

<b>Date of Meeting</b>	16 October 2014
<b>Application Number</b>	14/06726/OUT
<b>Site Address</b>	Farmer Giles Farmstead, Teffont, Salisbury, Wiltshire, SP3 5QY
<b>Proposal</b>	Demolition of some existing buildings and cessation of business. Erection of a dwelling all matters reserved save for access, scale and siting.
<b>Applicant</b>	Mrs M Corrie
<b>Town/Parish Council</b>	Teffont
<b>Ward</b>	Nadder and East Knoyle
<b>Grid Ref</b>	398481 132831
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Andrew Guest

### Reason for the application being considered by Committee

The applicant is related to Councillor Tony Deane.

### 1. Purpose of Report

To consider the recommendation of the Area Development Manager (South) that the application should be **APPROVED subject to the applicant entering into a planning obligation to provide for an off-site recreation (R2) contribution, and subject to conditions.**

### 2. Report Summary

The application seeks permission to cease the existing Farmer Giles Farmstead visitor attraction business, demolish buildings a car park and other paraphernalia associated with that business, and erect a single detached dwellinghouse.

The application has received support from Teffont Parish Council and five third parties, an objection from one third party, and comments from the Cranbourne Chase AONB group.

### 3. Site Description

The application site lies in 'open' countryside outside the Housing Restraint Area of Teffont and outside the Teffont Conservation Area. The site, Teffont and the surroundings lie within the Cranbourne Chase Area of Outstanding Natural Beauty.

The site itself mainly supports the Farmer Giles Farmstead visitor attraction. This comprises a number of contemporary agricultural buildings (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. In addition there are three holiday log cabins, a stored (not occupied) mobile home, stabling for the applicant's horses, and a horse exercise arena. The Farmer Giles Farmstead visitor attraction is presently

open, but on an ad hoc basis. The use has not been 'abandoned' for planning purposes.

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 supports various trees, tree lines and tree groups. Most notable are a central group at the back of the existing car park which largely screen views to the land beyond, and a planted line of tall trees running just inside the northern edge of the site.

Beyond the site to its south-east side is a large farmyard in separate ownership supporting mainly contemporary farm buildings. On all sides of the site (and also beyond this adjoining farmyard) is open countryside. Teffont village lies to the south, its defined Housing Restraint Area boundary approximately 250m away at its closest point.

An extract from the local plan map showing the various designations follows:



#### 4. Planning History

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

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 01/07/87 - (this appears to be the earliest approval relating to the use of the site as a visitor attraction)

S/1988/1497 – “use of land as picnic/recreation area, provision of tea room, construction of toilet block, extension of building to form entrance lobby” – approved 12/10/88

S/1989/0819 – “change of use of part of building used in connection with farmer giles farmstead for the sale of tickets and as a shop” – approved 08/08/89

S/1989/0820 – “Make alterations to and change use of building approved under planning permission s/88/0134/tp for the display of agricultural machinery in connection with Farmer Giles” – approved 09/08/89

S/1989/0821 – “Extend area of tea room approved under planning permission - S/1988/1497” – approved 09/08/89

.....

S/1999/1927 – “Change of use to horse training area with erection of loose boxes” - approved 10/02/2000

S/2003/0727 – “Erect 3 holiday lodges” – approved 28/10/03

## 5. The Proposal

The proposal is to cease the farm attraction use and remove the majority of buildings, car parking areas and other paraphernalia associated with that use, and erect a single two-storey house with attached garage wing. The application is in outline form with all matters reserved except access and scale.

Buildings to be removed comprise the reception/ticket office and the main farmstead exhibit building (which also contains the souvenir shop, cafe and toilets). The car park and stored mobile home would also be removed. All land under the removed buildings and car park would be restored to pasture, although with a driveway retained to serve the proposed dwelling.



