

Area North Committee – 27 June 2012

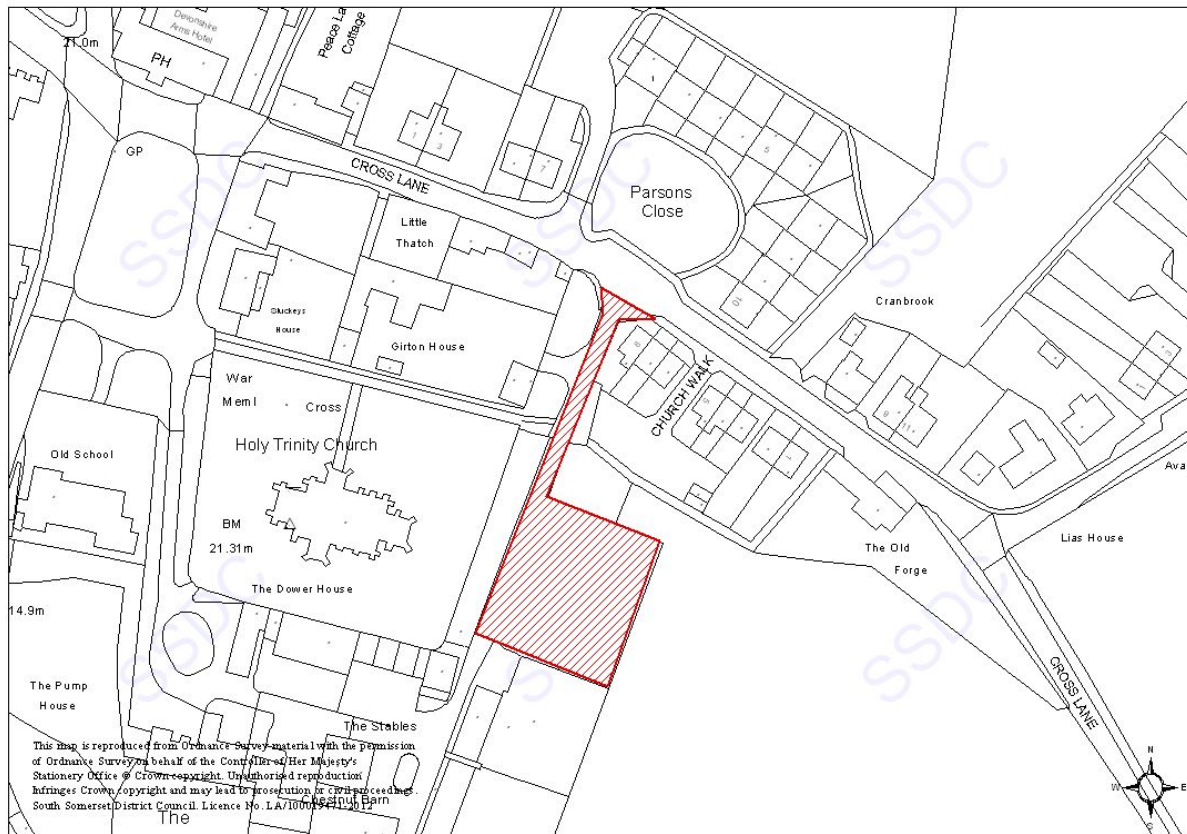
Officer Report On Planning Application: 12/01461/FUL

Proposal :	Erection of a detached dwelling and garage and associated access (GR: 346988/125256)
Site Address:	Land Off Cross Lane, Long Sutton, Langport
Parish:	Long Sutton
TURN HILL Ward (SSDC Member)	Cllr S Pledger
Recommending Case Officer:	Alex Skidmore Tel: 01935 462430 Email: alex.skidmore@southsomerset.gov.uk
Target date :	28th June 2012
Applicant :	Mr Pledger
Agent: (no agent if blank)	Shaun Travers Boon Brown Architects Motivo, Alvington, Yeovil BA20 2FG
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO AREA NORTH COMMITTEE

The applicant is an elected councillor of this council.

SITE DESCRIPTION AND PROPOSAL



This application is seeking full planning permission to erect a detached two-storey

dwellinghouse.

The application site is a small parcel of agricultural land that is located beyond any development area and within a designated conservation area and is adjacent to a Grade I listed church and Grade II* and Grade II listed buildings at Manor Farm to the south. The site is also within an area of high archaeological importance.

Access to the site is via a private road leading off Cross Lane to the north which is shared with the residential development at Manor Farm to the south. A public footpath passes close to the rear boundary of the site.

