

Appeal Decision

Site visit made on 15 March 2016

by Karen Radford BA (Hons), Dip Arch, Dip Arch Cons, IHBC

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 29 June 2016

Appeal Ref: APP/R3325/W/15/3139391

Land at Combe Lane, Keinton Manderville, Somerton, Somerset TA11 6ER

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs G Finn against the decision of South Somerset District Council.
 - The application Ref 15/04301/FUL, dated 15 September 2015, was refused by notice dated 12 November 2015.
 - The development proposed is the proposed erection of one and a half storey dwelling, associated single storey garage and barn renovation.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Although both parties make reference to previously refused applications for planning permission for development at this site, neither of these previous refusals were appealed. Whilst I acknowledge that copies of these previously refused schemes have been submitted as part of this appeal, I have determined this appeal on the basis of the refused application ref - 15/04301/FUL.

Main Issues

3. The main issues are the effect of the development on the character and appearance of the area, and whether the development intrudes into open countryside.

Reasons

Character and appearance

4. The appeal site is located to the south side of Church Street/Combe Lane, on the western edge of the village of Keinton Manderville. It relates to both the open countryside to the west and the adjacent residential properties to the east.
 5. It extends to approximately 0.4 hectares of agricultural land currently used as pony paddocks and for equestrian activities, and contains a row of loose box stables and a rather dilapidated barn. These buildings are positioned in fairly close proximity to the road, albeit their visual presence is screened from the
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- road to some degree by existing roadside hedges and trees. There is an existing access gateway leading into the stable yard area and hard standing.
6. The land is generally level in the vicinity of the stables and barn but beyond them, there are paddocks with the land falling away, to provide long distance attractive views of open countryside to the south. In addition there are more very attractive views of countryside along Combe Lane when looking to the west.
 7. Immediately opposite the site, there are three cottages located quite close to the road which form the extent of the village settlement to the west. Further east along Combe Lane and Church Street, there are detached houses set in generous gardens. Whilst these properties have not been built to a rigid front building line they do have loosely uniform linear relationship to the road and to each other. They also have traditional front garden areas of varying sizes, albeit some of these are now dominated by parking, and they all have a direct visual connection with the road.
 8. The only exception to this established fairly linear pattern of development is the property known as Amberley which is immediately adjacent to the appeal site, and is set back some distance from the road in very generous grounds.
 9. The proposed development would comprise the erection of a detached dwelling and detached garage/store set back approximately 20 metres from the road. The existing stabling would remain and the existing barn would be re-clad, and the existing access would be re-used. The new house and garage/store in combination with the retained buildings would result in a complex of four individual buildings with a functional relationship to each other. A fundamental influencing factor on the site layout is the location of the existing water main.
 10. To my mind the site layout of this new development in conjunction with the existing buildings would appear to be visually arbitrary and would not relate to the existing linear built form of buildings in the surrounding area. I accept that the appeal house would be positioned at a similar distance from Combe Lane as Amberley is positioned. However I consider that Amberley like the other houses in the area has a fairly direct visual connection to the Lane unimpeded by buildings. Whereas the proposed house would be semi obscured from the Lane by the re-clad barn and stable yard which both have a utilitarian appearance.
 11. I conclude that the proposed new buildings being set back so far on the site from the road and in combination with their relationship with the existing buildings would not respect or relate to the prevailing linear built form of the surrounding area. They would therefore have a harmful effect on the character and appearance of the area and would not be in accordance with Policy EQ2 of the South Somerset Local Plan 2006-2028, which aims among other things to ensure that development promotes local distinctiveness, and preserves or enhances the character and appearance of the district. Furthermore, the development would not be in accordance with paragraph 17 of the National Planning Policy Framework (the Framework) which seeks to ensure similar objectives.

Whether the development intrudes into open countryside

12. The appeal site is rural, and is located in open countryside and on the edge of the village. The appellants are of the opinion that the visual characteristics of the appeal site are unattractive in that the site comprises pony paddocks with shortly grazed grass and utilitarian buildings. However whilst these may be unattractive factors of the site, nonetheless they are also features of open countryside and indeed the proposals would retain the barn and stables which have the appearance of agricultural type buildings.
13. To my mind the visual impact of the proposed development would be a new house and garage set back well into the site, with an area of parking in front of the house, together with the resulting domestic paraphernalia such as garden sheds, refuse storage and domestic gardens. These would all be detrimental to the appearance of this rural location due to the erosion of the open rural space and views, particularly when viewed from the road.
14. I acknowledge that the site historically had an orchard and the proposals include for a new area of orchard to be planted, together with new hedge planting and these would improve the appearance of the area. Furthermore, I accept that this new planting would reduce the visual impact of the proposals when viewed from the south. However I consider that such planting would not overcome the principal concern of the new residential buildings harming the rural character of the site.
15. I find that the principle of development in this location would erode the rural character of the village setting and intrude into open countryside.
16. Therefore the development would not be in accordance with Policy EQ2 of the South Somerset Local Plan 2006-2028, which aims among other things to ensure that development reinforces, respects local distinctiveness, context and character, conserves and enhances the landscape character of the area.
17. In addition, I have found that the development would not be in accordance with paragraph 17 of the National Planning Policy Framework (the Framework) which seeks to ensure that development takes account of the different roles and character of different area, and recognises the intrinsic character and beauty of the countryside.

Overall Planning Balance

18. Both parties acknowledge that the Council cannot demonstrate a five year supply of housing land, and therefore under paragraph 14 of the Framework the Local Plan policies are considered to be out-of-date, and permission should be granted for development. However, although paragraph 14 of the Framework provides a presumption in favour of sustainable development, it also requires the balancing of adverse impacts of development against the benefits.
19. I have found that the proposed development would be detrimental to the character and appearance of the surrounding area including the rural context of the locality, and that the development would intrude into the countryside. These factors all weigh heavily against allowing the proposed development.
20. I acknowledge that there are a number of day to day facilities and services in the village such as primary school, church, post office, shop, village hall, pub and various businesses and I accept that the Council consider that the village would be a suitable location for additional development due to its existing

services. However this conclusion regarding the services in the village does not outweigh the considerations relating specifically to this appeal site.

21. In favour of the proposed development are the benefits of one additional unit of housing, the re-cladding of the existing barn, and some new landscaping including an orchard. However, the factors identified as weighing against the proposed development significantly and demonstrably outweigh the factors in its favour. The proposed development cannot therefore be considered to be sustainable development and the appeal is dismissed.

Other matters

22. I have also considered the submitted information in relation to the exchanges between the appellants and the Council Officers, and the previously refused applications. However none of these matters have led me to reach a different conclusion.
23. Whilst I have noted that during the course of the appeal a Unilateral Undertaking regarding a financial contribution for affordable housing has been submitted and the Council has confirmed it is acceptable, this has not led me to reach a different conclusion.

Conclusion

24. For the reasons given above and taking all other matters into consideration, I conclude that the appeal should be dismissed.

Karen Radford

INSPECTOR