
Appeal Decision

Site visit made on 5 May 2015

by Veronica Bond LLB (Hons), Solicitor

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

Decision date: 02 June 2015

Appeal Ref: APP/R3325/W/15/3003176

Land adjacent to Bankside, Lily Lane, Templecombe, Somerset

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr J Tizzard against the decision of South Somerset District Council.
 - The application Ref 14/02487/OUT, dated 3 June 2014, was refused by notice dated 31 July 2014.
 - The development proposed is erection of house.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. No address was given for the appeal site on the application form, although grid references of Easting 370266 and Northing 122439 were stated. I have therefore taken the address in my banner heading above from the Council's decision notice. The application was considered on the basis of it seeking outline planning permission and I have dealt with the appeal in the same manner.
3. During the course of the appeal, the Council adopted the South Somerset Local Plan (2006-2028) (LP). The appellant was given an opportunity to comment and for the avoidance of doubt, I have determined the appeal based upon the development plan as it exists at the time of my decision.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

5. The appeal site is located towards the end of Lily Lane where, in contrast with more central parts of the village, development is characterised by fairly sporadic ribbon development, interspersed by areas of green open space. These aspects, together with the presence of fields to the north and nearby woodland, create a distinctive rural village character. The appeal site contributes to the sense of rural openness, forming one of the green spaces which characterise Lily Lane.

6. A row of cottage style dwellings are set back from Lily Lane to the rear of the site and the site is also adjoined by gardens and access for those properties, with the road at Lily Lane to the north. I have considered the effect of this context and the appellant's comments that this results in an urbanisation of the site, along with the surrounding domestic items highlighted at my site visit. Nonetheless, and whilst I note comments that the site is overgrown and degraded and apparently previously partly in residential garden use, I consider that the appeal site currently appears as a pleasant open field acting as a green space breaking up the development along Lily Lane.
7. I have taken into account the history of the site and that the proposed development would be located just beyond the edge of the built form of the cottages behind and would be fairly closely associated with the nearby existing dwellings. However, my assessment above remains that the proposal would have an adverse effect on the existing open space along Lily Lane, introducing a volume of built form and resulting in a close cluster of development not appropriate to this more rural end of the lane. I note that the land to the east of the stream on site is designated as having moderate capacity for development but this does not of itself indicate that development in this location would be visually acceptable and my assessment above is that it would not be. Although not directly harming the more sensitive surrounding landscape, the proposal would I consider indirectly do so through the erosion of the area's rural character.
8. I have considered comments as to visual sensitivity along with the potential for a landscape buffer to be created to the west of the stream including native species hedgerows and trees with the aim of buffering the area designated as being of greater landscape sensitivity. This would, I note also be intended to provide a visual end stop to developed part of Lily Lane, with the watercourse on site seen as the natural line of domesticity, and with the appellant therefore contending that the outer extent of the village would not be extended. However, I consider that any benefits in these respects would be outweighed the introduction of additional residential development and resultant decrease in the open space towards the end of the lane.
9. Other planning approvals along Lily Lane sharing the same landscape designation as part of the appeal site have been cited by the appellant in support of the proposed development. I do not have full details of the planning circumstances leading to those developments in order to form a detailed comparison with the appeal proposal, which I have considered on its merits. In any event though, it would appear that the other developments cited were closer to the main part of the settlement where closer clusters of development and smaller open areas are seen along Lily Lane, in contrast to the more sporadic development towards the end of the lane.
10. Whilst I note that the Council has not explicitly objected to comments in the appellant's statement including as regards the previous domestic use of the site, it has relied on its Officer's Report as part of its statement and it is clear that the Council continues to object to the visual impact of the proposal. I have shared this view in my assessment above and thus I conclude on the main issue that the proposal would have a significant harmful effect on the character and appearance of the area. It would conflict in this regard with the aim of Policy SS2 of the LP of ensuring that development in Rural Settlements is commensurate with the character of the settlement. It would also fail to

accord with Policy EQ2 of the LP which seeks, amongst other things, development which promotes South Somerset's local distinctiveness and preserves or enhances the character and appearance of the district. It would also, I find, not accord with the paragraph 17 of the National Planning Policy Framework (the Framework) which includes similar aims. Although I acknowledge comments that the proposal would be in compliance with the development plan policies in some respects, and indeed with other policies cited, this does not overcome the fundamental development plan conflict and harm found.

Other Matters

11. I have taken into consideration the cited benefits of the appeal proposal including that it would provide additional market housing within a relatively sustainable location, contributing to housing supply in the district in accordance with the cited need, including that specific to Templecombe, and widening the choice of high quality homes. I accept that the proposal would not place undue pressure on local services and facilities, that it would create a safe environment.
12. I acknowledge also that the proposed development would not result in any harm to the living conditions of neighbouring occupants and that sustainable construction techniques could be used in the development. I have considered that the LP indicates that limited development is acceptable in appropriate rural locations. Economic benefits cited include support to the construction sector and to village services. I recognise also that the appellant considers the proposal makes an efficient use of an otherwise apparently redundant site. These aspects together lend modest weight in favour of the proposal.
13. I note comments in relation to the Council's five year supply of housing land apparently being 'fragile', and that the proposal would meet in some respects with the aims of the Framework in achieving growth and significantly boosting the supply of housing, including recognition of the role of rural housing in supporting the vitality of local communities. However, it is clear that the Framework defines sustainable development as including social, economic and environmental dimensions. Given my assessment on the main issue above, the proposal would not meet with the environmental dimension of sustainable development and I do not consider the proposal to be the sustainable development in respect of which the Framework creates a presumption in favour.
14. Other concerns raised including in relation to effects on wildlife and highway safety have not, in view of my assessment on the main issue above, led me to any different overall conclusion.

Conclusion

15. Although the proposal would offer modest benefits as outlined, these do not outweigh the development plan conflict and harm found. For the above reasons and taking into account all other matters raised, including the absence of any Parish Council objection, I conclude the appeal should fail.

Veronica Bond
INSPECTOR