### *Plan showing buildings to be demolished*

The proposed dwelling would be sited on presently open land to the north of the existing main exhibit building. Although an outline application, the scale parameters of the building are for consideration now. The drawings indicate a two storey house of some 600 sq m (including garaging), with ridge height of 9.2m. Siting is indicated to be approximately 100m from the public highway, beyond the central tree group which is indicated to be retained. In view of the change in levels across the site, the dwelling would be cut into the ground.

A driveway would be created to serve the dwelling. It would utilise the existing access to the visitor attraction. Width would be approximately 4m for the majority of its length.



Other considerations:  
Teffont Village Design Statement

## **7. Consultations**

### Teffont PC

Support subject to conditions.

Suggested special conditions based on local knowledge -

- Minimise the impact on the visual aspect / entry to the village.
- Minimise follow on applications which could significantly alter the character of the area.
- That this is a quid pro quo application and that several of the existing Farmer Giles Farmstead buildings will be removed.

### Wiltshire Council Highways

Notes that the site lies within the AONB and is outside the Teffont housing boundary.

On the basis that the traffic relating from the proposed new dwelling would likely be significantly less than that generated by the visitor attraction use, no objection is raised in principle on sustainability grounds.

The cost of removing 'brown' signs for the visitor attraction must be met by the applicant.

### Wiltshire Council Public Protection

No objection in principle. There is a good separation between the proposed site for the dwelling and the adjacent farmyard.

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.

### Wiltshire Council Ecologist

The application is supported by an Extended Phase 1 Habitat Survey and Daytime Bat and Nesting Bird Survey (Sedgehill Ecology, July 2014). Appendix VIII contains the results of the inspection for bats and birds carried out in June 2014. The conclusions of the survey note that the buildings due to be demolished do not currently contain bats and from the description and photographs submitted it appears that the risk of bats occurring in the future is low. The development lies 1.6km from the Chilmark Quarries SAC which is notified for hibernating bats. Therefore although

the site is unlikely to provide roosting potential for these bats, it is within the foraging range of greater horseshoe, lesser horseshoe and possibly Bechsteins bats. Tree planting such as the line of beech trees along the northern boundary and around the car park could provide foraging habitat for these species and should therefore be retained as part of future plans for the site.

Two pairs of sparrows were found nesting in one of the buildings. New provision for nesting birds is proposed by way of bird boxes. The only other protected species which the consultant considered could be present on site, are reptiles and recommendations are provided to discourage these from occupying areas due for construction in advance of works taking place.

The description of the two ponds (one of which is reported to be filled) demonstrates that these hold little potential for great crested newts.

The intentions of the applicant / recommendations of the report regarding enhancement are noted: namely the provision of bats boxes, a wildlife pond and sowing of a chalk grassland wildflower mix immediately to the south of the line of beech trees. These measures for enhancement are welcomed but the range of calcareous wildflowers that succeed in the shade of the beech trees may be limited and it is suggested therefore that a less shaded position is found if possible.

A condition and informative are recommended in line with the Council's policies for retention of existing wildlife habitat / enhancement in the Local Plan (policy C13), core policy CP50 in the emerging core strategy as well as paragraph 109 and 118 of the NPPF.

Wiltshire Council Spatial Planning:

Objection - The proposal would result in the development of an isolated dwelling in the undeveloped countryside, which is not in accordance with national and local policy. It is not felt that adequate justification to deviate from this policy position has been provided.

The application is to be considered in the context of the NPPF, the adopted South Wiltshire Core Strategy (SWCS), the saved policies of the Salisbury District Local Plan (SDLP), and the emerging Wiltshire Core Strategy (WCS), the latter of which is now significantly advanced through the Examination process and therefore carries considerable weight.

The Farmer Giles Farmstead was, until its closure, a tourist attraction created through the diversification of the former farm and is therefore to be classified under D2 Assembly and Leisure use.

The site falls outside of the Housing Policy Boundary (HPB) of Teffont, and lies within the open countryside. Saved policy C2 of the SDLP sets out that development in the countryside will be strictly limited and only permitted where it would benefit the local economy and maintain or enhance the environment. WCS policy CP2 sets out that outside of the defined limits of development, proposals for development will only be permitted in exceptional circumstances, none of which would apply to the application proposals.

