considerations. Firstly, the site lies in a less accessible part of

the countryside and so it is inevitable that the proposed dwelling would generate trips by car rather than public transport. This less sustainable outcome must be balanced against the likely significant drop off in car trips made historically by visitors to the farmstead attraction. The Wiltshire Highways Engineer considers that the overall reduction in trips by car to and from the site resulting from the proposal means a better and more sustainable position in these terms, and so no objection is raised for this reason.

Secondly, the proposal would result in the loss of a rural enterprise. This is unfortunate, although it is not considered that the farmstead necessarily made a significant contribution to the rural economy in any event. Furthermore, by virtue of the visual impact of the farmstead (and in particular its large car park at the front of the site) it is not considered that it necessarily satisfied the NPPF test requiring economic development to be respectful of the countryside. Nor is it considered that the location of the site, close to the edge of a village accessed via relatively narrow lanes, was necessarily suited to this form of enterprise which is dependent on car and coach borne visitors. On balance, it is, therefore, considered that the loss of the enterprise in this particular case would not conflict with the economic aspirations of sustainability policy. Furthermore, the overall masterplan for the site, includes the addition of a local furniture showroom for local craftsmen which would bring a small proportion of enterprise back to the site.

It is considered that the proposal, although not strictly sustainable, would result in a more sustainable position than exists currently on the site and would not adversely impact on the rural economy. The proposal would reduce traffic in a rural village which would be beneficial to the environment in general. These second material considerations are considered to, again, tip the balance in favour of the proposal against the settlement strategy policies of the development plan.

Neighbour/Residential Amenity

There are no residential or neighbour amenity issues arising from this proposal in view of the distance of the site from other residential properties. The Public Protection team is satisfied that the proposed dwelling can be sufficiently distanced from the adjoining farmyard to ensure no loss of amenity to the new occupiers. It is likely that acceptable levels of amenity can be created at the dwelling through careful design and internal layout.

Further, it is noted that there is potential for disturbance from the adjacent campsite to the inhabitants of the property. It is possible that should the house and campsite be owned by different people in the future then residents of the property may be disturbed by noise from the use of the campsite. This given, a condition is suggested that the occupation of the proposed residential property is tied to the

ownership of the campsite

Impact on Highway Safety

In terms of Highway safety, on the basis that the traffic relating from the proposed new dwelling would be likely to be significantly less than that generated by the current use of the site, no highway safety objection has been raised.

The vehicular movements associated with the proposed diversification of the Farmer Giles Farmstead would be permanently reduced, certain buildings would be removed from the site and the new dwelling would not create a precedent for further dwellings, no highway objection is raised to the proposed development on transport sustainable grounds.

Other Matters

There are not considered to be any significant impacts in terms of the impact on ecology as a result of the development. No objections have been raised from the Wiltshire Ecologist.

With regards to Affordable Housing Contributions, Core Policy 43 of the Wiltshire Core Strategy requires that on development sites of five or more dwellings an affordable housing contribution will be required. Given that the development does not meet the five unit threshold, no affordable housing contribution is required for the development of the site.

RECOMMENDATION

Approve subject to the following conditions –

- 1 The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 An application for the approval of all of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

3 No development shall commence on site until details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:

- (a) The layout of the development;
- (b) The external appearance of the development;
- (c) The landscaping of the site;

The development shall be carried out in accordance with the approved details.

REASON: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995.

4 Prior to commencement of construction of the dwelling hereby approved all existing buildings indicated to be demolished on drawing no. 045-002 rev A (demolition plan) and received by the lpa on 27th September 2016 and all of the existing open car park areas (with the exception of that part which will form the access drive to the dwelling shall be demolished and the resulting waste materials removed from the site. Following removal of the waste materials and prior to occupation of the dwelling the land shall be re-graded to original levels which existed prior to construction of the farm buildings and hardstandings and laid out as new pasture land in accordance with drawing no. 045-003 revB received September 2016 The new pasture land shall be retained as pasture land thereafter.

REASON: To accord with the terms of the planning application and to ensure that the development results in enhancement of the Area of Outstanding Natural Beauty which is one of the exceptional reasons planning permission has been granted in this case.

5 Prior to first occupation of the dwelling hereby approved the use of the site as a farm visitor attraction shall cease and thereafter that part of the site occupied by the dwelling and its curtilage shall be used for residential purposes, that part of the site occupied by the exhibit building/stabling to be retained shall be used for storage of equipment required for the maintenance of the site and stabling of horses (including for livery purposes but not as a riding school), and the remainder of the site (including the horse exercise arena) shall be used as farmland and/or for the grazing/exercising of horses.

REASON: To accord with the terms of the application and to reflect the special circumstances under which the development has been found to be acceptable - in particular, the resulting enhancement of the AONB as a consequence of the cessation of the farm visitor attraction use.

6 No development shall commence on site until details of the proposed ground floor slab level for the dwelling has been submitted to and approved

in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved levels details.

REASON: In the interests of visual amenity.

- 7 Prior to commencement of development details of the intended method of enclosing the domestic curtilage to the property along with a plan showing the extent of that curtilage shall be submitted to the local planning authority for approval in writing. The approved method shall be implemented in full prior to the first occupation of the dwelling, and it shall be retained and maintained as approved in perpetuity thereafter.

REASON: To clarify the terms of the planning permission and to minimise domestic encroachment into the countryside in the interests of visual amenity.

- 8 Prior to commencement of construction of the dwelling hereby approved detailed drawings of the driveways within the site shall be submitted to the local planning authority for approval in writing. These drawings shall be at a scale no less than 1:200, and they shall specify the dimensions of the driveways, levels, the surfacing materials, and a programme for construction. The driveways shall be constructed in accordance with the approved drawings and programme, and permanently retained as constructed thereafter.

REASON: The application contains insufficient detail to enable this matter to be considered at this stage and to so ensure that the appearance of the AONB will be enhanced.

- 9 No external lighting shall be installed without the prior approval of the local planning authority. Where external lighting is required details of the lighting shall be first submitted to the local planning authority for approval in writing. The lighting shall then be installed strictly in accordance with the approved details, and retained and maintained as such thereafter.

REASON: To enable the local planning authority to retain control of external lighting having regard to the site's location within a remote and dark part of the Area of Outstanding Natural Beauty.

- 10 Before any works commence, details of a scheme for protecting and enhancing the landscape and ecology of the site shall be submitted to the local planning authority for approval in writing in line with the principles set out in the Extended Phase 1 Habitat Survey and Daytime Bat and Nesting Bird Survey Report (Sedgehill Ecology, July 2014). The scheme shall identify existing features of interest which will be retained and enhancement measures. The scheme shall be implemented in the first year following first occupation of the new dwelling.

REASON: In the interests of protecting protected species and enhancing habitats.

- 11 No construction or demolition machinery shall be operated on Sundays or

Public Holidays or outside the hours of 07:30 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays.

REASON: In the interests of residential amenity.

- 12 The development hereby permitted shall be carried out in accordance with the following approved plans:

Illustrative Masterplan 045 - R001 rev A
Advanced strategic planting plan 045-003 rev B
Demolition Plan 045-002 rev A
Proposed Site plan 045-004 rev A
Amended landscape strategy dated Sept 2016
Planning statement dated July 2016

REASON: For the avoidance of doubt and in the interests of proper planning.

INFORMATIVE TO APPLICANT:

The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.