

Officer Report On Planning Application: 14/03029/OUT

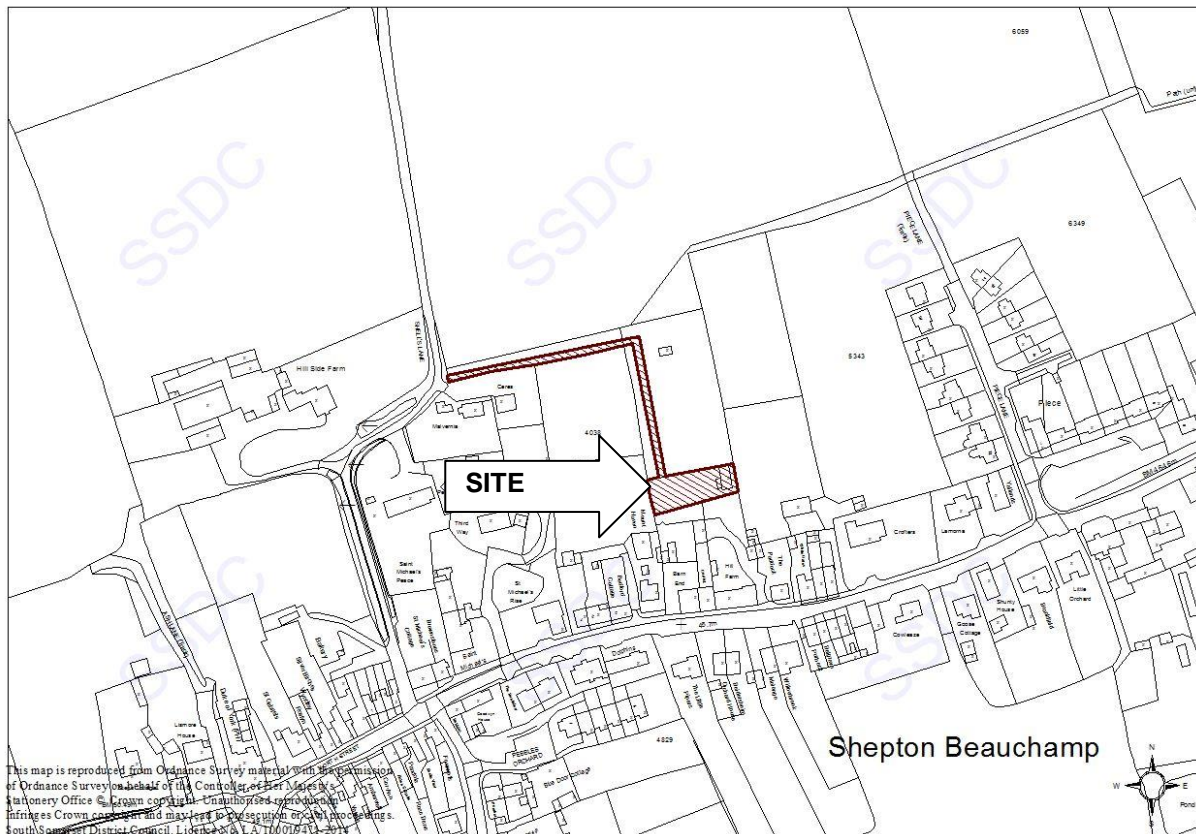
Proposal :	The replacement of existing stable with a single dwelling and the formation of associated access and driveway (GR 340469/117371)
Site Address:	Land North Of Hill Farm House, Lambrook Road, Shepton Beauchamp.
Parish:	Shepton Beauchamp
SOUTH PETHERTON Ward (SSDC MemberS)	Cllr Paul Thompson Cllr Barry Walker
Recommending Case Officer:	Nicholas Head Tel: (01935) 462167 Email: nick.head@southsomerset.gov.uk
Target date :	4th September 2014
Applicant :	Mr & Mrs Edward Wakely
Agent: (no agent if blank)	The Town And Country Planning Practice Ltd, Home Orchard, Littleton, Somerton, Somerset TA11 6NR
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

The application is referred to Committee at the request of the Ward Member to allow for a full discussion of the relevant planning issues.