Paragraphs 4.4 and 4.5 of the supporting Planning Design and Access Statement quote parts of NPPF paras 28 and 55, with emphasis added to suggest that support should be given for the conversion of existing buildings in rural areas. However, from the application particulars submitted it does not appear that any conversions are proposed. When read in full, paras 28 and 55 are clearly not supportive of the application proposals, with particular reference to the need to avoid isolated homes in the countryside.

The applicant also maintains that the application site constitutes brownfield land. Whilst it is agreed that the proposed access to the dwelling would be on the previously developed car park area, the dwelling itself would be on open, undeveloped land.

The site is situated within the AONB where all developments are required to conserve the designated landscape and its setting, and where possible enhance its locally distinctive characteristics. The NPPF at para 115 confirms that 'great weight' should be given to conserving AONBs, which have 'the highest status of protection in relation to landscape and scenic beauty'. Emerging WCS policy CP51 requires that ... "proposals for development within or affecting the Areas of Outstanding Natural Beauty (AONBs), New Forest National Park (NFNP), or Stonehenge and Avebury Heritage Site (WHS) shall demonstrate that they have taken account of the objectives, policies, and actions set out in the relevant Management Plans for these areas."

The supporting application documents do not demonstrate that the objectives, policies and actions of the Cranborne Chase & West Wiltshire Downs Management Plan have been considered in the preparation of the scheme proposals.

The applicant is of the view that demolition of a number of existing farm buildings, removal of hardstanding and the construction of a large residential dwelling will result in overall improvements to the landscape and visual setting of this part of the AONB, as well as a reduction in vehicle movements to and from the site.

Whether the existing use constitutes a significant detriment to the local environment will be key to the consideration of the application in this regard. The application is not supported by a Landscape and Visual Impact Assessment which would support the applicant's argument, and it appears that the smaller farm building which is visible from the road and proposed for demolition is single storey and quite rural in nature. Further evidence to support the argument that the existing buildings significantly visually unattractive or out of keeping with the countryside location would aid the applicant's argument. The area of hardstanding fronting the road is arguably more unattractive to the setting.

The site location plan (ref no. FGt/pa/02) submitted with the application shows only the land to the north of the farm complex within the red line boundary. It is understood that the proposed dwelling would be situated within this area.

It is acknowledged that if the farm attraction use were to cease there would be a reduction in the number of vehicle movements to and from the site.

It is accepted that the viability of the business on the wider site may be marginal. However, the site is in a sensitive location within the AONB and countryside which must be given the highest regard. In order to secure a lasting and beneficial solution for the site with mutual benefits for the landowner and local community a holistic planned approach to the entirety of the site is required, which would avoid piecemeal development.

#### Wiltshire Fire & Rescue Service

Recommends measures to improve safety and reduce property loss.

### **8. Publicity**

The application was publicised by way of a site notice and letters to near neighbouring residential properties. Five third party representations of support have been received and one third party representation of objection. Comments have also been made by the Cranbourne Chase AONB group.

The support is summarised as follows:

- The underlying basis of the application – to ‘trade’ the visitor attraction and some associated buildings for a dwelling – is sound and in the interests of the village;
- The proposal would result in a visual improvement at the entrance to the village and within the AONB, subject to appropriate controls to ensure removal of existing buildings and hardstandings;
- Suggested siting for the dwelling is discrete;
- Reduction in traffic would benefit the village;
- An on-site dwelling would add security to the site and all remaining buildings/uses;
- A well-designed dwelling would cause no demonstrable harm to the environment, particularly if built in accordance with ‘green’ principles;
- Domestic curtilage must be defined;
- Retention of the lodges will allow visitors to continue to enjoy the area;

The objection is summarised as follows:

- The proposed house would be visible in distant views across the AONB; the suggested siting is on open land – not in place of the buildings to be demolished; the suggested siting and scale of the house is not sympathetic with the landscape or nearby stone cottages.

