

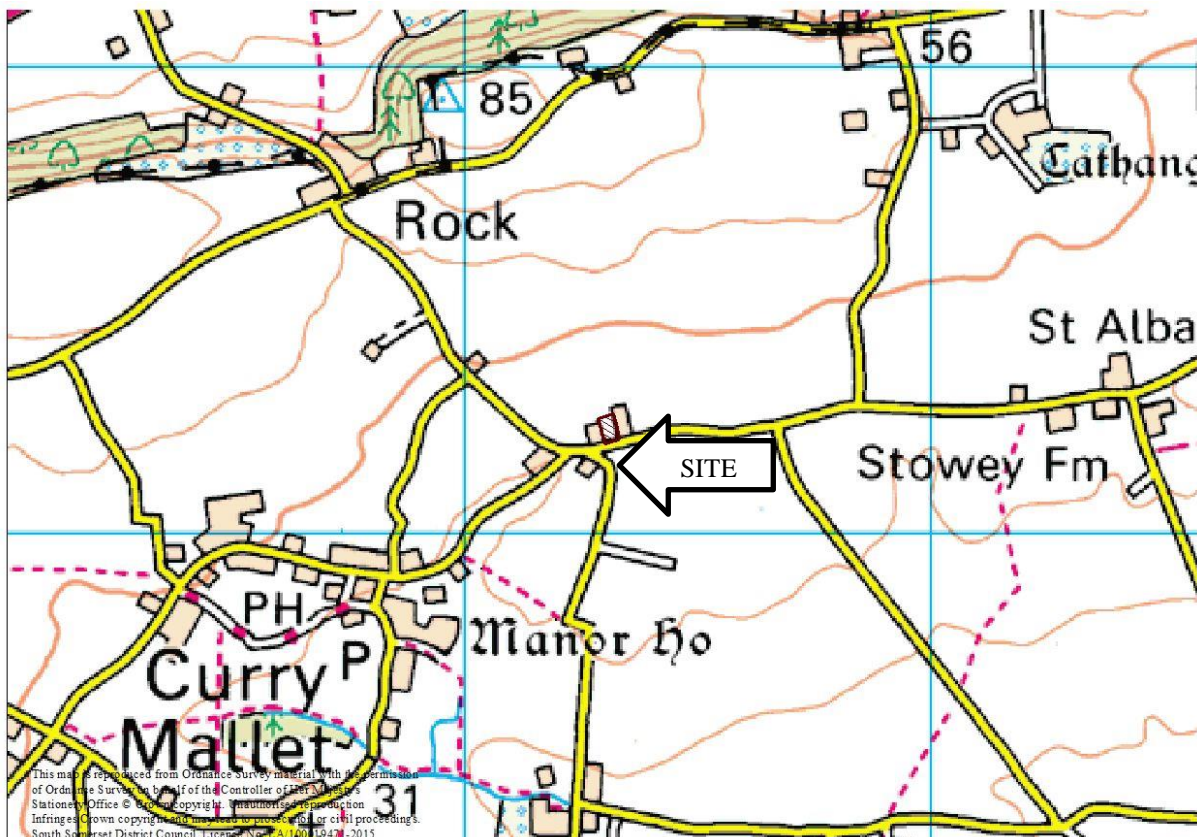
## Officer Report On Planning Application: 15/00074/FUL

