

Area North Committee – 23 April 2014

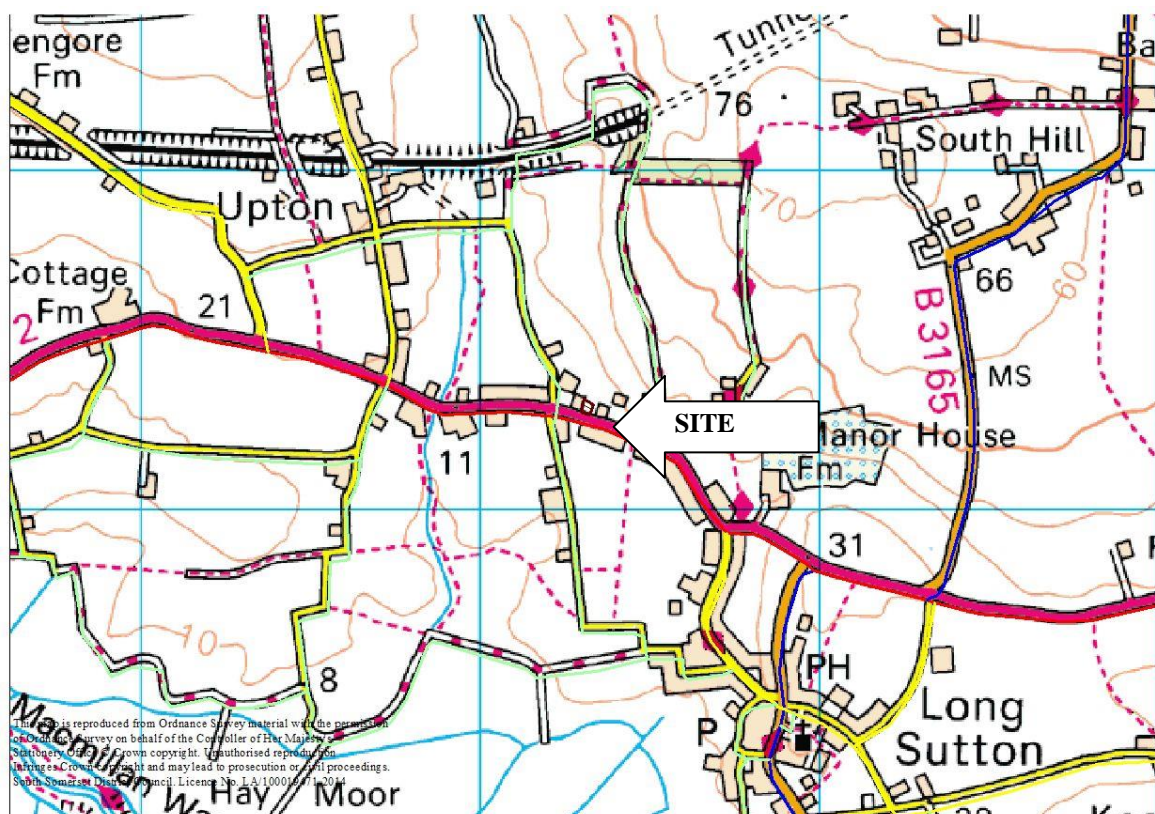
Officer Report On Planning Application: 14/00273/FUL

