



This application is seeking outline planning consent and to agree detailed matters of access and scale for the erection of four detached dwellings and alterations to existing accesses.

The application site is approximately 0.37 hectares in area and comprises part of the applicant's existing garden area and a small grassy paddock that is in a relatively unmanaged condition with a number of mature trees and unmaintained hedgerows growing along the north and south boundaries. There is a hedge that separates the applicant's garden from the paddock.

The site sits opposite a row of residential properties, with residential properties to the west and Kelways Nursery and associated residential property to the east. The land to the rear is an agricultural field. The site is uneven sloping ground that is raised up above the adjacent road and falls away from east to west. The 'existing' access, which is proposed to be altered to provide access to the proposed development, and which is referred to on the submitted plans was not visible at the time of the site visit due to the over-grown state of the land. The proposed access will lead on to Picts Hill (B3153) which is subject to a 30mph speed restriction at this point. There is a signal controlled pedestrian crossing a short distance to the east of the proposed access. The roadside bank and vegetation extends to the edge of the carriageway. There is a footway on the opposite side of the road that runs from the pedestrian crossing into Huish Episcopi / Langport.

RELEVANT HISTORY:

None

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF states that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.

For the purposes of determining current applications the local planning authority considers that the adopted development plan comprises the policies of the South Somerset Local Plan 2006 2028 (adopted March 2015).

Policies of the South Somerset Local Plan (2006-2028)

SD1 - Sustainable Development

SS2 - Rural Settlement

SS5 - Delivering New Housing Growth

SS6 - Infrastructure Delivery

LMT2 - Langport / Huish Episcopi Direction of Growth

TA5 - Transport Impact of New Development

TA6 - Parking Standards

HW1 - Provision of open space, outdoor playing space, sports, cultural and community facilities in new development

EQ2 - General Development

EQ4 - Biodiversity

EQ5 - Green Infrastructure

EQ7 - Pollution Control

National Planning Policy Framework

Part 4 - Promoting sustainable transport

Part 6 - Delivering a wide choice of high quality homes

Part 7 - Requiring good design

Part 8 - Promoting healthy communities

Part 10 - Meeting the challenge of climate change, flooding and coastal change

Part 11 - Conserving and enhancing the natural environment

CONSULTATIONS

High Ham Parish Council: Support the proposal in principle subject to the following provisions being agreed as an integral part of any future approval of the proposal:

- A legal undertaking to introduce additional community benefit in the form of securing a range of improvements to the road safety in the vicinity of the site. These improvements must include:
 - Cutting back to an appropriate level of the thick hedge that runs parallel to the main road from the pedestrian crossing down to the proposed new access position to improve visibility up the hill when egressing the site.
 - A pavement provided in front of the hedge to allow safe pedestrian access to the traffic light controlled pedestrian crossing.
 - A permanent 'Matrix' traffic pole (or two) provided in a suitable location that indicates the speed that passing vehicles are travelling. Traffic speeds continually exceed the 30mph speed restriction that is in force.
- Notwithstanding the objections raised by the Landscape Officer and Tree Officer, the Parish Council believes that the community benefit this proposal would introduce into the area in terms of additional road safety provision warrants being considered by the Area North Committee.

Huish Episcopi Parish Council (neighbouring parish): No objections.

County Highways: No objection subject to conditions relating to:

- Surface water drainage details to prevent discharge into the highway;
- Secure parking and turning areas;
- Proposed access to be available for use before the site is first brought into use;
- The first five metres of the access to be properly consolidated.

Strategic Housing: If the gross floor area is 1000 square metres or more then policy HG4 applies and we would expect that 35% of this site should be provided as affordable housing, we would deal with this on reserved matters when the property details are known.

Ecology: No objections subject to a condition requiring the provision of dormice and reptile mitigation measures.

Landscape Officer: Objects.

Latest comments (responding to amended plans and additional tree protection details): My comments remain as previously submitted, although I accept that the extent of potential impact of groundworks upon the existing trees recommended for retention could be limited.

Should this application be approved however then in addition to tree retention and protection I would advise the planting proposal that has been offered is conditioned for implementation but with the hedging proposal amended such that the native hedge mix is applied through the frontage and alongside the site access rather than the beech to ensure a consistency of species composition facing the road.

Initial comments: The site is currently an unmanaged paddock that is partially scrub-covered, with an unmanaged hedgerow frontage, and individual trees within the site. It lays to the west of the junction of the B3153 with the road to High Ham. The settlement associated with Picts Hill (within High Ham parish) is in-part concentrated around this road junction, extending east alongside the B3153, with a more concentrated development presence laying to the east of Union Drove. Huish Episcopi lays to the west, from which Picts Hill is separated by a mix of small fields and loose grain housing, along with the nursery buildings and associated horticultural ground associated with Kelways Nursery. This indistinct separation is substantiated by a strong presence of tree growth in the vicinity, and the hedged enclosure of the B3153.