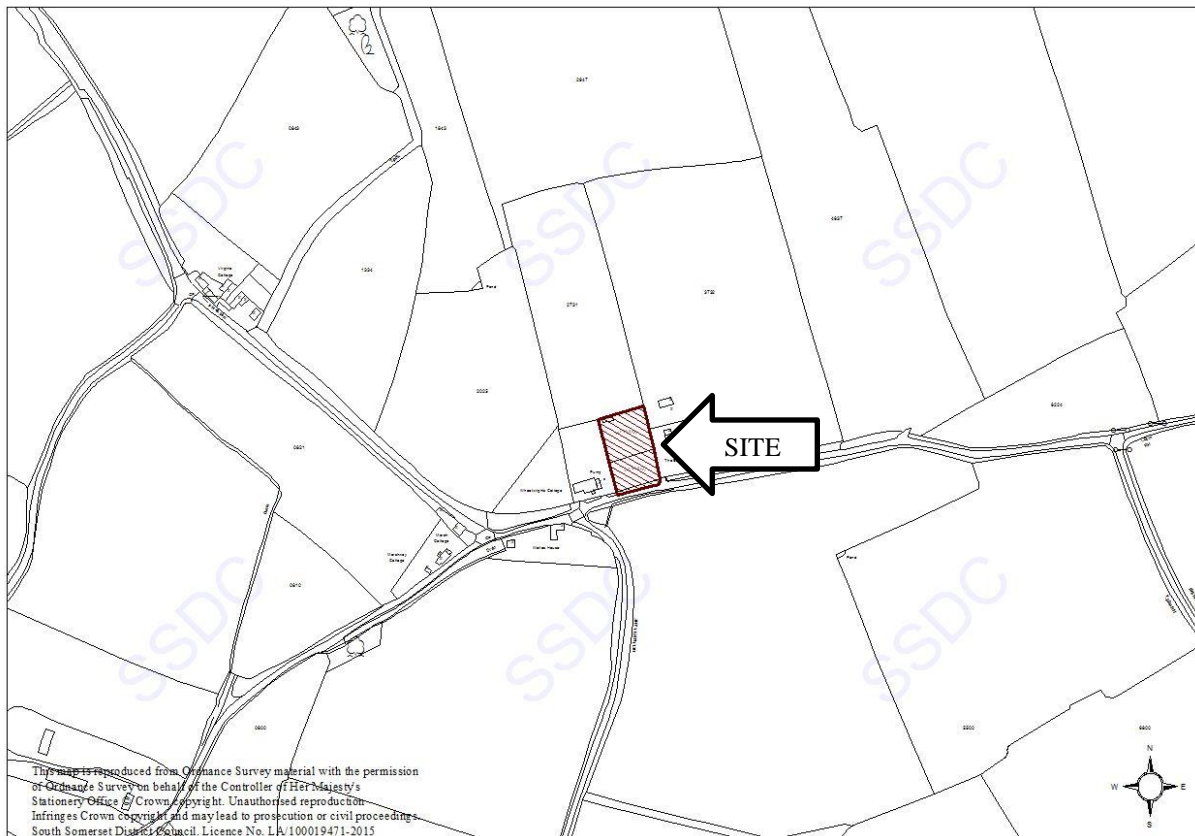
<b>Proposal :</b>	Proposed erection of dwelling and garage (GR 333312/122217)
<b>Site Address:</b>	Land Between Wheelwrights Cottage And Iberry, Marshway, Curry Mallet.
<b>Parish:</b>	Curry Mallet
<b>ISLEMOOR Ward (SSDC Member)</b>	Cllr Sue Steele
<b>Recommending Case Officer:</b>	John Millar Tel: (01935) 462465 Email: john.millar@southsomerset.gov.uk
<b>Target date :</b>	6th March 2015
<b>Applicant :</b>	Mr & Mrs Orme
<b>Agent: (no agent if blank)</b>	Michael Williams, Sanderley Studio, Kennel Lane, Langport TA10 9SB
<b>Application Type :</b>	Minor Dwellings 1-9 site less than 1ha

### REASON FOR REFERRAL TO COMMITTEE

This application is referred to committee at request of the Ward Member with the agreement of the Area Chairman to enable the issues raised to be fully debated by Members.

### SITE DESCRIPTION AND PROPOSAL





The site is located to the north side of Marshway, on the outskirts of Curry Mallett, within open countryside. It is agricultural land, which represents an infill plot between adjoining properties Wheelwrights Cottage and Iberry Orchard. It is located within a small group of five isolated dwellings at the junction of Marshway, Helliars Lane and Rock Road, of which one, March Cottage, is a grade II listed building. This small group of buildings is located to the north east of the village core of Curry Mallet and is separated from the built edge of the village by open countryside.

The application is made to for the erection of a detached house and garage and associated change of use of land to residential purposes.

## **HISTORY**

No recent relevant history

## **POLICY**

The South Somerset Local Plan (2006 - 2028) was adopted on the 5th March 2015. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) and Section 70(2) of the Town and Country Planning Act 1990 (as amended), the adopted local plan now forms part of the development plan. As such, decisions on the award of planning permission should be made in accordance with this development plan, unless material considerations indicate otherwise. Legislation and national policy are clear that the starting point for decision-making is the development plan, where development that accords with an up-to-date local plan should be approved, and proposed development that conflicts should be refused, unless other material considerations indicate otherwise.

