

5. Land adj Border Cottage, Border Lane, Brewham – Application No. 12/04736/FUL

Proposal :	Demolition of existing storage building and erection of a detached three bedroom house with access and formation of vehicular access (GR: 373480/137085)
Site Address:	Land adj Border Cottage, Border Lane, Brewham
Parish:	Brewham
TOWER Ward (SSDC Member)	Cllr Mike Beech
Recommending Case Officer:	Andrew Collins Tel: 01935 462276 Email: andrew.collins@southsomerset.gov.uk
Target date :	6th March 2013
Applicant :	Mrs Heather Sweny
Agent: (no agent if blank)	Mr John Shaw, 8 Alexanders Close Meare Glastonbury Somerset BA6 9HP
Application Type :	Minor Dwellings 1-9 site less than 1ha

Reason for Referral to Regulation Committee:

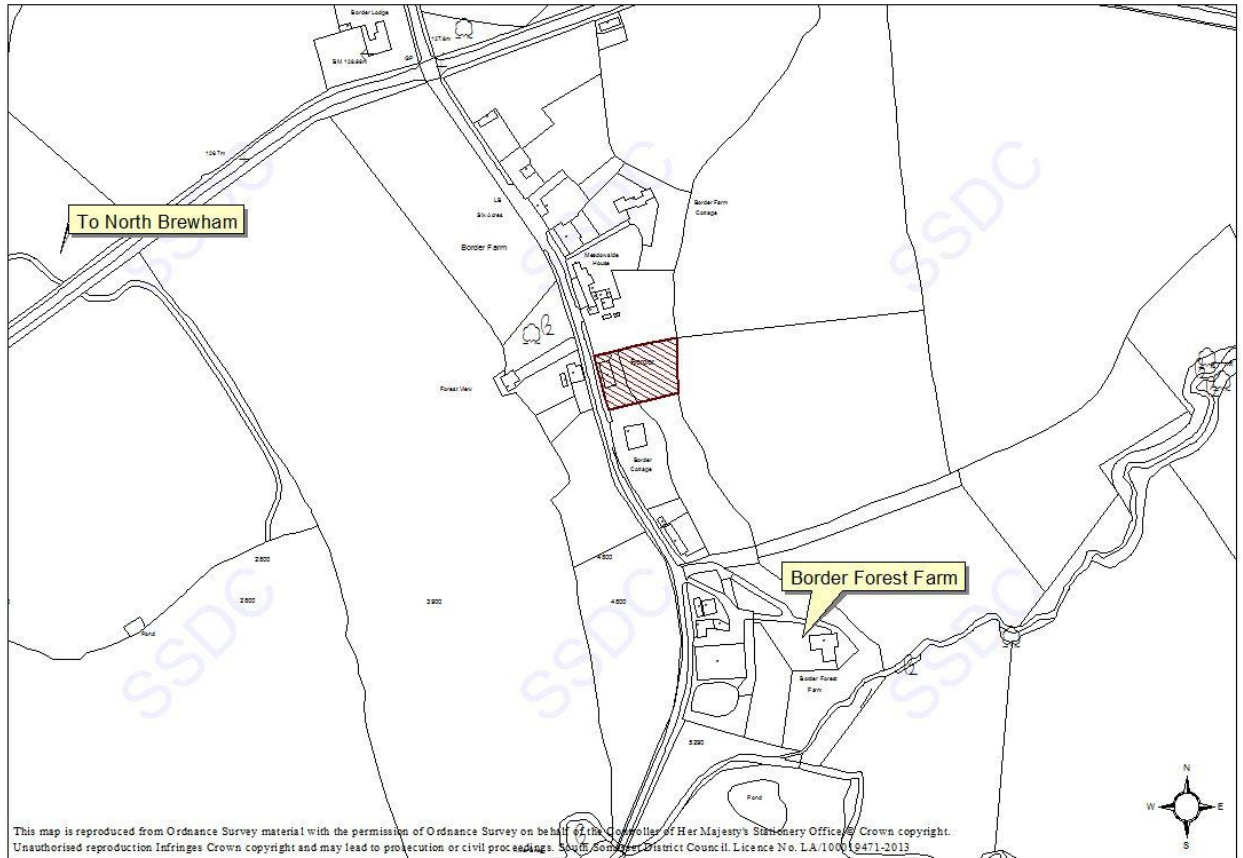
The report was referred to Area East Committee at the request of the Ward Member, with the agreement of the Area Chair, to enable a full discussion of the views of the local community and the Parish Council in relation to further development in this locality.

