

REPORT TO THE EASTERN AREA PLANNING COMMITTEE

Date of Meeting	25 April 2013
Application Number	E/2013/0171/OUT
Site Address	Whittonditch Farm, Whittonditch, Ramsbury, SN8 2QA
Proposal	Demolition of buildings and erection of 4 dwellings, plus retention and renovation of roadside barn, and associated works.
Applicant	Mr J Hosier
Town/Parish Council	RAMSBURY
Grid Ref	428960 172393
Type of application	Full Planning
Case Officer	Peter Horton

Reason for the application being considered by Committee

The application has been called to Committee at the request of the Division Member, Cllr. Chris Humphries.

1. Purpose of Report

To consider the recommendation that the application be refused on the grounds of: (a) the site being an unsustainable location for the siting of new dwellings, and; (b) the proposal makes no provision for affordable housing.

2. Report Summary

The main issue to consider is whether this site in the countryside, well outside the Ramsbury Limits of Development (LOD), represents a sustainable location for new residential development. In addition, should there be an insistence that a 50% provision of affordable homes be accommodated within the site?

3. Site Description

Whittonditch is a small hamlet located to the north east of Ramsbury on the B4192 Aldbourne to Chilton Foliat road, roughly half way between the two villages. The site is a complex of mainly utilitarian farm buildings located on the eastern side of the road adjacent to the crossroads where the Whittonditch Road from the village of Ramsbury crosses the B4192 before heading on to Witcha and Membury. To the north lies Whittonditch House, set back from the road and approached via a curved drive. To the east, overlooking the site is a pair of semi detached properties, with a further detached dwelling to the south. One of the farm buildings has a brick and flint wall bordering the site with a cement fibre roof. In total there are 7 farm buildings, 5 of which are of comparatively modern construction.



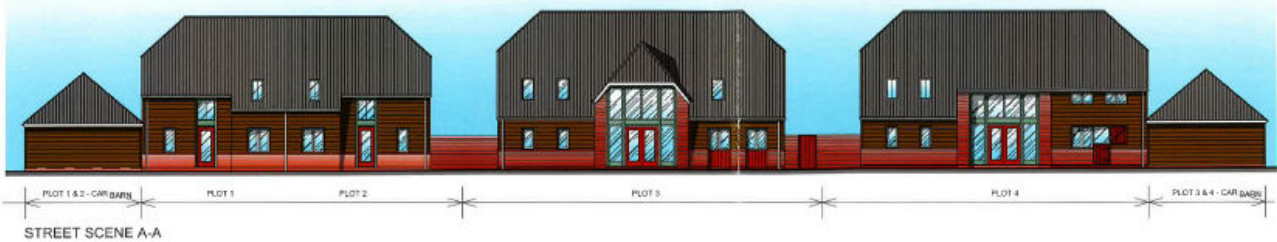
4. Planning History

K/42007: This mixed use application to convert the 2 older farm buildings (one to B1 and one to residential), to demolish the rest and to erect 2 new dwellings was refused in 2001 on the grounds of the new dwellings being contrary to countryside policy and reliant on the private car.

K/42492: Planning permission was granted in 2002 to demolish 2 of the farm buildings and to convert the remainder to employment uses. The largest building would be given over to B8 uses and the remainder to B1. The agent for the current application claims that the change of use of the largest building to B8 has been implemented and therefore argues that the permission is extant. Furthermore, one of the buildings has been demolished and the southernmost access has been closed off (as required by condition). However none of the pre-commencement conditions have been discharged, so the permission has not been lawfully implemented.

5. The Proposal

The current proposal is an outline with all matters reserved for subsequent approval. It is proposed to demolish all the buildings except the brick and flint walled building along the main road frontage. Four dwellings in the style of converted agricultural barns are proposed (illustrative elevations have been provided), two detached and one pair of semi-detached, as well as two detached car barns. The retained building along the road frontage would be restored and sub-divided to provide work from home space for the proposed dwellings.



A draft unilateral undertaking has been submitted with the application which proposes to pay: (a) an unspecified amount as an affordable housing contribution towards the cost of providing affordable housing within the Marlborough Community Area; (b) a £4,500 contribution towards the cost of providing play facilities within Ramsbury; and (c) a £25,000 highways contribution towards the cost of providing a pedestrian link between the site and Ramsbury.

6. Planning Policy

The site is located well outside the Limits of Development (LOD) defined for Ramsbury in the Kennet Local Plan, so in planning policy terms it lies in the countryside. The key local plan policy is therefore HC26. This policy states that the only new build residential development which is permissible in the countryside is where it is to provide accommodation for the essential needs of agriculture or other employment essential to the countryside.