There are no buildings on the site which is partly covered by an area of concreted hardstanding and the remaining area overgrown with weeds. The site is enclosed by a low natural stonewall along much of its front boundary with a post and rail fence and hedge along the rear boundary

HISTORY

10/00701/FUL: Erection of a single storey dwelling. Refused for the following reasons:

- Unjustified development outside any defined development area where development should be strictly controlled and restricted to that which benefits economic activity, maintains or enhances the environment and does not foster the growth in the need to travel.
- The dwelling would result in the loss of an important open space of visual and historic value, particularly in regard to views to and from the Grade I listed medieval church opposite and introduce an incongruous single storey form of development to the detriment of the character and appearance of the conservation area, the setting of an important listed building and at odds with the historic pattern of development.

06/03502/FUL: Erection of a detached dwelling. Withdrawn.

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 decision must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise.

The development plan comprises The Somerset and Exmoor National Park Joint Structure Plan Review and the South Somerset Local Plan 2006:

The policies of most relevance to the proposal are:

Somerset and Exmoor National Park Joint Structure Plan (1991-2011):

STR1 - Sustainable Development

STR6 - Development outside Towns, Rural Centres and Villages

Policy 5 - Landscape Character

Policy 9 - Historic Environment

Policy 11 - Areas of High Archaeological Potential

Policy 49 - Transport Requirements of New Development

South Somerset Local Plan 2006:

ST3 - Development Areas

ST5 - General Principles of Development

ST6 - The Quality of Development
 EH1 - Conservation Areas
 EH5 - Development Proposals Affecting the Setting of Listed Buildings
 EC3 - Landscape Character
 TP7 - Parking Provision in Residential Areas

National Guidance:
 National Planning Policy Framework (Parts 4, 6, 7, 10, 11 and 12)

South Somerset Sustainable Community Strategy:
 Goals 7, 8, 9, 10 and 11

CONSULTATIONS

Long Sutton Parish Council: Support the application subject to the following conditions:

- The removal of the garage from the design.
- All external stone and tile materials, where possible, be reclaimed to ensure that these match the existing buildings surrounding the site.
- A planting scheme be agreed with SSDC's landscape officer.
- All permitted development rights be removed from the site.
- The side window be removed as per existing agreements between the applicant and SSDC.

Technical Officer: No comment

County Highway: Made reference to their new Parking Strategy that sets out a requirement for a minimum of 3 parking spaces for a dwelling of this size and cycle storage at a ratio of 1 cycle per bedroom and that the proposal did not meet this requirement. They went on to request the following conditions:

- To ensure there is no obstruction to visibility greater than 900mm above adjoining road level across the frontage of the site and across the frontage of the junction of the private road with Cross Lane.
- To ensure any garage / parking area is provided and maintained for the purpose of parking in perpetuity.

Somerset County Council Rights of Way: Raised no objection. Confirmed that a public right of way (PROW) runs along part of the access to the site and noted that should any of the following apply then the separate authorisation from SCC would be required:

- A PROW being made less convenient for continued public use.
- Create a hazard to users of a PROW.
- New furniture being needed along a PROW.
- Changes to the surface of a PROW or to the existing drainage arrangements associated with a PROW.

County Archaeology: No objection subject to a condition relating to an archaeological evaluation of the site.

SSDC Environmental Protection: No objections

Conservation Team: We have grave concerns about the significant impact that the proposal would have particularly on the setting of the Grade 1 listed church, on the character of the conservation area and on the setting of the listed group of buildings around The Manor.

The fact that the site lies in open countryside reinforces my view that this is not a site for development. The church and churchyard have enjoyed a long established setting of open countryside to the west side and map regression has revealed no real evidence that this site was ever much built upon. Only on the 1946 photo is there any feature shown and it is unclear that these were buildings. The applicant mentions other evidence but has not provided it. Such evidence of agricultural buildings, likely to be simple and low-key if anything, should not of course justify the erection of a new two-storey house in their place. This is not a design issue, it is simply clear that in order to preserve the church's setting and this characteristic aspect of the conservation area there should be no development on this site.

The basis of the design of the proposal as an admitted 'illusion of a tithe barn' is a false notion. The monastic tithe barn is not a feature of Long Sutton and a building of this volume would substantially compete with the individual prominence of the church to great disadvantage. If this site were to be developed we should be only considering something of higher architectural integrity and quality.

They further comment that a proposal on this site was refused in 2010 for reasons relating to development limits, setting of grade I church including views to and from the church, important open space and bad design, my comments still largely apply.

Since that decision PPS5 has been replaced by the NPPF. There has been no reduction in the protection of heritage by this change, and the statutory duties with regard to the conservation area and the need to have regard to the setting of listed buildings is unchanged (see paragraphs 128, 129, 132 and 137 of the NPPF).

The applicant continues to refer to this as an untidy area, but compliance with the consent and conditions with the previous approvals would not have created this situation.