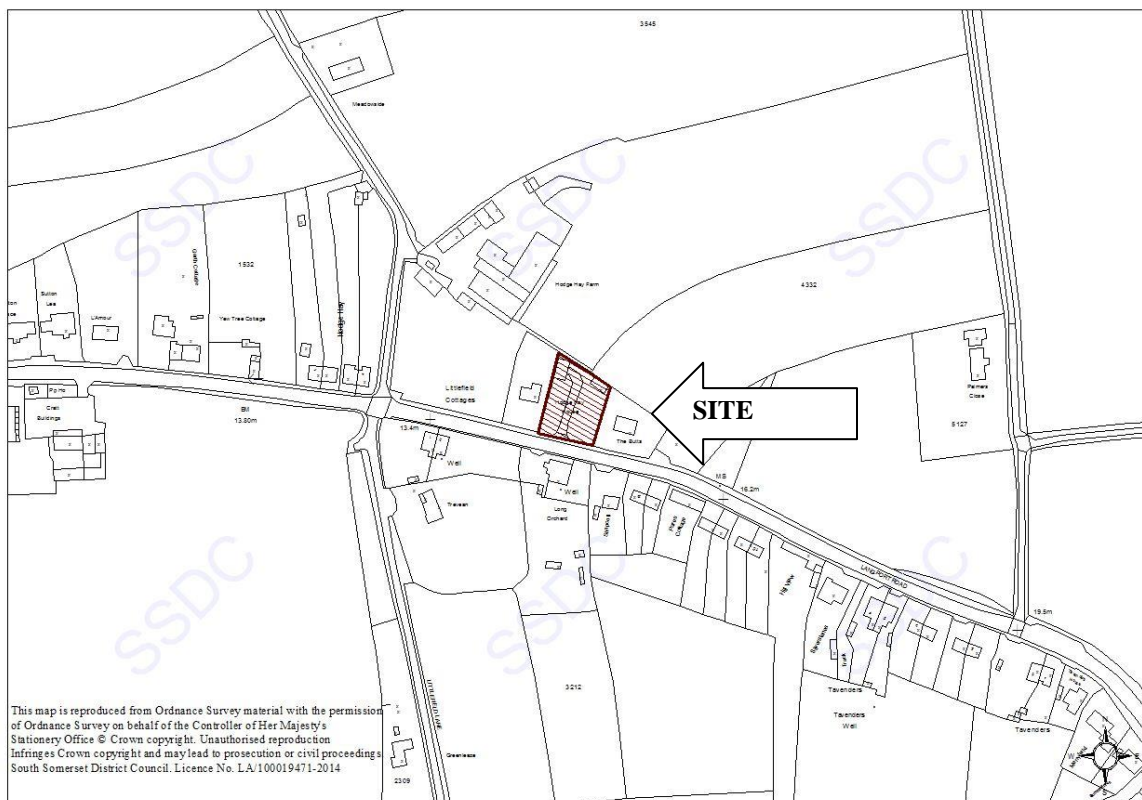
Proposal :	Erection of a two storey dwellinghouse and detached single storey garage (GR:346321/126270)
Site Address:	Land Adjacent The Butts, Langport Road, Long Sutton.
Parish:	Long Sutton
TURN HILL Ward (SSDC Member)	Cllr Shane Pledger
Recommending Case Officer:	John Millar Tel: (01935) 462465 Email: john.millar@southsomerset.gov.uk
Target date :	24th March 2014
Applicant :	Mr W Cox
Agent: (no agent if blank)	Mr Francesco Della Valle, Lake View, The Maltings, Charlton Estate, Shepton Mallet BA4 5QE
Application Type :	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 Vice Chairman to enable the issues raised to be fully debated by Members.

SITE DESCRIPTION AND PROPOSAL





The application site is a plot of land located between two existing dwellings on the north side of the A372 Langport Road. It is located approximately 560m to the west of the edge of the Long Sutton defined development area but falls within existing linear development extending westward from the village. The site is laid out as a garden and appears to have been used for domestic type storage and horticultural purposes. The roadside boundary is formed by a low stone wall with hedge behind and there is an existing vehicular access. There are a mix of dwelling types along the A372, of varying sizes, designs and finishes. The adjoining dwellings are a reconstituted stone house and bungalow and there is a natural stone and thatch grade II listed building (Long Orchard) opposite.

The application is made to erect a two storey detached house and car port. The dwelling is proposed to be constructed from natural stone with some timber cladding to the rear and concrete double roman tiles to the main house and plain tiles for the car port.

HISTORY

911190: The construction of a vehicular access - Permitted with conditions
 900604: Erection of a dwelling (outline) - Refused (Subsequent appeal dismissed)
 862803: The erection of four house (outline)
 9769: Erection of a dwellinghouse with services and a private garage and formation of a vehicular access - Approved.

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,

Relevant Development Plan Documents

South Somerset Local Plan 2006:
 ST3 - Development Areas
 ST5 - General Principles of Development
 ST6 - The Quality of Development
 EC3 - Landscape Character
 EC5 - Sites of Special Scientific Interest (SSSIs)
 EC6 - Locally Important Sites
 EH5 - Development Proposals Affecting the Setting of Listed Buildings

Policy-related Material Considerations

National Planning Policy Framework (March 2012):
 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 (March 2014):
 Conserving and Enhancing the Historic Environment
 Design
 Natural Environment
 Rural Housing
 The Use of Planning Conditions

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

OTHER POLICY CONSIDERATIONS

Recent appeal decisions at Verrington Hospital (11/02835/OUT) and Slades Hill (12/03277/OUT) - have established that the District Council does not have a demonstrably deliverable 5 year housing land supply. In such circumstances, the National Planning Policy Framework (NPPF) advises that relevant policies for the supply of housing should not be considered up to date (NPPF para. 49) and housing applications should be considered in the context of the presumption in favour of development. In this Council's case, the principal effect is that saved policy ST3 (Development Areas) no longer applies in relation to housing or mixed use proposals which should not be refused simply on the basis that they are outside Settlement Limits.

CONSULTATIONS

Parish Council: Long Sutton Parish Council voted to SUPPORT this application. We understand that the LPA may have concerns regarding this application and that it may be passed to the regulation committee for final determination.

The Council felt that the site was in a sustainable location and whilst outside the defined development limits of the Parish that it still very much fell within the Parish boundaries. The Council supported the principal of development and that of the design.

SCC Highway Authority: County Council Standing Advice should be applied,

specifically provision of appropriate visibility splays (2.4m x 43m), properly consolidated access, positive drainage arrangements to ensure no surface water runoff onto the public highway and appropriate parking and turning provision on-site.