The Cranbourne Chase AONB group states the following:

The Cranbourne 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 and environmental capital. The AONB Management Plan (2009 – 2014) is a statutory document and it has been approved by the Secretary of State and was adopted by your Council early in 2009. 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. 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 site is in the West Wiltshire Downs landscape character area, and greater details of the landscape, buildings and settlement characteristics can be found in the Landscape Character Assessment 2003.

At first sight this application appears to be for a large residence in the open countryside and on a greenfield site. The Planning, Design and Access Statement admits that this is the policy situation and then sets out a number of points to seek a departure from policy. The Farmer Giles Farmstead appears to be a combination of agricultural, equestrian, and visitor facilities. The scale and nature of the visitor facilities appear to be compatible with AONB aims and objectives. The proposed closure of the visitor facility, with the exception of the caravans and holiday cabins, would constitute an economic loss to the AONB as well as the loss of a facility for visitors to learn about the countryside.

The barns and parking area of the Farmer Giles Farmstead are closely associated with the barns and farmyard of the adjoining farm to the extent that they appear to be a single group of agricultural buildings. The removal of the main Farmer Giles barn would have the effect of creating a gap in this buildings group leaving the barn containing the Farmer Giles equestrian facilities and the manège separated and somewhat isolated.

Although it is noted that the application is in outline only there is very little evidence in the Planning, Design and Access Statement to support the assertions being made there. The application also lacks detail in that significant elements in the continuing business use of the site are not clearly identified. For example, the holiday 'cabins' are not identified, neither is the access to them and the touring caravan site. The full extent of the blue line area is not shown.

The loss of the Farmer Giles Farmstead facility would impact on the rural economy of the locality. The issue of traffic in the village of Teffont does not appear to be supported by any data. Clearly the main access to the site is direct from the A303

with the return route directly to it, avoiding the village of Teffont itself. The reduction in traffic argument in connection with the village does need to be supported by data.

As already stated paragraph 14 of the NPPF does not, in an AONB, necessarily mean that development should be approved. Furthermore, to apply the presumption in favour of sustainable development, subject to existing policies and material matters, the proposed development does have to meet the criteria for sustainable development. Unfortunately the Planning, Design and Access Statement completely omits the section of the NPPF that relates to the rural environment.

Paragraph 5.1 of the Planning, Design and Access Statement encapsulates the policy situation. Paragraph 5.4 onwards outlining the proposal seems to oversimplify the situation. For example, it refers to the closure of the business but then refers in paragraph 5.12 to 'tourist use' remaining as would the existing mènage (sic) and these could lead to continued traffic issues. The operation of the manège for regular equestrian activities could lead to significant and regular horse lorry movements through the village which could, arguably, be more problematic than car traffic from visitors to the Farmer Giles facility. It is asserted that the parking area and items of children's play equipment harm the visual amenities of the AONB without any supporting evidence. Reference is also made to the 'vast majority of the buildings on the site would be removed' whereas it appears that two buildings only are proposed to be removed and the group of buildings incorporating the neighbouring farm appears to be the significant feature.

Leaving aside the technical issues of removal of the car park and restoring it as paddock, paragraph 6.6 seems to be overstating the situation by referring to the 'removal of a large number of utilitarian buildings' when it appears that two buildings are being proposed for removal. There is no source for the assertion that the car park is visually prominent.

The proposal is for a substantial property with associated garage block. It is sufficient in form and size to be referred to as a mansion rather than a house. The proposal appears to cut the proposed mansion into the ground, whilst providing significant tree planting. The planting and lowering of the building into the ground suggest the location would be visible in the rural scene. However, there is no landscape and visual impact assessment or appraisal to provide evidence for either the concept or the proposed mitigation.