SITE DESCRIPTION AND PROPOSAL





The site is located on agricultural land to the rear of the built form of development fronting onto the north side of Lambrook Road (North Street). To the south of the site is the yard of Hill Farm House; the site is surrounded on the remaining sides by agricultural land. The site is currently occupied by a small stable building constructed in block and render.

Outline permission is sought for the erection of a dwellinghouse to replace the stable building, with access to be taken from the northern end of the site, across agricultural land and over an existing footpath.

HISTORY

870165 - OUTLINE: The erection of a house and garage - refused; subsequent appeal dismissed.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S54A of the Town and Country Planning Act 1990 and requires that decisions must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise.

For the purposes of determining current applications the local planning authority considers that the relevant development plan comprises the saved policies of the South Somerset Local Plan.

The policies of most relevance to the proposal are:

Saved policies of the South Somerset Local Plan (April 2006):

ST2 - Villages
ST3 - Development Areas
ST5 - General Principles of Development
ST6 - The Quality of Development
EC3 - Landscape Character
EH12 - Areas of High Archaeological Potential and Other Areas of Archaeological interest.

National Planning Policy Framework (March 2012):

1. Building a strong, competitive economy
2. Ensuring the vitality of town centres
3. Supporting a prosperous rural economy
4. Promoting sustainable transport
5. Supporting high quality communications infrastructure
6. Delivering a wide choice of high quality homes
7. Requiring good design
8. Promoting healthy communities
9. Meeting the challenge of climate change, flooding and coastal change
10. Conserving and enhancing the natural environment
11. Conserving and enhancing the historic environment

Planning Practice Guidance - Department of Communities and Local Government, 2014.

Policy-related Material Considerations

South Somerset Sustainable Community Strategy

Somerset County Council Parking Strategy, March 2012 and September 2013.

Somerset County Council Highways Standing Advice, June 2013.

CONSULTATIONS

Parish Council: The application is supported, subject to compliance with:

- drainage being adequate
- access meeting the Highways Authority's requirements
- preferred material to be natural hamstone

Highways Authority: No objection is raised: Standing Advice referred to.

SSDC Landscape Officer: *I note this proposal intends to supplant a modest stable with a residential dwelling, which will also require some formalisation of an access lane to allow for residential traffic.*

Shepton Beauchamp is primarily a linear settlement. Whilst some sporadic development has gone on to the north of the main village street, this is predominantly served off the local lane network. The proposal before us intends a dwelling in a location that is served by a lengthy grass track, thereby introducing a residential element into the fields beyond the village edge, which is contrary to local character. The site itself is similarly unrelated to the village core, with open paddocks to 3 sides, for its siting to similarly be viewed as at variance with local settlement character. Whilst a stable building is present on site, this form of construction is quite usual in relation to village fringes - a dwelling would be larger scale; introduce night light; and the activity associated with residential use, as well as the domestic paraphernalia typically associated with residential use. Neither is there any environmental enhancement in supplanting an agricultural use with residential form and its associated access arrangements

and additional hardstandings. Consequently I view the proposal as failing to meet LP policies ST3 and ST5 para 4.

SSDC ROW Officer: *Any change to the line of the footpath would require a diversion order. Any change to the surface of the footpath would require the agreement of SCC. (ROW).*

Please add the SCC standard informative to the decision.

I have no objection.

As the applicant owns the field there are no issues with driving on a public footpath without lawful authority.

SSDC Environmental Protection Unit: No observations.

SSDC Ecologist: No comments received.

County Archaeologist: No objections.

County Rights of Way: No comment received.

Environment Agency: No comment received.

REPRESENTATIONS

Five letters have been received. Three support the proposal raising the following points:

- the proposal generally supported, provided dwelling is 'in keeping with the local area';
- the village needs new homes, infill land is ideal;
- access and off-road parking are good;
- the site is not visually prominent from the main road;
- water runoff will be limited.

Two letters raise issues objecting to the proposal:

- the proposal would set a precedent for more backland development across the north of Shepton Beauchamp, adding to the size of the settlement contrary to the stated aims of the Parish Plan;
- a flood risk to neighbouring properties will be created by the new access.

CONSIDERATIONS

Principle of Development – Sustainability

The site is outside of the defined development area. Saved Policy ST3 of the 2006 Local Plan seeks to control development outside of the defined development area. However, given the advanced position of the emerging Local Plan (2011 - 2028), and the clear advice relating to sustainability set out in the NPPF, it is considered that Policy SS2 of the emerging plan carries reasonable weight.