Natural England: No objections.

SSDC Ecologist: The site is within the 1km consultation zone for Wet moor SSSI. It is considered unlikely that the proposed development would have any significant impact on the SSSI.

REPRESENTATIONS

Three letters have been received from local residents, offering their support for the application.

CONSIDERATIONS

Principle of Development

The site is located approximately 560m to the west of the edge of the defined development area of Long Sutton. Long Sutton is a settlement that saved Local Plan policy ST2 identifies as a sustainable village suitable for development, however the site neither falls within or adjacent to a settlement boundary of the village.

Paragraph 49 of the National Planning Policy Framework (NPPF) states housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. Recent appeal decisions have established that South Somerset District Council does not have a five-year supply of deliverable housing land and as such the previously saved Policy ST3 no longer applies in relation to housing. However the NPPF can be referred to and there are other saved policies within the Local Plan that demand proposals maintain or enhance the environment and preserve the character of the area; these include SSLP policies ST5, ST6 and EC3. These are to be considered alongside the NPPF.

The purpose of the planning system is to contribute to the achievement of sustainable development (para 6, NPPF). To achieve sustainable development economic, social and environmental gains should be sought jointly and simultaneously through the planning system (para 8, NPPF). The golden thread running through plan-making and decision-taking is a 'presumption in favour of sustainable development'.

Further advice for decision-takers is given in Paragraph 14 of the NPPF where planning permission should be granted where a policy is out-of-date (such as Policy ST3) unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, unless material considerations dictate otherwise.

Local Planning Authorities are advised to avoid new isolated homes in the countryside unless there are special circumstances. The NPPF outlines that these special circumstances may include (but are not restricted to) - agricultural/forestry and rural worker occupational dwellings, conservation enabling type development, the re-use of redundant or disused buildings, or dwellings of an exceptional quality or innovative design.

While the proposed development is not strictly an isolated new dwelling as it sits within an existing linear form of development, it is still subject to the same degree of protection as the open countryside and therefore considered to be unsustainable by virtue of its distance from local services. As well as being outside of the village defined development area, the site is approximately 1.2km from both the primary school and village shop. While there is a continuous footway from the site along the north side of the A372 to Shute Lane, there is a need to cross the main road to access the village, with no safe means of crossing. Both of these factors 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.

Design, Appearance and Historic Context

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 around it so is considered to be able to comfortably accommodate a dwelling. There is a two storey dwelling to the west and a bungalow to the east. The proposed dwelling is large four bedroom house and is larger in scale than either of the neighbouring properties, however the roof ridge is set below that of the adjoining house. Within the street scene, the proposed dwelling will be seen stepped down in accordance with the local topography, which drops to the east.

In the applicant's design and access statement, the property opposite, Long Orchard, is referred to as an unlisted property of architectural merit, which has been considered in the proposal due to its proximity to Langport Road. In actual fact this property is grade II listed so consideration has to be given to the impact of the development on its setting and contribution to the local scene. Despite the close proximity, the proposed dwelling is of a traditional form and proposed to be constructed of high quality natural stone. It is considered to compliment the nearby listed building and have no adverse impact on its setting or that of the surrounding area.

Residential Amenity

The proposed dwelling is located centrally within 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 side, with limited side openings. The only non-obscurely glazed side openings are to a gable extension to the rear, with views to the west, in the direction of Hodge Hay House. While there is a degree of overlooking, the distance is such that it is not considered to cause any unacceptable harm to residential amenity.

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

Highway Safety

The site has an existing access, which is to be retained, although improvements are proposed by cutting back part of the wall within the site to improve manoeuvrability and the gate is to be moved back a couple of metres into the site. There is currently good visibility with the frontage wall being no more than 900mm above road level and clear views in each direction. At least the first 5m of the access is to be tarmac as existing, with the remainder of the drive to be self-binding gravel, which will provide a permeable surface to prevent discharge of surface water runoff onto the public highway. It is therefore considered that the proposal generally accords with the standing advice and there are no objections in respect to highway safety.

Other Issues

The site is near to Wet Moor Site of Special Scientific Interest (SSSI, which forms part of the Somerset Levels and Moors Wetland of Internal Importance under the Ramsar Convention (Ramsar Site) and Special Protection Area (SPA), however the proposed development is not considered to have any adverse impact on these national and locally important sites.

Conclusion

Whilst the site is an infill plot within an established linear development and the proposed dwelling respects and relates to its surroundings, it is not considered that these outweigh the very clear policy objections to this application. The site is located well beyond the defined development area of Long Sutton and is therefore remote from the village services. As such the new occupants would be totally dependent upon the private car for access to all services. 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 outside of the defined development area of Long Sutton, for which an overriding essential need has not been justified. The application site is remote from local services and as such will increase the need for journeys to be made by private vehicles. The proposal is therefore considered to be unsustainable development that is contrary to the aims and objective of the National Planning Policy Framework.
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