The application was '2-starred' (**) as the proposal for a new dwelling in this rural location, for which no reasonable justification has been put forward, is contrary to policy and, if approved, could have district-wide implications. Accordingly, Area East were advised that should the Committee wish to support the proposal contrary to the officer recommendation the application would need to be referred to the Council's Regulation Committee for consideration.

The Area East Committee on 13th March 2013 (Draft minute attached at Appendix A) unanimously resolved for the application to be approved contrary to the officer's recommendation with the understanding that it would be referred to the Regulation Committee for consideration.

Accordingly the application is now referred to the Regulation Committee for final determination. The report is as presented to the Area East Committee, but includes some updates detailed below.

SITE DESCRIPTION AND PROPOSAL



The site is located north of Border Cottage on Border Lane outside of the development area. Border Lane is characterised by loose linear roadside development with small ancillary agricultural, equestrian and domestic buildings interspersed by residential dwellings. The development site is bounded by a mixture of native and coniferous hedging to the north and west and is open to a paddock to the east. The main residence is located due south. The site is frontage by an open ditch, culverted where access is achieved into the site. The land to the east falls away to a drainage ditch c. 40m away.

It is proposed to demolish the existing storage building and erect a 3-bedroom chalet bungalow 15m to the East of the road and 6m from the back edge of the existing building on the site. It would partially sunk into the site by 1.5m. The building would be 16.5m by 11.5m with an eaves height of 2.2m and a maximum ridge height of 5.8m. It would be constructed of natural stone and larch timber cladding for the walls and clay double Roman tiles. Three parking spaces are proposed to the West of the dwelling on the site of the existing storage building. A new access would serve the dwelling. It is stated that the existing dwelling will be sold to finance the new dwelling.

The application is supported by a Design and Access Statement and Ecological Survey. An amended block plan has been provided.

RELEVANT HISTORY

07/02573/FUL - Planning permission refused for conversion of building to a dwelling (24/07/2007) for the following reasons:-

1. The proposal would result in an unacceptable unsustainable domestic incursion into the countryside outside the defined development limits, whilst proving harmful to the dispersed characteristic of the immediate environment and to the rural character and appearance of the general area. In addition the building proposed to be converted is not capable of conversion without major reconstruction. Therefore without a proven justification to warrant an exception to policy the proposal is considered to be contrary to the advice given in Planning Policy Statement 7, Policies STR1, STR6 and Policy 5 of the Somerset and Exmoor National Park Joint Structure Plan Review 1991-2011 and Policies ST3, ST5, ST6, EH7 and EC3 of the adopted South Somerset Local Plan 2006.

2. The application fails to adequately accurately demonstrate that the setting of the adjoining Listing Building will not be adversely affected and is therefore contrary to policy EH5 of the adopted South Somerset Local Plan (2006).

3. The proposed development site is remote from any urban area and therefore distant from adequate services and facilities, such as, education, health, employment, retail and leisure. In addition, public transport services are infrequent. As a consequence, occupiers of the new development are likely to be dependent 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 policies STR1 and STR6 of the Somerset and Exmoor National Park Joint Structure Plan Review (Adopted: April 2000).

05/01660/OUT - Outline permission refused for erection of dwelling (15/08/2005). Subsequent appeal dismissed. The Inspector noted (para. 6):-

"I judge that any dwelling on the site, even if set further back, would have a significantly greater impact on the appearance of the area, unacceptably damaging its essentially rural character."

At Paragraph 7 sustainability arguments were raised. The inspector said;

"I do not share the appellant's view that the site could be regarded as being within a rural village. Only limited facilities are available in North and South Brewham and I consider that for almost all day-to-day needs the occupants of the proposed dwelling would need to travel as far as Bruton which is over 3 miles away and with poor transport links."

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.

For the purposes of determining current applications the local planning authority considers that the relevant policy framework is provided by the National Planning Policy Framework and the saved policies of the South Somerset Local Plan 2006 and the Somerset and Exmoor National Park Joint Structure Plan Review 2001.