If it is concluded that there are arguments in favour of the proposal despite the policy situation then the AONB would strongly recommend that a landscape and visual impact appraisal is necessary to inform the consideration of the impacts on the locality within the AONB and the practicalities of the proposed mitigation. For example, a number of the trees shown in the sketches of the building are of a very significant size that would take many decades to achieve. Such planting might be established through the transplanting of a significant number of semi-mature trees but that feature itself may be an alien element in the character of the landscape on this part of the downlands. The potential visibility of the proposed buildings should be objectively assessed along with the changes in the scene created by the removal of the two buildings identified in the application. The practicalities of removing the

existing car park and returning it to a paddock are likely to be costly, and, again, would need the involvement of appropriate professional skills.

To conclude, the AONB concurs that the policy situation appears to militate against the proposal. If, however, it is considered that there are arguments to support the proposal then the AONB recommends those arguments need to be supported by data and, in particular, a landscape and visual impact appraisal (as outlined above) by a professionally qualified landscape architect. It may be concluded that this proposal, in the heart of the AONB and with a complex of policy issues to overcome, should be subject to a fully detailed application. In such a situation the AONB would be interested not just in the impacts on visibility and tranquillity but also the use of renewable energy and the avoidance of light pollution (in line with our Position Statement on Light Pollution).

## **9. Planning Considerations**

### Principle

The first issue relevant to the consideration of this application is the principle of what is proposed.

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.

Case law relating to material considerations states that *“in principle ... any consideration which relates to the use and development of land is capable of being a planning consideration. Whether a particular consideration falling within that broad class is material in any given case will depend on the circumstances”*, (Stringer v MHLG 1971). Material considerations must be genuine planning considerations - that is, they must be related to the development and use of land in the public interest. The considerations must also fairly and reasonably relate to the planning application(s) concerned, (R v Westminster CC ex-parte Monahan 1989).

In this particular case the application site lies within the countryside as defined in the development plan. Within the countryside there is effectively a presumption against new residential development unless, in particular, it is essential to support a rural enterprise or it is to provide affordable housing under limited circumstances. This approach is set out in 'saved' Policies C2 and H23 of the Salisbury District Local Plan which state that development in the countryside will be strictly limited and that undeveloped land outside defined areas (including Housing Restraint Areas) will be considered to be countryside where the erection of new dwellings will be limited to those providing accommodation in the terms set out above (policies CP3 (SWCS) and H27 then apply). The approach is carried through to Policies CP1 and CP2 of the South Wiltshire Core Strategy and the emerging Wiltshire Core Strategy, both of

which set out 'settlement strategies'. CP2 states that development will not be permitted outside the defined limits of development of the settlements within the strategy.

In essence a principal component of the proposal is to erect a house on this site in the countryside which is neither essential to support a rural enterprise nor to provide affordable housing under the limited circumstances allowed by Policy CP3. It follows that the proposal is not in accordance with the development plan and so, on face value, fails as a matter of principle.

However, it is considered that in this case there are 'material considerations' as defined above 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 of the existing use and the removal of the related operational development from the site; and the benefits to certain principles of sustainable development and the general tranquillity of Teffont, again, arising from the cessation of the existing use and the removal of its associated traffic (albeit reduced traffic at this time in view of the ad hoc way in which the attraction is currently operating). It is considered that the weight to be attached to these considerations as material considerations is sufficiently high to override the policy position. This is explained in greater detail in the following sections of the report.

### 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".

Saved Policy C4 of the SDLP states that "within the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty development will not be permitted if it would harm the natural beauty of the landscape". Policy C5 further states that small scale development proposals in the AONB will only be permitted where:

- "(i) the siting and scale of development are sympathetic with the landscape of the AONB in general and of the particular locality; and
- (ii) standards of landscaping and design are high, using materials which are appropriate to the locality and reflect the character of the area".

Policy C5 also requires regard to be had to the social and economic well-being of the area.

In this particular case the proposal is to cease the existing visitor attraction use and remove operational development associated with it. This includes demolition of two large contemporary buildings and removal of a car park and other related paraphernalia, and then the restoration of the land to pasture. In purely visual terms it is considered that restoration of the site in this manner would result in an enhancement in its appearance and the appearance of the wider landscape, and so fulfil the local planning authority's duties as referred to above.