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

SD1 - Sustainable Development  
SS1 - Settlement Strategy  
SS2 - Development in Rural Settlements  
TA5 - Transport Impact of New Development  
EQ2 - General Development

## **National Planning Policy Framework**

Core Planning Principles - Paragraph 17  
Chapter 4 - Promoting Sustainable Transport  
Chapter 6 - Delivering a Wide Choice of High Quality Homes  
Chapter 7 - Requiring Good Design  
Chapter 11 - Conserving and Enhancing the Natural Environment  
Chapter 12 - Conserving and Enhancing the Historic Environment

## **National Planning Practice Guidance**

Conserving and Enhancing the Historic Environment  
Design  
Natural Environment  
Rural Housing

## **Policy-related Material Considerations**

Somerset County Council Parking Strategy (September 2013)  
Somerset County Council Highways Development Control - Standing Advice (June 2013)

## **CONSULTATIONS**

**Parish Council:** The Parish Council support the application and have no observations to make on the plans.

**SCC Highway Authority:** Standing Advice applies.

**County Right of Way:** No objection.

**SSDC Landscape Architect:** The scale of the residential proposal is noted. An infill plot between two existing properties, I note that the site is comparably sized as those residential plots to either side, and defined and contained by existing hedgerows. I also note that it would form part of an existing cluster of cottages laying to the east of the main concentration of Curry Mallet, as such the proposal is not uncharacteristic. Consequently I have no substantive landscape issues to raise, providing;

- (i) The roadside hedging is faced-up to achieve sufficient visibility for access, such that removal is not required, and;
- (ii) Detail of the proposed planting is submitted - I agree the intent to plant a copse-type planting to the west of the house, but consistent with the SSDC species guide, would suggest that trees are drawn from species such as field maple; crab apple; wild cherry; and/or wild service tree. If shrubs are intended, hazel, dogwood, hawthorn and the native viburnums are appropriate in this locality, though as far as planning interests are concerned, these are optional.

## REPRESENTATIONS

Four letters of support have been received from neighbouring residents. It is further confirmed that they support the principle of the property being provided initially for a former resident of the village. The occupiers of the adjoining property, Iberry Orchard have noted the position of some of the proposed openings and confirmed that they have no objection.

## CONSIDERATIONS

### Principle of Development

The application site is agricultural land between two existing properties within a small group of dwellings located to the north east of the village core of Curry Mallet, well beyond the developed edge of the settlement. Curry Mallet is a rural settlement that does contain several key services, such as a public house post office, shop and village hall, at its historic centre. In addition there is a school and church, however these are more divorced from the village core, both being located to the south east at distances of approximately 1000m and 600m respectively. These services are located away from the main built centre of the village and separated by open countryside. Due to the layout of Curry Mallet, which is sparsely developed but spread out over a large area, it is considered that this is a Rural Settlement that could be considered as a sustainable location, however careful consideration should be given to the siting of any new development.

In policy context, national guidance contained within the National Planning Policy Framework (NPPF) sets out a presumption in favour of sustainable development, advising that "local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances." Paragraph 49 of the NPPF also states housing applications should be considered in the context of the presumption in favour of sustainable development, as does policy SD1 of the South Somerset Local Plan (2006-2028).

Local Plan policy SS2 states that *development in rural settlements (not market towns and rural centres) will be strictly controlled and limited to that which:*

- *Provides employment opportunities appropriate to the scale of the settlement; and/or*
- *Creates or enhances community facilities and services to serve the settlement; and/or*
- *Meets identified housing need, particularly for affordable housing.*

*Development will be permitted where it is commensurate with the scale and character of the settlement, provides for one or more of the types of development above, and increases the sustainability of the settlement in general. Proposals should be consistent with any relevant community led plans and should generally have the support of the local community following robust engagement and consultation. It should also be noted that where the proposal is for housing development, this should only be permitted in Rural Settlements that have access to key services (as listed under paragraph 5.41 of the Local Plan).*