The proposal intends the clearance of much of the site other than the established trees, and the manipulation of ground levels, to facilitate the construction of 4 new dwellings. I consider the development of the site would have an adverse impact upon local character and distinctiveness, due to the following operations;

1. removal and reduction of a substantive proportion of the roadside hedge, to achieve access splays and visibility lines to SCC Highways standards;
2. general reduction of woody cover on site;
3. the large extent of level manipulation necessary to create level platforms for development;
4. the likely impact upon the existing trees of the necessary groundworks, and;
5. the erosion of open space and woody cover that currently contributes to the separation of the two settlements.

Consequently I do not see LP policy EQ2 being satisfied, to provide landscape grounds for refusal.

Arborist: Latest comments (responding to amended plans and additional tree protection details): The amended site layout appears to have benefited from the more recent arboricultural input by avoiding well-intentioned tree retention in close proximity to houses. The proposed planting scheme is welcome however I would ask that for a couple of amendments be made regarding the protection and maintenance of the proposed tree planting and that the new trees be container grown. I also recommend a tree protection condition.

Initial comments - Whilst I appreciate the outline nature of the proposal, I have concerns that the visibility splay requirements for the proposed site entrance would result in the loss of the significant linear group of roadside trees. The roadside trees are prominent to Public view and appear to be located much closer to the road than the Site Plan might suggest (Ref: 510 [00] 02 F). They currently have significant visual amenity value and if they were sustainably retained, could perhaps provide screening of built-form.

The largest individual tree shown to be retained in the centre of the site appears too close to the internal road layout and second dwelling from the East. It seems likely that such a layout would lead to resentment towards the trees by future residents, particularly in regards to perceptions of over-domination, shading, the shedding of dead twigs and other associated nuisances. Hardly a sustainable state of affairs, which seems likely to result in excessive pruning and/or demands for felling. The changes to gradient levels also appear likely to cause significant damage to the health of the tree root systems. There appears to have been little or no appropriate arboricultural input into this design.

I am afraid that I object to the current proposal on the basis that I believe it to be contrary to the Council's aims to preserve existing landscape features (trees and hedgerows) in accordance with the following policies of The South Somerset Local Plan (2006 - 2028); EQ2: General Development, EQ4: Bio-Diversity & EQ5: Green Infrastructure.

Latest comments following the receipt of further comments from the applicant's arborist - I am afraid the information relating to crown radius measurements and internal site layout do not appear to conform to the methodology or recommendations within BS 5837:2012 - Trees in relation to design, demolition and construction. The related concerns have not been satisfactorily addressed. The concerns I raised regarding the likely requirements of SCC Highways for an extensive visibility splay, possibly affecting the earthen bank upon which many of the roadside trees are located, also remains a cause for concern. I am not aware of any beech trees in the vicinity that the arborist refers to.

REPRESENTATIONS

Written representations have been received from one local household raising the following concerns and comments:

- We are opposed to any further development along this stretch of the B3153 until concerns relating to traffic speeds, inadequate pavement provision (too narrow and poorly surfaced), the treatment of the bank along the application site including the poor maintenance of the roadside hedgerow and the ash trees growing on site which have been allowed to grow too tall, not only blocking light to the houses opposite but also their stability in high winds and rain.
- Often larger vehicles have to drive into the middle of the road due to the trees and hedge growing along the road frontage. Due to this and the width of the road it often leads to larger vehicles having to drive up on to the pavement in order to pass other oncoming HGV's.
- There is a build-up of rubbish on either side of the road resulting from branches and vegetation being knocked off the overhanging trees from the site that then blocks the drains.
- Welcome the cutting back of the bank and construction of the footpath. The extra pedestrian crossing is a good idea so long as it is sited away from existing properties. I am concerned however that it will be uncontrolled given the speeding problems.

- With the increase in pedestrian traffic more needs to be done to maintain the existing pavement. More control of heavy traffic needs to be put in place.
- Why is an access to the field behind being made, are there plans for another development?
- More pressure needs to be put on the owners to cut back the overhanging vegetation now. We cannot wait until the building commences, as you have observed lorries are being pushed further into the road.
- We have no objection to the erection of the four houses proposed and welcome the proposed new footway but do have concerns over the field access on the south boundary.
- Although the application states there was an access to this field from the B3153, this access has not been used for at least 10 years or even longer. We were not even aware of it as it is so overgrown and we live almost opposite it. To date access to the field has been from Union Drove or the applicant's property.

CONSIDERATIONS

This application is seeking outline planning permission with reserved matters of scale and access for the erection of four detached dwellings and associated access works.

