

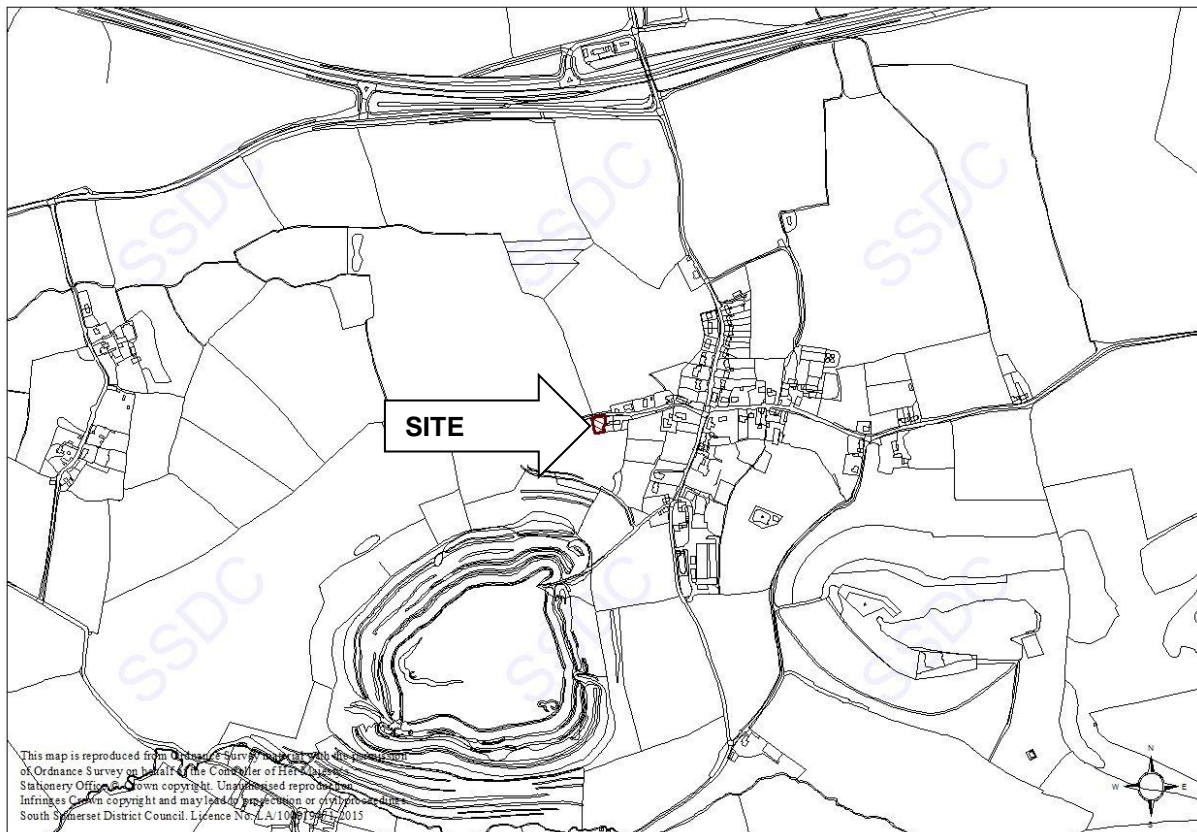
Officer Report on Planning Application: 15/03853/FUL

Proposal :	Application for the erection of 1 no. two bedroom dwelling house on land adjacent to 2 Rush Close with associated access and landscaping (GR 363043/125590).
Site Address:	Land adj 2 Rush Close, Folly Lane, South Cadbury
Parish:	South Cadbury And Sutton Montis
CARY Ward (SSDC Member)	Cllr Nick Weeks Cllr Henry Hobhouse
Recommending Case Officer:	Lee Walton Tel: (01935) 462324 Email: lee.walton@southsomerset.gov.uk
Target date :	19th October 2015
Applicant :	Mr & Mrs Davey
Agent: (no agent if blank)	Mr Andrew Tregay, Boon Brown Architects Motivo Alvington Yeovil, Somerset BA20 2FG
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

This application is referred to the committee at the request of the Ward Member(s) with the agreement of the Area Vice Chairman to enable the comments of the local community to be fully debated.

SITE DESCRIPTION AND PROPOSAL



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)

SS2 - Development in Rural Settlements

TA5 - Transport Impact of New Development

TA6 - Parking Standards

EQ2 - General development

EQ3 - Historic Environment

Regard shall also be had to:

National Planning Policy Framework (March 2012):

Chapter 4 - Promoting sustainable transport

Chapter 7 - Requiring good design

Chapter 6 - Delivering a wide choice of high quality homes

Chapter 11 - Conserving and enhancing the natural environment

Chapter 12 - Conserving and Enhancing the Historic Environment

CONSULTATIONS

SOUTH CADBURY PARISH COUNCIL - Voting took place with 6 of the 7 members voting in favour of supporting the application, however, the landscape architects consultation comments were felt to be very valid and should be supported and the issue of outside lighting being kept to a minimum should be taken into consideration.

SSDC LANDSCAPE ARCHITECT - My initial landscape objection related to the principle of development in this location. This is not changed. The site is clearly sensitive, as recognised by the Planning Inspectorate in its appeal decision that backed SSDC's earlier refusal. The landscape comments offered at that time remain pertinent, and follow below.