The 'trade off' is the proposal to erect the dwelling on the site. Exceptionally this is considered acceptable in view of the overall improvements to the appearance of the site resulting from the restoration of the other parts of the site to pasture, this leading to net enhancement of the AONB. This is the first material consideration which tips the balance in favour of the proposal.

The dwelling would be sited at least in part on a more open part of the site (presently partly occupied by a children's play area, which would be removed). However, siting it here would not be harmful to the general openness of the countryside, the location being largely screened by the lie of the land and / or established tree and hedgerow planting, and close to the existing buildings in any event. Although indicated to be a large house, the 'footprint' would be significantly smaller than that of the buildings and car park area to be removed. 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. As this is an outline application the design shown in the application particulars is illustrative only. 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 landscape and visual impact assessment given the context of the site, as described.

Regarding the social and economic considerations, removal of the visitor attractive would inevitably result in the loss of a rural enterprise and related potential job opportunities. That said, the attraction is not considered to be a significant employer (particularly now it is operating on an ad hoc basis and so employing occasional part time staff only), and the visual enhancements stemming from the proposal are considered to outweigh the economic impacts in any event. This is considered further below.

To sum up on this issue, the enhancement to the AONB resulting from the overall 'package' of proposals is considered to be a material consideration which in this instance overrides the policy presumption against new residential development outside of defined housing areas.

### 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 .....". More specifically, 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 more remote 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. WC Highways consider 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.

To sum up this section of the report, it is considered that the proposal, although not strictly sustainable, would result in a more sustainable position than exists presently and would not adversely impact on the rural economy. To its merit, 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 policies of the development plan.

### Other matters

There are no residential amenity issues arising from this proposal in view of the distance of the site from other residential properties. WC Public Protection is satisfied that the proposed dwelling can be sufficiently distanced from the adjoining farmyard to ensure no loss of amenity to the new occupiers.

The Teffont Village Design Statement provides useful guidance and information on how new development should be designed to 'fit'. Notably the VDS states "Good quality and interesting design really will enhance the surroundings. This does not mean the building need be more costly, just that attention is paid to detail such as placement, proportions and heights of buildings; their relationship to the size of the plot and their roof pitches and 'features'. They should also demonstrate sensitivity to the spirit of the entire village, the adjacent buildings and their occupants, and the

environmental setting". This is a material consideration to be given weight at the reserved matters stage when detailed design would be addressed.

Conditions are recommended to deal with the cessation of the visitor attraction use and the phasing of demolition and site clearance works. Conditions are also proposed to manage the use of the stabling building to be retained.

Saved policy R2 of the SDLP requires a contribution towards local recreation provision. The applicant is agreeable to entering into a planning obligation to ensure delivery of this.

There are no other issues arising, including highway safety and ecology.

## **RECOMMENDATION**

**To delegate to the Area Development Management to Approve subject to the applicant entering into planning obligation for the delivery of a financial contribution towards local recreation provision, and 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. FGr/pa/03a dated March 2014 and received by the lpa on 10 July 2014 and all of the existing open car park areas (with the exception of that part which will form the access drive to the dwelling as shown on drawing nos. DT/P/101A and FGr/pa/01B dated August 2014 and March 2014 respectively and received by the lpa on 18 and 8 September 2014 respectively) 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. DT/P/101A dated August 2014 and received by the lpa on 18 September 2014. 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 The domestic curtilage serving the dwelling hereby approved shall be limited to the area edged in yellow on drawing no. DT/P/101A dated March 2014 and received by the lpa on 18 September 2014. Prior to commencement of development details of the intended method of enclosing the domestic 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.

- 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:

FGR/pa/02A dated March 2014 and received by the lpa 8 September 2014;  
DT/P/101A dated August 2014 and received by the lpa 8 September 2014;  
FGr/pa/01B dated March 2014 and received by the lpa 8 September 2014;  
FGr/pa/03a (demolition plan) dated March 2014 and received by the lpa 10 July 2014.

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.