

REPORT TO THE EASTERN AREA PLANNING COMMITTEE

Date of Meeting	7 th June 2012
Application Number	E/2012/0465/FUL
Site Address	Barn at Dursden Lane, Pewsey, Wiltshire SN9 5JN
Proposal	Conversion of existing agricultural building to dwelling
Applicant	Mr & Mrs P Stevens
Town/Parish Council	PEWSEY
Grid Ref	417007 160998
Type of application	Full Planning
Case Officer	Peter Horton

Reason for the application being considered by Committee

The application has been called to committee by the Division Member, Cllr. Kunkler.

1. Purpose of Report

To consider the recommendation that the application be refused on the grounds that: (a) the site lies in the open countryside where long standing local and national planning policies prohibit new residential development unless to satisfy a proven agricultural need; (b) Noise and vibration from high velocity trains using the adjoining Paddington main line railway line would be detrimental to the health and living conditions of occupiers of the proposed dwelling, and; (c) Dursden Lane is unsuitable to safely and conveniently cater for the additional traffic movements which would be generated by the proposed dwelling.

2. Report Summary

The main issues to consider are: (a) whether the principle of residential development on the site is acceptable; (b) whether noise and vibration from the adjacent railway line would be detrimental to the health and living conditions of the occupants of the proposed dwelling, and; (c) whether traffic generated by the proposal would be detrimental to highway safety.

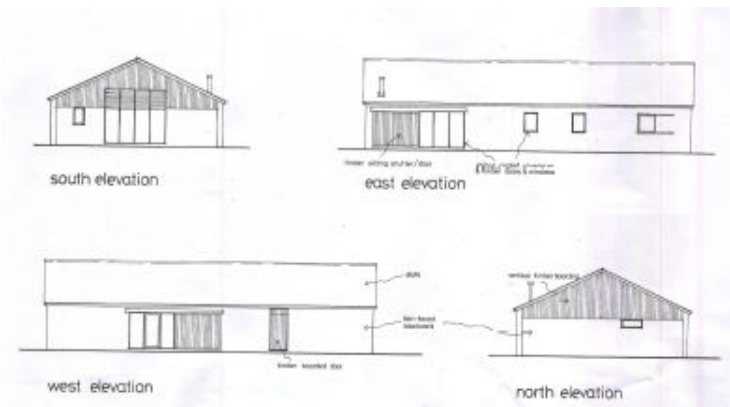
3. Site Description

Dursden Lane is located to the north of the B3087 Pewsey to Burbage Road. It is the first turning left beyond the eastern outskirts of Pewsey when heading towards Burbage. It is a narrow, winding lane serving 10 properties. The application site is situated 530 metres along the lane on the right, just before the bridge over the Pewsey to Paddington main line railway line. The site is occupied by a utilitarian modern farm building set within a small yard and having its own access. The building is constructed of blockwork and vertical metal sheeting in between steel supports and has a corrugated roof.



5. The Proposal

The proposal is to convert the existing agricultural building to a 3 bedroomed dwelling with fair faced blockwork, vertical timber boarding on the upper portion of the end gables and with a slate roof.



6. Planning Policy

Kennet Local Plan 2011: Policies HC26, NR6 and PD1
National Planning Policy Framework (NPPF)

7. Consultations

Parish Council: Strongly supports the application.

Network Rail: No objection in principle. However comments that the design and siting of buildings adjacent to railways should take into account the possible effects of noise and vibration and the generation of airborne dust resulting from the operation of the railway. Requires the construction of a 1.8m trespass proof fence plus various other informatives.

Highway Authority: Recommends refusal for the following reason: "The unclassified road Dursden Lane is unsuitable by reason of its narrow, winding alignment, its lack of pedestrian facilities, and its very restricted visibility at its junction with the B3087 class II road to safely and conveniently cater for the additional traffic movements which would be generated by a new dwelling."

Social Services: The applicants have been valued foster carers since 1996 and currently look after a child with complex health needs and physical disabilities. Their present home has limitation in enabling them to do this, both in terms of internal layout and ambulances being able to manoeuvre their steep drive. The proposed new dwelling would be far more suitable.

Public Protection: The northern end of the building, where one of the proposed bedrooms is to be positioned, is only 15m away from the main Pewsey to Paddington railway line. Without compelling evidence that vibration and noise is not going to be an issue, then the application should be refused.

There is a small risk of residual contamination from the previous use, hence if the application is recommended for approval, the imposition of a suitable condition is required.

8. Publicity

No representations have been received from local residents.