The site would appear to lie within the setting of the Scheduled Ancient Monument, where built presence is limited to the village, the prime character otherwise being open farmland. It is also a site that has some local visual prominence as viewed from the north, thus a visible westward projection from the village into open countryside would be an adverse impact upon both the SAMs setting, and local character. The present undeveloped plot has some benefit in buffering the transition from the built form of Folly lane to open land, hence there is no landscape support for this proposal, LP policies EQ2 and EQ3 now applicable.

HISTORIC ENGLAND - This application should be refused. We note the conclusion reached by the Planning Inspectorate at appeal. We concur with the Inspector's remarks in particular those set out in paras. 6, 7, 9, 13, 14 and 17 which refers to the harm resulting from the proposal to the setting of the Scheduled Monument. In our view, the current proposal does not vary significantly from those dismissed at appeal.

COUNTY ARCHAEOLOGIST - condition the implementation of a programme of archaeological work.

COUNTY HIGHWAY AUTHORITY - Standing advice applies to consider visibility, parking standards and on site turning.

REPRESENTATIONS

There have been six neighbour letters of support to the effect:

- The design is modest and in keeping with the village setting
- Viewing from the top of Cadbury Hill I can't see the site

- This dwelling would suit in this location sympathetically alongside the existing dwellings

CONSIDERATIONS

Principle of Development:

The council does not have a five year housing land supply and in consequence the local plan housing policies are deemed 'out of date' (para.49 of the NPPF) and attract less status in the decision-making. Paragraph 14 of the NPPF therefore requires for decision taking that this means granting planning permission unless

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, or
- specific policies in the Framework indicate development should be restricted.

The above circumstance however was no different when the previous application last was considered, and notwithstanding that the circumstances had changed by the time of the appeal this change was not notified to the Inspector who consequently would have considered the appeal on the basis that there was a lack of a five year housing land supply.

The current application differs from the previous appeal that was dismissed 26 January 2015 in so far as we now have full detailed drawings in contrast to the previous outline that reserved all matters. Notwithstanding at the time it was evident to the inspector that the scale involved a two storey dwelling not dissimilar in scale to the adjacent built form and this is now identified in the detail supporting the current application.

Since the appeal decision the new local plan has also been adopted (March 2015). Relevant Policies (SS2, EQ2 and EQ3) are similar to those previous considered. Under Policy SS2 of the Local Plan, development is 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.

In considering the above the proposal would not provide (other than in the short term for the construction industry) employment opportunities with any relationship to the settlement. The occupants of these dwellings might use the services of the local Pub, for example, but this cannot be viewed to any significant degree as enhancing local services or facilities. Likewise the development would also not create or enhance community facilities.

While the Parish Council appears do not object to the proposal, their response seeks also to support the council's Landscape Architect whose response objects 'in principle' to the proposal. The proposal is not considered to be in the spirit of the Policy to meet an identified, namely, locally endorsed housing need (the best example of which would be affordable housing). Critically, Policy SS2 requires any development to:

- be commensurate with the scale and character of the settlement; and
- increase the sustainability of the settlement in general.

On the basis of the above the principle for the erection of two new dwellings is not accepted, and the proposal is considered contrary to Policy SS2 of the Local Plan.

Character and Appearance:

The submitted drawings accompanying the application add detail that was lacking in considering the previous outline application. The details show the proposed dwelling orientated facing the roadside that accords with the adjacent dwellings. The revised drawing excavates the land to have the finished ground floor level sat lower down to the adjacent dwellings. The effect is to introduce significant engineering works into the location.

The Landscape Architect considers the site lies outside the landscape bounds of the village as defined by the local hedgerow pattern. At this point, Folly Lane, he contends, is extending west into open countryside on the lower slopes of Cadbury Castle hillfort. Clearly the proposal involves further ribbon development within the locality that is considered forms part of the setting of the Scheduled Ancient Monument (SAM) that is Cadbury Hill Fort and the prime character being open farmland. The site is viewed from the north and prior to entering the village there are clear views of the adjacent ribbon development and of the site that is a visible westward projection from the village into open countryside that results in an adverse impact on both the SAM's setting, and local character.

Historic England's response seeks refusal on the basis of the appeal inspector's decision. The same adverse harm affecting the heritage asset by reason of the visual intrusion of built form into the hillforts landscape setting is set out in the appeal decision, resulting in further intrusion (para.6), would increase the presence of suburban development along the lane (para.7), and would fail to respect the character and appearance of the area (para.9). The Inspector concluded on the basis of Para.132 of the NPPF that requires great weight is given to the conservation of heritage assets. The adverse harm identified involving the heritage asset attracts significant weight.

Highway Safety

The location is at the far end of the lane with agricultural traffic from the adjacent fields. Technical solutions are able to address highway concerns, while one more dwelling, and the associated level of increase in parking using the main road junction, is considered would accord with paragraph 32 of the NPPF that sites should have safe and suitable access.

Neighbour amenity.

It is considered that the proposal would not unacceptably harm the residential amenity of occupiers by disturbing, interfering with or overlooking such properties.

Other Matters:

The archaeological interests raised by the County Archaeologist can be dealt with by condition to secure further investigation in the event permission is given.

RECOMMENDATION:

Refusal.

FOR THE FOLLOWING REASON

01. The proposed dwelling located beyond development limits would have an adverse impact upon the setting of the Scheduled Ancient Monument, and local character by virtue of the visible westward projection from the village of ribbon development; further the proposal creates an undesirable precedent for additional development on either side of Folly Lane and with no exceptional justification by the applicant to warrant the over-riding of planning policy the proposal is considered unacceptable and contrary to the aims and objectives of the National Planning Policy Framework and Policy SS2, EQ2 and EQ3 of the South Somerset Local Plan 2006- 2028.
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