Shepton Beauchamp is a sizeable settlement with a range of the facilities referred to under Policy SS2 of the Emerging Local Plan. Additional residents could contribute positively to the viability of local facilities, and generally enhance sustainability. Given the advice within the NPPF, and the position taken in the Emerging Local Plan, it is not considered that development on this site can be regarded as being unsustainable.

Five-Year Land Supply

At the time of consideration of this application, the LPA is of the view that a 5-year supply of land, plus a buffer of 20%, can be demonstrated for the provision of housing within the District. Creation of an additional dwellinghouse in this position, therefore, would not be accorded particular weight for contributing to the supply of housing land.

Visual and Landscape Impact

The Council's Landscape Officer has clearly set out the landscape concerns associated with this proposal (above).

The site is agricultural land, situated beyond the built edge of this linear settlement. Similar open land exists along the rear of properties fronting onto North Street, and the pattern is carried through to properties fronting onto Peace Lane, which takes access from North Street. The proposed scheme requires the creation of a long track across open fields, introducing a domestic residential character into this agricultural backland setting of the village. Such development is out of character with the village pattern of development, and would represent an unwelcome extension of built form and domestic land use away from the village edge. This compromises the setting of the village, and the characteristic landscape pattern and setting within which the village sits. The precedent that such a development would raise for further development is obvious, given the length of the access track, and the amount of similar land located to the rear of houses in the village.

The proposal is considered harmful in that it would encroach into sensitive land at the edge of the village, eroding the countryside character. It would thereby fail to respect the appearance of the locality, and the form, character and setting of the settlement, contrary to saved Policies ST3, ST5, ST6 and EC3 of the Local Plan, and the aims of the NPPF.

Highway Safety

The Highways Authority has not raised any objection to the proposal. Standing Advice is referred to. The submitted plans are not clear, but there is clearly an existing splay to the north of the access which falls within highway land. The lane is narrow, and not capable of carrying traffic at great speeds. There is reasonable visibility to both north and south, given the positioning of the access near the outside of a curve. Although the full 43m splays would not appear to be capable of achievement, it is not considered that the continued use of this single agricultural access point for one dwellinghouse would raise a highway safety concern that would warrant a refusal of the application.

Footpath

The Council ROW Officer has given clear guidance that use of this land, over the footpath, for a private access would be acceptable. Any permission would need to include advice on the issue of surface treatment, etc.

Impact on Residential Amenity

The proposed position of the dwellinghouse, subject to appropriate design of the building, would not raise any concern about overlooking, overbearing or other amenity impacts on residents of neighbouring properties.

Comments of Parish Council

Drainage is an issue which can be dealt with at the reserved matters stage - it is not considered that it would represent a reason for refusal of an outline application.

The proposal does not strictly accord with the Highways Authority's standing advice (see comments above).

Details of materials are for later consideration under the reserved matters application.

Neighbour Representations

The issues submitted have been carefully considered and are largely covered in the body of the report. Drainage is considered to be capable of resolution at a later stage, and is not therefore considered a reason for refusal of the application.

EIA Regulations

Not relevant.

Conclusion

The proposal represents an unwelcome intrusion into the countryside edge of the village, and would be harmful to its established character and setting, contrary to clear policies within the Local Plan and guidance in the NPPF. Although no significant highway safety, amenity or other harm has been identified, it is not considered that the creation of a dwellinghouse on this site would represent any benefit that would outweigh the harm to the setting. The proposal is recommended for refusal.

S.106 AGREEMENT

Not relevant.

RECOMMENDATION

Refuse.

REASON:

01. The proposal represents an unwelcome intrusion into the countryside edge of the village, which would be harmful to its established character, appearance and setting. The introduction of domestic residential development, including a lengthy track across open agricultural land and a public footpath, would erode the countryside and landscape character. In these respects, the proposal fails to respect the appearance of the locality, and the form, character and setting of the settlement and landscape, contrary to the aims and objectives of the NPPF and saved Policies ST3, ST5, ST6 and EC3 of the South Somerset Local Plan, 2006.

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, the applicant/agent did not take the opportunity to enter into pre-application discussions and there were no minor or obvious solutions to overcome the significant concerns caused by the proposals.