The policies of most relevance to the proposal are:

Saved policies of the Somerset & Exmoor National Park Joint Structure Plan (April 2000)

STR1 - Sustainable Development
STR6 - Development Outside Towns Rural Centres and Villages
Policy 5 - Landscape Character
Policy 9 - The Built Historic Environment
Policy 48 - Access and Parking
Policy 49 - Transport Requirements of New Development

Saved policies of the South Somerset Local Plan (April 2006)

ST3 - Development Areas
ST5 - General Principles of Development
ST6 - The Quality of Development
EH5 - Development Proposals Affecting the Setting of Listed Buildings
EC3 - Landscape Character
EC8 - Protected Species
TP5 - Public Transport
TP7 - Residential Parking Provision

Reference has been made to Policy SS2 of the emerging local plan. However this is an innovative, draft policy that has not been tested by the Planning Inspectorate and as such can only be given limited weight.

National Planning Policy Framework (March 2012)

Chapter 1 - Building a strong, competitive economy
Chapter 2 - Ensuring the vitality of town centres
Chapter 3 - Supporting a prosperous rural economy
Chapter 4 - Promoting sustainable transport
Chapter 6 - Delivering a wide choice of high quality homes
Chapter 7 - Requiring good design
Chapter 8 - Promoting healthy communities
Chapter 11- Conserving and enhancing the natural environment
Chapter 12 - Conserving and enhancing the historic environment

South Somerset Sustainable Community Strategy

Other Relevant Documents

Somerset Parking Strategy
Our Brewham Parish Plan

CONSULTATIONS

Brewham Parish Council - Support the application. They feel that replacement of the redundant building by a modest dwelling would be legitimate in filling on what is a brownfield site, but they would prefer the dwelling to be clad entirely in natural stone rather than the proposed mix of stone and timber cladding.

The redundant building has been used at different times for rearing poultry, milking cows and storage. If it were to revert to agriculture it would generate more noise and traffic movements than the proposed dwelling.

There is ample space between Border Cottage and Meadowside House to accommodate the proposed dwelling without appearing cramped and they could not see how locating it

further back from the road would affect the setting of the listed Meadowside House any more than the redundant building does, particularly as the roof of the house would be no higher than the existing roof.

Appreciate that to allow the development would be a departure from the local plan but feel that the NPPF is a material consideration in that the proposal will help sustain the Brewham community. Brewham's population of 995 in 1831 has shrunk to 430 today and members would be pleased to see a modest increase to sustain the vitality of the parish.

Highway Authority - Recommends refusal for the following reason:

The proposed development is outside of any development limit and is located where it is remote from adequate services, employment, education, public transport. The development, if approved, will increase the reliance on the private car and foster a growth in the need to travel, contrary to advice given in the National Planning Policy Framework (NPPF), RPG10 and Policies STR1 and STR6 of the Somerset and Exmoor National Park Joint Structure Plan (Adopted April 2000) and the South Somerset Local Plan.

In terms of site specific considerations it is noted the layout plan (A3 scale of 1:100), does not denote what is actually representative of the adjoining highway. Border Lane outside of the site, is a single width carriageway, with grass verge either side. Whilst new sightlines have been shown they have not been shown in relation to what is available to the running carriageway edge and have only been shown to the extremities of the site.

A parking space should measure 2.4m x 4.8m. Whilst 3 cars have been shown on the submitted plans, this area does not meet the appropriate size requirement and will need enlarging. In addition vehicles will have to reverse from/onto the adjoining highway and given the narrowness of the highway the provision of a turning area would not seem unreasonable given that there is clearly space within the site to accommodate it.

Should the application be approved these issues must be addressed by the submission of amended plans.

Area Engineer - Surface water disposal via soakaways

Landscape Officer - Recommends refusal. "The site lays in open countryside within the hamlet of Border. Map regression indicates little change in the pattern of residential property over time, and the wider area is characterised by its sparse development form, where the folding topography and its overlain pattern of hedgerows and woodland are the prime landscape elements. Laying below the afforested western escarpment of the West Wilts AONB (area of outstanding beauty) the site can be regarded as being within the AONB's setting. Consequently it is clear that the site's context is sensitive, and distinctly rural.