Whilst there is some improvement in design, we are not aware of a tithe barn with an attached double garage as an original feature. There are also too many openings and an incorrect form on the rear elevation in relation to what would be expected on a successful barn conversion. As proposed it closes in the church yard, results in a loss of views, and is detrimental to the setting of the church and does not preserve or enhance the character of the conservation area.

Landscape Officer: The location has considerable heritage interest and is, in planning terms, in a countryside location. The land to the east of the church is open countryside, reference to historic maps indicates that this open ground has long been a prime characteristic of the church's setting. It is also a characteristic of the conservation area. The open aspect enables both views from the church of the countryside to the immediate east, and an unencumbered prospect of the church from the public rights of way to the east. Clearly this open land is an integral element of the church's setting, consequently a dwelling to the east of the church is viewed as an adverse impact upon the setting of a listed building; the character of the conservation area; and by virtue of being outside the development area, an intrusion into open countryside.

Justification for a dwelling has been made on the basis that the site once hosted agricultural buildings for a short period of time. This is no credible basis for domestic development in the face of the historic interest of the site. There is no history of

domestic presence on this site, and the most recent set of agricultural buildings referred to were removed from the site some time ago. I also note a 2002 consent that required the removal of those building's concrete bases where the dwelling is now planned, which appears to have escaped notice. A further observation, is that a 'tithe barn' proposal is a false representation of the village's historic evolution, and its mass would compete with the singular presence of the church.

Given the weight of policy objection, and in view of the concerns previously raised by English Heritage, there is clearly no justification for a dwelling on this site.

English Heritage: This is the third application for a new dwelling that English Heritage has commented on in recent years, there appears to be no more justification for a dwelling in this location now than there was when we first objected. Our concerns relating to the harm that would be caused to the setting of the adjacent Grade I listed church remain as before.

The only justification put forward appears to be the pre-existence of modern farm buildings of which only the concrete hardstanding now remains and the perceived unsightly appearance of the land. Even if those buildings still existed we do not think that this would justify their replacement with a dwelling. The unsightly appearance of the site does not require a new dwelling to improve it, it could simply be re-landscaped back to pasture which preceded the farm buildings.

The 'tithe barn' design does not in our view provide further mitigation. Our objection is a matter of principle to locating a house on this site thereby dislocating the church from its open countryside setting. The historic examples that this building is trying to emulate are traditionally located within a courtyard setting and not, as here, on the outskirts of a farmstead.

REPRESENTATIONS

Written representations have been received from one local resident expressing the following concerns:

- The building seems to be exceptionally high in relation to adjacent properties and the village church. It is on an elevated piece of land which will make it stand out greatly and may not look proportionally suitable.
- The design is attractive but there are large numbers of large windows on the rear at 2 levels which may lead to light pollution at night to other neighbouring properties.
- I am concerned that this is in a conservation area and what that is supposed to represent.

CONSIDERATIONS

This application follows two previous applications for a dwelling on this site. The first application submitted in 2006 was withdrawn following objections from English Heritage and SSDC's Conservation Officer in respect of harm to the setting of the Grade I listed church. The second application submitted in 2010 was refused due to its location outside development limits and the harm the proposal was considered to cause to the setting of the listed church and conservation area. The current proposal includes a different design to that previously proposed.

Principle:

The site comprises a small parcel of agricultural land (greenfield land) which is located beyond any development boundaries where there is a presumption against new development unless it will be beneficial to economic activity, will maintain or enhance the environment and will not foster the growth in the need to travel.

The proposed dwelling is not sought as an occupational workers dwelling and so offers no benefit to economic activity. The applicants have stated that the site is currently unsightly and that the proposed dwelling will enhance its appearance by tidying it up. The site is partly covered with concrete hardstanding and what appears to be some builder's rubble / waste and has been left to become overgrown for the remainder of the area. The appearance of the site however could easily be improved with relatively little work or cost to the applicant, as such this argument is considered to be insufficient to justify a new dwelling in this location. Further to this the construction of a new build dwelling on greenfield land cannot be described as either maintaining or enhancing the environment and in this instance the proposal is considered to be harmful to the setting of the adjacent listed church and surrounding conservation area (see comments below).

Whilst Long Sutton has a small village shop and a primary school there are few other facilities in the village and it is likely that the future occupiers of the dwelling will be dependent on private forms of transport for most of their day-to-day needs. For these reasons the proposal fails to meet the requirements of sustainable development as set out within the NPPF (Parts 4 and 6) and Policy ST3 of the South Somerset Local Plan 2006 and is in principle unacceptable.

Impact on visual amenity and the historic environment:

The application site lies immediately to the east of Holy Trinity Church, a Grade I listed building, with the Grade II* and Grade II listed buildings of Manor Farm to the south and is located within a conservation area. The site is outside the development area in what is considered to be open countryside and backs on to farmland.