9. Planning Considerations

The application proposes a new dwelling in the open countryside, well outside the Limits of Development (LOD) of Pewsey. Long standing national and local planning policies have established that there should be no new residential development in the countryside unless required to satisfy an essential agricultural or other rural need.

The above principle is set out in local plan policy HC26, which only permits the conversion of existing buildings in the countryside to dwellings if either the proposal is to provide holiday accommodation or the conversion is of a listed building badly in need of restoration. Neither of these scenarios relate to the current proposal, which is to convert a utilitarian modern farm building to an unrestricted open market dwelling.

National policy promotes an equally restrictive approach. The NPPF paragraph 55 states that "local planning authorities should avoid new isolated homes in the countryside unless there are certain special circumstances". The current proposal satisfies none of these circumstances.

No essential agricultural or other rural employment case has been made by the applicants. Their

sole justification is that the proposed dwelling would provide a more suitable home in which they could pursue their employment as foster carers of needy children. They currently live elsewhere in Dursden Lane, at a property located 260m from the application site, but this property has certain shortcomings with regard to fostering children, particularly in terms of layout, levels and the steep access drive. The proposed dwelling would provide a much better environment for fostering the often challenging children in their care.

Whilst noting the support of the parish council and of Social Services for the application, the applicants' particular circumstances are considered to be inadequate justification to allow an exception to the long standing policy presumption against new residential development in the countryside. If the application is allowed, it would set an unfortunate precedent to convert other utilitarian farm buildings to dwellings that could be repeated in numerous other instances. If the applicants' current property is less than ideal to pursue fostering, they should seek to move to alternative existing accommodation in the Pewsey area.

If allowed, the proposed isolated dwelling would persist into the future, long after the applicants' current circumstances have ceased to exist.

The property to be converted is devoid of any existing character and the proposed conversion works would produce a dwelling of extremely undistinguished design which would not enhance the scenic quality of the AONB. It is also questionable whether the building can genuinely be converted, or whether it would need substantial remodelling. The submitted plans are insufficiently detailed to provide a definitive answer.

The proposed dwelling is located within 20m of the Pewsey to Paddington railway line, with certain trains being likely to pass at extremely high velocities. NPPF paragraph 123 states that planning decisions should aim to "avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development". Noise and vibration assessments have not been submitted with the application. In the absence of any evidence to the contrary, it is considered that noise and vibration from the railway line would be detrimental to the living conditions of the occupants of the dwelling.

Dursden Lane is extremely narrow and winding and lacks pedestrian facilities. Furthermore, there is extremely restricted visibility at its junction with the B3087. The highway authority considers that the additional traffic to be generated by the proposed development could not be safely and conveniently catered for given the deficiencies in the lane. They therefore consider that the application should be refused on highway safety grounds.

10. Conclusion

The proposal is contrary to long standing national and local planning policies which restrict new residential development in the countryside unless to meet an essential agricultural or other rural need. Whilst noting the applicants' personal circumstances, these are not considered to warrant an exception to policy being made. The building proposed to be converted is of extremely utilitarian design, and if the proposal were to be permitted, it would set an unfortunate precedent which could be repeated in innumerable other instances throughout the county.

Given the site's extreme proximity to the Paddington main line railway line, noise and vibration resulting from passing high velocity trains would be extremely detrimental to the health and living conditions of occupants of the proposed dwelling. Furthermore, deficiencies in Dursden Lane are such that the proposed development would be detrimental to highway safety.

RECOMMENDATION

That the application be REFUSED for the following reasons:

1. The site lies in the countryside as defined in the Kennet Local Plan, well outside the nearest settlement of Pewsey. In the countryside residential development is strictly controlled and limited to that required in connection with the essential needs of agriculture or forestry or other employment essential to the countryside. The proposed dwelling does not accord with these exceptions and as such the development is contrary to Policy HC26 of the Kennet Local Plan and to central government planning policy set out in the National Planning Policy Framework.
2. The proposed dwelling is situated less than 20m from the Paddington main line railway line. At such close proximity, noise and vibration from passing high speed trains would be extremely detrimental to the health and living conditions of the occupants of the dwelling, contrary to policy PD1 of the Kennet Local Plan and to central government planning policy set out in the National Planning Policy Framework.
3. The unclassified road Dursden Lane is unsuitable by reason of its narrow, winding alignment, its lack of pedestrian facilities, and its very restricted visibility at its junction with the B3087 class II road to safely and conveniently cater for the additional traffic movements which would be generated by a new dwelling. The proposal is therefore contrary to policy PD1 of the Kennet Local Plan.

Appendices: None

Background Documents Used in the Preparation of this Report: None