Principle

The application site is located within the parish of High Ham however is geographically on the periphery of Langport & Huish and approximately 150m to the east of the defined development area. The principle facilities found in these settlements are in excess of 1km from the site, however, the site is on a good access route with a footpath on the opposite side of the road that leads into the town centre. In recent years a number of new build houses have been built in the locality, one on the opposite side of the road from the site and two on the road to High Ham to the northeast which are further away from town than the current site. Bearing these factors in mind it is accepted that the distance of the site to local services does not raise any significant concerns.

The site however is on the opposite side of the road from the existing pavement. The B3153, whilst subject to a 30mph speed restriction, is a very busy road and the installation of a signalled pedestrian crossing a short distance to the south highlights the difficulties for pedestrians wishing to cross this road. It is therefore considered that in order to achieve a safe means of access for pedestrians that it is necessary for the development to be served by a footpath that connects the site to the pedestrian crossing to the south. The application has now been amended to incorporate a 1.8m wide footpath along the frontage to connect to the existing pavement and signalled crossing to the east. This is to be achieved by cutting back the vegetation and raised bank that abuts the carriageway and the erection of a retaining wall.

Therefore, on the basis of these amended details it is accepted that a safe and suitable means of pedestrian access can be achieved and it is considered that the proposed development will therefore constitute sustainable development in terms of its accessibility to local facilities and services.

Pattern of development / visual amenity

The site is located in the area of Picts Hill which is located on the eastern approach to Huish and Langport. Picts Hill is separated from Huish Episcopi to the west by a mix of small fields and loose grain housing and the buildings at Kelways Nursery. The existing development along Picts Hill itself has a semi-rural character with irregular ribbon development and a strong presence of tree growth and hedging alongside the road to which the application site makes a valuable contribution.

The proposal intends the clearance of much of the site, other than the established trees, and due to the sloping nature of the site will necessitate manipulation of the ground levels in order to create the access and the bases for the new dwellings. The agent has argued that there would be little need for much

alteration to the levels and that there will be little need to dig into the roadside bank to achieve a suitable access. The fact that there will need to be a significant widening of the existing access (which at the time of visiting the site was clearly not in use given that it was completely obscured by vegetation), that the access will need to be of a suitably shallow gradient and that a new 1.8m wide pavement is essential and now therefore forms part of the scheme suggests this will not be the case.

As stated earlier in this report there is a raised bank along the roadside frontage of the site which will clearly need to be cut back to facilitate the new pavement and most likely the visibility splays and will require the provision of retaining walls, the appearance of which have not been provided. The existing roadside planting will also be lost, although it is acknowledged that the applicant is proposing some new hedgerow planting (beech hedge as opposed to a native hedge) set further back into the site. Such works however are likely to have a highly engineered appearance with the new planting having no meaningful mitigating effect upon such works.

The character of Picts Hill is typical of the edge of many settlement localities across the district, with irregular built development interspersed by green gaps and mature planting, which helps to lend a semi-rural character and which acts as a soft transitional buffer between town and countryside. The application site forms part of the only meaningful green gap on the south side of the B3153 on this eastern approach into Huish Episcopi. The proposed development will result in the loss of much of this green gap leading to the consolidation of built form and the appearance and impression of unbroken built development along this side of the road into the town, and significantly erode the semi-rural characteristics of Picts Hill.

Following concerns raised by the Council's Tree Officer, the applicant has provided additional tree protection details and which indicate the retention of a number of mature trees growing towards the front of the site which the Tree Officer welcomes. The Tree Officer has requested a couple of small amendments to the tree planting and protection measures which the applicant has agreed to. Whilst these amendments are noted, it is not considered that such measures, along with a general planting scheme, would mitigate the effect that the building four houses would have upon this site and the local character issues identified above.

It is noted that the applicant has submitted a Unilateral Undertaking which proposes to undertake the maintenance of a group of trees located a short distance to the southeast of the site. In the accompanying Planning Statement it states that there is a lime kiln in amongst these trees and that there may be added benefit by preserving this industrial archaeological feature and tree group. Whilst the long-term retention / maintenance of these trees may be desirable their protection does not relate to the proposed development in any way. As such, if the landowner sought to discharge / remove this obligation in the future it would very difficult to justify resisting such a request. Such a gesture in any case does not over-ride the specific amenity concerns resulting from this development that are raised above.

It is therefore considered that the proposed development would significantly erode the semi-rural characteristics of the locality and as such fails to respect the local context or to preserve or enhance local distinctiveness, contrary to the aims and objectives of policy EQ2.

Residential amenity

The juxtaposition of the site with surrounding properties and scale and nature of the proposed development is such that there is no reason why a layout and design could not be achieved that would ensure neighbour amenity was suitably safeguarded.