Other relevant local plan policies are HC32 (which requires the equivalent provision of general market and affordable homes in rural areas), NR6 (which generally restricts development to within LODs), NR7 (which seeks to resist development which is likely to have an adverse effect upon the landscape) and PD1 (which states out general principles for development which all development proposals have to satisfy). Policy HC35 "Recreation provision on small housing sites" does not apply to sites of less than 5 units.

Structure Plan policy DP1 seeks to promote a pattern of land-uses and associated transport links which minimise the need to travel and support the increased use of public transport, cycling and walking.

The NPPF paragraph 55 states that new isolated homes in the countryside should be avoided unless there are special circumstances. NPPF Chapter 4 promotes a pattern of development which facilitates the use of sustainable modes of transport. The glossary definition of “previously developed land” in the NPPF Annex 2 excludes “land that is or has been occupied by agricultural buildings”.

The site lies in the AONB. NPPF paragraph 115 states that great weight should be given to conserving landscape and scenic beauty in AONBs.

7. Consultations

Ramsbury Parish Council: Supports the application. This derelict site has been underutilised for many years. It is surrounded by other houses, is on a bus route and is within walking distance of the village.

North Wessex Downs AONB Unit: Objects to the proposal. This is an unsustainable countryside location and despite the bus link, the residential accommodation would be car focused. The proposal therefore fails to meet the requirements of the NPPF. In addition, does not agree that the existing site is in some way harmful to the character and qualities of the AONB and therefore needs “enhancement”. It is typical of many small farm yards that actually create the character of the AONB – whilst new small sporadic housing developments in the open countryside will only have a negative impact. Although the proposed dwellings have been designed in an agricultural style, the overall similarity between each building will result in the development still appearing as a group of houses with related gardens and parking.

Highway Authority: Considers that the proposed development would be overly reliant on the use of the private car, would be unsustainable and would represent isolated development in the countryside contrary to the NPPF. Whilst there is a reasonable bus service, the development is located well away from most services and employment facilities and it is unlikely that public transport, walking and cycling would be employed for the majority of transport trips to and from the site. Therefore recommends refusal for the following reason:

“The proposed development located remote from services and employment facilities, would be highly dependent on the private car, and is contrary to the guidance in the NPPF which seeks to encourage development to make the fullest possible use of public transport, walking and cycling and to be in locations which are or can be made sustainable.”

Also originally recommended refusal for the following additional reason: *“The B4192 from which the site takes access and the class III road between the site and the village of Ramsbury would form a desire line for pedestrians to and from the development to access Ramsbury services but are both unsuitable by reason of their lack of pedestrian facilities to safely and conveniently cater for the pedestrian movements which would be generated by a development of 4 dwellings.”*

However, the agent has subsequently verbally offered to provide a footway to highway adoptable standards over the majority of the route between Whittonditch crossroads and the edge of Ramsbury. The first section where there is an existing permissive path within the field would only be accepted by the landowner as a stoned path (not tarmac) and would remain as a permissive path which could therefore be withdrawn at some future time. Given the desirability of achieving a continuous pedestrian route from Whittonditch to Ramsbury, the Highway Authority is prepared to accept this limitation. Over the much longer section where an adoptable highway footway would be provided on the existing highway verge, some sections are too narrow to achieve a full width (2m) footway. Some short sections would narrow to about 1.2 metres – which again the Highway Authority is prepared to accept.

In the event that planning permission is granted for the development, the Highway Authority would want conditions attached to ensure the provision of the proposed pedestrian footway to the village prior to the first occupation of the development.

Principal Development Officer, New Housing: Local plan policy HC32 still applies: draft Core Strategy policy 43 does not yet carry much weight. There is sufficient evidence of need for affordable housing in this area, therefore 2 out of the 4 proposed dwellings should be affordable. The submitted draft unilateral undertaking does not allow for the provision of affordable units on the ground, only for a commuted sum in lieu. This is not acceptable. If planning permission is to be granted, this should be with a bilateral S106 agreement providing affordable units on the site.

County Ecologist: No objection subject to a condition requiring the demolition of the existing buildings to be carried out in accordance with the recommendations given in the submitted ecological report.

Landscape Officer: No objection. Development of the proposed scale and form will not result in any significant negative landscape or visual effect. However, it will be important to carefully control the appearance of the final development.

Environmental Health: Require the imposition of a contaminated land condition.

8. Publicity

The occupier of Whittonditch House has no objection to the proposal. However he has existing highways safety concerns and advocates speed restrictions along the B4192.

