

History

None applicable.

Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under 54A 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.

Relevant Development Plan Documents:

South West Regional Spatial Plan
Policy VIS 1 - Expressing the Vision
Policy VIS 2 - Principles for Future Development

Somerset and Exmoor National Park Joint Structure Plan Review 2000
Policy STR1 - Sustainable Development
Policy STR6 - Development Outside...
Policy 49 - Transport Requirements of New Development

South Somerset Local Plan (2006)
ST3 - Development Area
Policy ST5 - General Principles of Development
Policy ST6 - The Quality of Development

Consultations and Representations

Parish Council
No objection

Area Engineer
Surface water disposal via soak-a-ways.

Highways

Unsustainable location, but if mindful to approve several conditions that include visibility splay requirements. No obstruction to visibility greater than 900mm above adjoining road level in advance of lines drawn 2.4m back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 43.0m either side.

Landscape Architect

First, I note that the site is not within a development area. Policy ST3 'strictly controls development ... other than that which enhances the environment'. There is no intrinsic environmental enhancement in this form of development, rather it is the converse; orchard trees will be removed, and pasture will be supplanted by building and hardstanding. Thus I view the application as contrary to policy ST3. I also note that this is an infill proposal. Whilst a degree of infilling has occurred in the past, the infilling of non-developed spaces is not consistent with the traditional pattern of Stembridge, thus I would view any proposal of continued infilling as contrary to the historic village character. It should also be noted that a 3-unit terrace is also at variance with the character of adjoining properties, as is the rather urban rear parking court. Combined with the loss of the orchard trees, these character impacts place the proposal as contrary to policies ST 5 and ST6, thus there is no landscape support for this application.

Tree Officer

The quality, size and visual impact of the part of the orchard opposite the village school is rather limited to public view by the existing hawthorn hedge line. Should the hedge line be removed or lowered, the relatively short road frontage would be opened up and the trees visual impact would increase. In an arboricultural context, the trees overall condition and visual impact makes me reluctant to serve a TPO and should the trees be categorised in accordance with BS 5837: 2005, many of the trees are likely to only make the 'c' grade - trees that ought not to constrain a development.

I do not feel that the credibility of serving an Order would stand up to Committee should it be opposed in this particular instance.

Considering this wider landscape, it is my opinion that the proposal is contrary to the South Somerset Local Plan, in particular, parts 2 and 8 of Policy ST6 (The quality of development). For this reason, I object to the proposal.

Six neighbour notifications were issued. There have not been any responses.

Considerations

Policy

The first consideration when assessing an application for residential development is whether it complies with local and national settlement policies. Policy ST3 of the South Somerset Local Plan is most relevant to the consideration of this proposal as the site is a significant distance from any settlement with a development boundary and therefore in policy terms the site is classified as being within the countryside. Policy ST3 states that development in such locations will be strictly controlled and restricted to that which

- 1 benefits economic activity
- 2 maintains or enhances the environment
- 3 does not increase the use of private motor vehicles.

It is acknowledged that Stembridge is a village, however, the current (and previous) local plans have clearly stated that Stembridge does not benefit from the necessary facilities that are essential to make it a sustainable community. In planning policy terms this means that any further development in Stembridge will inevitably foster a growth in the need to travel by private motor vehicle and is therefore contrary to local and national aims.

Planning Policy Guidance Note 7 contained a paragraph that allowed for a very limited amount of infilling in villages that did not have development limits, but only where appropriate. This paragraph was not carried through into the current policy document; Planning Policy Statement 7. It is therefore clear from local and national planning policy and guidance that the erection of 3 dwellings in this location is clearly contrary to the principles of sustainable development.

The applicant has not made any reference as to why the development will benefit economic activity and it is not considered that 3 open market dwellings will have any wider economic impact.

Landscape/Visual Impact

The proposal is considered not in keeping with the immediate area with residential plots much larger and although the proposal is linear to the roadside the rural character must also result in roadside gaps and openings that bring the countryside up to the roadside. The infill of this gap is considered to consolidate development to the detriment of visual rural amenity.

The loss of orchard trees is implicit as part of the scheme while the proposed works to screen the site and preserve the rural character acknowledged in the applicant's submission. The approach considered will not hide the bulk of the proposed building sat back from the

roadside. The Highway's Officer's response requires visibility splays extending up to 48 metres in either direction. The roadside hedge is affected for its whole length across the site's frontage to achieve the visibility splays required. Whether realigned the technical specifications will draw further attention to the site. Policy ST6 refers to proposals for new development should not result in the unavoidable loss of open spaces (including gaps and frontages), and that new development retains and integrates natural characteristics within the scheme.

Although an outline application, it is envisaged that a satisfactory design can be achieved with openings to front and rear so as not to undermine any neighbour amenity. Notwithstanding, it remains that, the primary consideration is the unsustainable location and policy is not supportive of such development. The applicant(s) did not seek pre-application discussion with planning officers.

It is therefore not considered that the scheme will maintain or enhance the environment.

Note: The applicant makes the case that the proposed dwellings are affordable. In terms of the Council's definition of affordable housing there would need to be evidence of housing need and comply with the exceptions policy for affordable housing beyond any development area. This process has not been followed and just because a terrace of small dwellings is indicated this does not meet the definition of affordable.

**** RECOMMENDATION**

REFUSE

Application Refused

01. The proposal for which no special essential need has been established constitutes the undesirable consolidation of development beyond the recognised limits of a designated settlement to the detriment of the visual amenity and rural appearance of the locality occupiers of the new development are likely to be dependant on private vehicles for most of their daily needs. Such fostering of growth in the need to travel would be contrary to government advice given in PPG13 and RPG10, and to the provisions of and is therefore contrary to policy STR1 and STR6 of the Somerset and Exmoor National Park Joint Structure Plan 2000 and policy ST3 of the South Somerset Local Plan 2006.
 02. The requirements to achieve satisfactory visibility splays results in the loss of the existing indigenous hedge whose realignment is considered will affect the rural character of the location, drawing attention to development of the site contrary to policy ST6 of the South Somerset Local Plan 2006.
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