Highway safety

The development will be served by a single access leading on to the B3153 to the east. It was initially proposed that this access would also serve the applicant's house, however, this element of the scheme has been omitted.

The Highway Authority has raised no objection to the proposed development subject to a number of conditions and it is considered that with the provision of a pavement along the site frontage to connect to the existing pavement and crossing that the development would be served by a safe and suitable means of access.

It is noted that the Parish Council are in support of this proposal and appear to be of the view that it represents an opportunity to improve highway safety along this stretch of the main road. As such their support is subject to a legal undertaking to secure various improvements including the cutting back of the roadside hedgerow to an appropriate level from the pedestrian crossing to the new access, the provision of a pavement to connect the site to the crossing and the provision of a permanent 'Matrix' traffic pole to indicate the speed of passing traffic.

The applicant has already amended their scheme to incorporate a pavement along much of the site frontage which will also have the effect of removing the overhanging vegetation. The applicant has also indicated that they would be willing to provide a matrix traffic pole, however, they have rightly pointed out that this could only be done with the agreement of the Highway Authority.

Other matters

- Ecology - The application was accompanied by an ecology survey. The Council's Ecologist has considered these details and concluded that subject to conditions requiring the provision of dormice and reptile mitigation measures raises no objection to the proposal.
- Drainage / flooding - The site is located within flood zone 1 and as such is not within an area identified as being at risk of flooding. No site specific or local drainage or flooding issues have been identified and as such the proposed development does not raise any significant drainage or flooding concerns and is not considered to increase the risk of flooding elsewhere.
- Access to adjacent land - a neighbour has objected to the access that leads to adjacent land behind the site, stating that this is unnecessary and raises the question of whether there are aspirations of seeking additional development on this adjacent land. Whilst these concerns are noted, the Highway Authority has not raised any highway safety concerns with regard to this field access. Furthermore, if there are aspirations of additional development on this adjacent land this is not a matter for consideration as part of the current application but would have to be considered under its own application and based on its own merits.

Planning balance

The impact that the development will have upon the character and appearance of the locality is likely to be considerable. The proposal will lead to the consolidation of built development and substantial erosion of what is considered to be an important green gap and to result in the appearance and impression of unbroken built development along this side of the main road into town. Such development will significantly erode the semi-rural nature of Picts Hill and be contrary to the existing irregular pattern of development that helps to characterise its edge of settlement locality and the gentle buffering effect it currently offers between town and countryside. Such harm, which will be permanent and irreversible, is considered to be substantial and to weigh heavily against the proposed development.

It is acknowledged that SSDC cannot currently demonstrate a five-year housing land supply and that the proposed development will make a small but positive contribution towards trying to meet this supply. The Parish Council's support for the scheme and their view that the proposal offers an opportunity to improve the existing highway situation such as through the cutting back of the bank and vegetation is also noted. However, it would appear that the current issues have arisen through a lack of maintenance of the roadside frontage resulting in the roadside vegetation now growing right up to the edge of the carriageway which the Parish Council states pushes traffic, in particular HGV's, across the central reservation causing safety concerns. It is considered that such matters should have been taken up directly with the Highway Authority and that improvements to the maintenance of the road frontage does not necessitate the development of this land.

For these reasons the harm identified above is considered to outweigh the modest benefits that the proposal will bring and as such fails to constitute sustainable development as required by the adopted local plan and as set out within the NPPF.

Conclusion

Therefore, for the reasons set out above it is considered that the proposed development would significantly erode the semi-rural characteristics of the locality and as such fail to respect the local context or to preserve or enhance local distinctiveness contrary to the aims and objectives of local plan policy EQ2. Furthermore, the proposal is considered to offer only limited benefits which are outweighed by this identified harm and that the proposal therefore fails to accord with the principles of sustainable development contrary to local plan policy SD1 and provisions of the NPPF. As such the application is recommended for refusal.

RECOMMENDATION

Refuse

FOR THE FOLLOWING REASON:

01. The proposed development will lead to the consolidation of built development and the substantial erosion of an important green gap. Such development will significantly erode the semi-rural nature of Picts Hill and be contrary to the existing irregular pattern of development that helps to characterise its edge of settlement locality and the gentle buffering effect it currently offers between town and countryside. The proposal therefore fails to respect local context or to preserve or enhance local distinctiveness contrary to the aims and objectives of policies SD1 and EQ2 of the South Somerset Local Plan and the provisions of the National Planning Policy Framework.

Informatives:

01. In accordance with paragraphs 186 and 187 of the NPPF the council, as local planning authority, takes a positive and proactive approach to development proposals focused on solutions. The council works with applicants/agents in a positive and proactive manner by;
 - offering a pre-application advice service, and
 - as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions

In this case there were no minor or obvious solutions to overcome the significant concerns caused by the proposals.