9. Planning Considerations

The site is occupied by a set of redundant agricultural buildings. Notwithstanding the agent's claim that the 2002 planning permission for change of use to commercial was implemented (it is claimed that the large building is in active B8 use), none of the conditions attached to that permission were discharged and so it was not lawfully implemented. The permission is therefore not considered to be extant. Rather than being a 'brownfield' or 'previously developed' site as is claimed, the site is considered to fall outside of the NPPF definition of 'previously developed land', being 'land that is or has been occupied by agricultural buildings'.

Whilst it is appreciated that the buildings (with the exception of the brick and flint wall of the roadside building) are not intrinsically attractive, officers agree with the assessment of the AONB unit that the existing site is not harmful to the character and qualities of the AONB and therefore does not need "enhancement." It is typical of many small farm yards that actually create the character of the AONB. It is acknowledged that the buildings are prominent when seen from the highway and that they are utilitarian in appearance. However they are characteristic of the rural landscape and are not inappropriate in their context.

In planning policy terms the site lies in the countryside, being situated well outside the Ramsbury LOD. Longstanding local and national planning policies have indicated that proposals for isolated new dwellings in the countryside should be resisted. The proposal is clearly contrary to local plan policy HC26 since no case has been made that the proposed dwellings would meet an essential agricultural need. It is also contrary to the requirement of NPPF paragraph 55 to avoid isolated new homes in the countryside, the proposed four new build dwellings not equating to any of the special circumstances listed in the paragraph.

The proposed location is essentially unsustainable, providing occupants of the proposed dwellings with no ready access to services such as shops and schools, or to employment opportunities. Such occupants would inevitably have to access these facilities by private car, contrary to the long standing tenet of national planning policy of seeking to concentrate new development in existing settlements which are well served by public transport. Although the applicant makes a case that the site is located on 3 bus routes, the services are infrequent and the bus stops are some 120m away on Whittonditch Road. As a consequence, occupiers of the proposed dwellings would in reality be heavily reliant on the private car. This is contrary to the NPPF paragraph 34 which states: "plans and decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised."

Even if occupiers of the dwellings were to contemplate accessing Ramsbury services by foot, there are severe highway safety implications of them doing so which would deter them, namely there is no separate pedestrian access. The Highway Authority had misgivings about this scenario such that they initially recommend refusal on the grounds of lack of pedestrian facilities.

The draft unilateral undertaking offers to provide £25,000 towards the cost of providing a pedestrian link between the site and Ramsbury. This offer has in effect been superseded by the agent's verbal offer to provide a footway to highway adoptable standards over the majority of the route between the Whittonditch crossroads and the edge of Ramsbury (which would cost considerably more than £25,000). Although the width of the footway would in places be substandard, the Highway Authority would be content with this proposal, subject to conditions requiring the provision of the footway prior to occupation of the dwellings, and requiring details of the footway to have been agreed.

If planning permission were to be granted, there would be a requirement under policy HC32 for 2 of the 4 units to be affordable. However, the submitted draft unilateral undertaking makes no provision for this. Instead it makes reference to an unspecified "affordable housing contribution". This may well turn out to be the approach to be adopted on small sites by Core Strategy Policy 43. However there is not currently a mechanism (or an agreed tariff) to secure this and hence in this particular instance affordable housing on the ground is required. But this has not been offered.

The buildings offer negligible opportunities for bat roosting or barn owl roosting/nesting. However, there are old birds nests in some of the buildings and hence if planning permission was granted, a condition would be required to avoid disturbance to nesting birds.

Because less than 5 units are proposed, there is no requirement under policy HC35 for a commuted sum towards children's recreation to be provided. Hence notwithstanding the offer in the draft unilateral undertaking to provide such a payment, this is not something that can be insisted upon.

10. Conclusion

In planning policy terms the site lies in the countryside well outside the Ramsbury Limits of Development. As such it is considered to be an unsustainable location for new residential development, being remote from services and employment facilities and with occupants of the proposed dwellings inevitably being reliant on the private car. Even if the site was considered suitable for residential redevelopment, the application fails to make adequate provision for affordable homes in an area of housing need.

RECOMMENDATION

That outline planning permission be REFUSED for the following reasons:

- 1 The proposed development occupies a countryside location located remote from services and employment facilities, would be highly dependent on the private car, and is contrary to long standing national and local planning policy which seeks to encourage development to make the fullest possible use of public transport, walking and cycling and to be in locations which are or can be made sustainable. As such the proposal is contrary to policy HC26 of the adopted Kennet Local Plan 2011, to policy DP1 of the Wiltshire and Swindon Structure Plan 2016 and to government planning policy in the NPPF.
- 2 The proposal fails to make adequate provision for affordable homes in an area of housing need. As such the proposal is contrary to policy HC32 of the adopted Kennet Local Plan 2011 and to government planning policy in the NPPF.