While the proposed development may not strictly be considered strictly to be an isolated new dwelling as it comprises an infill plot within a small group of existing houses, it is still subject to the same degree of protection as the open countryside, as it is not adjacent to the built edge of the settlement centre, being separated by several fields. The site is approximately 600m to the east of the public house, post office and village hall and just over 850m to the north of the school. The applicant has argued that these distances are acceptable in terms of relationship to the main nucleus of the village around the key services, and as such this should be considered to be a sustainable location, where limited new housing can be accepted. It is also

argued that the distance between the services and many of the existing residents of the village means that the future occupiers of the dwelling would be no further way from the services than existing residents. It is advised that the property is intended to be initially occupied by the applicant's son and daughter-in-law, allowing the son to return to the village of his birth. It is further suggested that the property will then be potentially available for the local community at large in the future. While the distance from the village centre is potentially such that it may be reasonable to expect residents to not be solely reliant on motor vehicles for all their needs, the particular circumstances of this site do not make it particularly conducive for easily accessing the key local services in a sustainable way. The separation of the site from the village core, and the school, is compounded by the fact that the local road network comprises narrow, winding country lanes with no street lighting or pedestrian footpath, factors which reinforce the likely reliance on use of the motor vehicle. For this reason, the proposed development of the site is not considered to meet the aims of sustainable development identified within the NPPF and the South Somerset Local Plan.

The applicant has offered some form of justification in respect to providing a home for their son and his family to be able to return to the village, while also providing a home that would potentially be available to other local people in the future. While this is noted, even if it were considered that the site is suitably located in connection with the local key services, this justification does not meet the requirements of policy SS2, as stated above, as this does not meet the needs of an a formally identified housing need or represent the type of "essential need" required to comply with paragraph 55 of the NPPF.

### **Scale and Appearance**

Notwithstanding the overriding policy objection to the proposed development, the scheme is considered to be generally acceptable in respect to its design and appearance. The plot is of similar size to those either side it so is considered to be able to comfortably accommodate a dwelling. The proposed dwelling is detached three bedroom and of similar scale to the neighbouring properties. The proposed materials of the main house, being painted render and tiled roof, are considered to be acceptable and relate to the appearance of the neighbouring dwellings also.

The Council's Landscape Architect has raised no objections in principle, however has suggested that the roadside hedge be faced up rather than removed, to provide appropriate visibility of the proposed access, and also that a detailed planting scheme be approved by condition. Overall, it is not considered that the proposal would have an adverse impact on local landscaper character or the general appearance of the area.

Consideration has also been given to the impact the proposal would have on the setting of a grade II listed building, March Cottage, which is located about 120m to the west. Due to the distance between the sites and the proposed dwellings position within the existing built group, it is not considered that there would be any adverse impact on the setting of this listed building.

### **Residential Amenity**

The proposed dwelling is located towards the east side of the site and set away from the adjoining properties so there will be no overshadowing or general overbearing impact. The property is also designed to limit overlooking to the sides, with limited openings in these elevations. There is one first floor side window looking to the west, however as a result of the distance, lack of openings in the east elevation of the neighbouring property and also level of screening on the boundary, there will be no harmful overlooking opportunities created. The proposed dwelling is nearer to the house to the east, Iberry Orchard, however the only openings are a ground floor window and small roof light serving an ensuite bathroom. Again

overlooking opportunities are limited and existing screening is to be retained, which will prevent overlooking.

Overall, the development is proposed to be acceptable and have no detrimental impact on the amenities of neighbouring residents.

### **Highway Safety**

In considering the highway safety issues, the County Council Highway Authority have referred to their Standing Advice. The necessary requirements can be achieved, with a properly consolidated surface being proposed over the first 5m, adequate levels of parking and turning space available within the site and required levels of visibility being provided on land within either the applicants, or the Highway Authority's control. Details to ensure that surface water is adequately controlled to avoid discharge onto the highway, can be addressed by condition, where appropriate. As such, the proposal is not considered to have any detrimental impact on highway safety and accords with the County Standing Advice.

### **Conclusion**

The site is poorly related to key local services, by virtue of a combination of distance and access to these services being via unlit, narrow country roads with no pedestrian footpaths. Furthermore, the scheme fails to meet an identified housing need or other essential need. The development proposal is therefore considered to be unacceptable and fails to meet the aims of sustainable development.

### **RECOMMENDATION**

Refuse permission

### **FOR THE FOLLOWING REASON:**

01. The proposal would represent a new dwelling in open countryside that would be poorly related to the village core of the rural settlement of Curry Mallet, and for which an overriding essential need has not been justified. The application site is remote from key local services, by virtue of distance, access to these services being via unlit, narrow country roads with no pedestrian footpaths, and siting beyond the developed edge of the rural settlement. As the proposal will lead to an increase the need for journeys to be made by private vehicles. The proposed development is therefore considered to be unsustainable development that is contrary policies SD1, SS1 and SS2 of the South Somerset Local Plan and to the aims and objectives of the National Planning Policy Framework.
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