The previous two applications on this site have raised objections from the conservation officer and English Heritage in relation to the impact a building in this location would have upon the setting of the adjacent Grade I listed church and conservation area. These concerns are equally relevant to the current proposal.

Currently the eastern side of the churchyard where the application site is located is unfettered by any buildings and as a consequence open views are maintained from the church to the countryside beyond as well as views from the public right of way, which passes close to the rear boundary of the site, of the church. This open aspect is considered to be a particularly important feature in terms of the historic setting of the church and character of the conservation area.

The applicant has noted that the site once accommodated some farm buildings however none of these structures remain and indeed the removal of the last structure on the site and the remaining concrete hardstanding was a condition of planning permission (ref: 04/02477/FUL) relating to the conversion of the barns at Manor Farm. The buildings on the site in any case would appear to have been 20th century farm buildings whose existence were relatively short-lived. It would appear from historic maps that up until the mid-20th century there were no buildings on this site as such it is not accepted that a precedence has been established for allowing further buildings on this site.

The effect of the proposed dwelling will not only be to severely restrict the open views on the eastern side of the church thereby dislocating the church from its open countryside setting but also, given its scale and massing, to compete with the presence of the

church. Policy EH1 of the Local Plan relates to conservation areas and stipulates that new development should preserve or enhance the character of the area and provide buildings and spaces which make a positive contribution to its character, setting and appearance. This proposal represents a loss of a space that makes a positive contribution. It is not accepted that the current condition of site detracts so significantly from the character and setting of the area to warrant approval of this application. Indeed it is considered that the erection of the proposed dwelling would cause far more harm to the character of the area and setting of the church than the existing concrete.

It is acknowledged that some effort has been made in terms of the design of the dwelling however English Heritage and the Conservation Manager have both noted that for historic reasons this is a very unlikely location for a tithe barn. The scheme originally included an attached double garage however the applicants accepted that this was not a feature usually found on a tithe barn and this element has now been omitted from the application. Whilst the principle front elevation, which faces the church, is relatively successful in adopting the characteristics of a tithe barn, the rear elevation which will be visible from the footpath and seen in the context of the church is not recognisable as such and due to the number of openings has a far more domestic appearance.

Impact upon residential amenity:

The original scheme included a first floor bedroom window within the southern gable which looks into the side and rear of the next door neighbour, the proposal has been amended to omit this window and the proposal as amended is not considered to result in any demonstrable harm to residential amenity.

Access, parking and highway safety:

The highway authority have advised that the level of parking and cycle storage provided does not meet the requirements set out within their new Parking Strategy, however, under the revised proposal, which omits the garage, it should be possible to accommodate up to four cars on the drive thereby meeting their parking requirements. It is not considered reasonable to object to the proposal based on a lack of cycle storage. Highways have also requested a condition relating to visibility splays for the junction of the access track on to Cross Lane. Such visibility however was the subject of the permission for the adjacent barn conversion development at Manor Farm and is already provided in full, as such this condition is not considered to be necessary. On this basis the proposal is not considered to raise any significant highway safety concerns.

Conclusion:

For the reasons set out above, it is considered that insufficient justification has been provided to support a new dwelling on greenfield land within the open countryside. The proposal will result in the loss of an important open space to the detriment of the setting of the adjacent Grade I listed church and the character and setting of the surrounding conservation area and to represent an unsustainable form of development that is contrary to the aims and objectives of the NPPF (Parts 4, 6, 7 and 12) and Policies ST3, ST5, ST6, EH1 and EH5 of the South Somerset Local Plan. The application is therefore recommended for refusal.

RECOMMENDATION

Refuse permission for the following reasons:

01. The proposed dwelling would result in unjustified development outside any defined development area, where development should be strictly controlled and restricted to that which benefits economic activity, maintains or enhances the environment

and does not foster the growth in the need to travel. Insufficient justification has been provided to overcome these sustainability concerns and the proposal is considered to be contrary to the aims and objectives of the National Planning Policy Framework (Parts 4, 6 and 10), Policies STR1 and STR6 of the Somerset and Exmoor National Park Joint Structure Plan (1991-2011) and Policies ST3 and ST5 of the South Somerset Local Plan 2006.

02. The proposed development would result in the loss of an important open space of visual and historic value, particularly in regard to views to and from the adjacent Grade I listed medieval church, and introduce a form of development that is at odds with the historic pattern of development. As such the proposal fails to preserve or enhance the character and appearance of the conservation area and is considered to be harmful to the setting of an important listed building contrary to the aims and objectives of the National Planning Policy Framework (Policies 7 and 12), Policy 9 of the Somerset and Exmoor National Park Joint Structure Plan (1991-2011) and Policies ST5, ST6, EH1 and EH5 of the South Somerset Local Plan 2006.
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