The proposal intends to supplant a relatively unobtrusive utility building and its adjoining pasture with domestic form. The proposal includes a hard-surfaced drive and terrace, and implies some removal of the current roadside hedgerow to enable sightlines. These cumulatively will add to the development footprint, as well as detract from the character of the lane. It is also noted that the siting is contrary to the established pattern of development in this location. Whilst accepting that a building currently resides on the site, it is a non-domestic subservient structure to the current house, and the plot is

primarily grassland and thus agricultural in character. The introduction of a 1.5 storey domestic form, and the potential domestication of the current pasture land, will be contrary to the historic and settlement character, and subtly erode the spaciousness of the existing domestic plots along this lane. The introduction of nightlight associated with residential occupation is a further subtle erosion of local character. I view the sum of these impacts to be adverse, thus there is no landscape support for this proposal.

Conservation Officer - Recommends refusal. "There are two things for me to consider here; the effect the new building will have on the character of the adjacent listed buildings, and the effect of the proposal on the general character of the area.

There are two listed buildings in close proximity to the site. Forest View is a detached property set some distance away from the application site on the opposite side of the road at the end of a driveway. The proposed bungalow will not harm the setting of this listed building.

To the north of the site, and in closer proximity to it, is a second listed building known as Meadowside House and Meadowside Cottage. This property sits just back from the road with a long front elevation addressing the road and contributes significantly to the character of the streetscene due to its prominent position. The surrounding land and buildings give Meadowside a pleasant rural setting. Buildings are spaced out and loosely scattered along the east side of the lane. Although they vary in style and age they are all two storey and of a broadly traditional form, positioned with principle elevations facing the road and set a short distance back from the road edge. The current arrangement of buildings has seen little change since the first edition OS map of 1888.

The introduction of a modern bungalow into this context, in a position set back from the road edge is not acceptable. The design fails to respond to the existing character appropriately due to its form and position. A new dwelling in this context has the potential to have a harmful urbanising influence on the lane in any form or position, as referred to in the previous inspectors decision, and will damage the strong rural character that is a precious existing quality.

Therefore I do take the view that the proposal will harm the setting of the listed buildings to the north of the site, and will harm the existing rural character of the lane. As such I recommend refusal.

Planning Policy - A policy objection is raised: the proposal is not considered to constitute sustainable development.

The application site is located outside of any Development Area in a location where development is strictly controlled and limited to that which benefits economic activity, maintains or enhances the environment and does not foster growth in the need to travel (Saved Policy ST3).

As you are aware the validity of saved South Somerset Local Plan Policy ST3: Development Areas has recently been called into question with regards to housing supply and the Council has accepted that it does not have a 5 year supply of housing land. However, Policy ST3 seeks to direct new housing development to sustainable locations, therefore proposals for open market housing at any settlement without a Development Area (such as Brewham) are considered to be unsustainable in principle. The onus in this instance is on the applicant to demonstrate why she believes the development is sustainable having regard to the National Planning Policy Framework (NPPF) paragraphs 7 -16. Brewham does not have any local facilities such as a shop

and I cannot see that a case has been made on this basis.

The South Somerset Local Plan 1991-2011 was adopted in April 2006; all but five of the policies and proposals within this plan were formally saved in April 2009. These policies remain saved until such time as they are replaced by any new policies adopted by South Somerset District Council. Department of Communities and Local Government have clarified that paragraph 214 does not apply to SSDC as our local plan policies were saved under another process. Paragraph 215 does apply in that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given).

The NPPF identifies the three dimensions of sustainable development - it is expected to perform an economic, a social and an environmental role, paragraph 8 is clear that sustainable development consists of a combination of all three elements. From an economic perspective this proposal will only bring about benefit to the applicant and those employed in the construction of that new dwelling. In terms of a social role the proposal will potentially provide an additional home in Brewham and accommodation to specifically meet the needs of the applicant but in a location that is not accessible to local services. From an environmental perspective the proposal will not be contributing to protecting or enhancing the natural or built environment or minimising the impacts of climate change.

Paragraph 14 of the NPPF deals with the presumption in favour of sustainable development, for decision taking this means approving development proposals that accord with the development plan without delay and where the development plan is absent, silent or relevant policies are out of date, granting permission unless:

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

As stated above in planning terms the site is located in a countryside location, paragraph 55 of the NPPF is clear that new homes in the countryside should only be allowed in special circumstances such as being essential to the needs of a rural worker, making use of a redundant or disused building, being of exceptional design or making optimal use of a heritage asset, this proposal meets none of these exceptions.

With regards to emerging Local Plan Policy SS2: Development in Rural Settlements, whilst the supporting text of the Policy does refer to the potential provision of small bungalows for elderly local people it also starts from a premise of no development unless certain conditions are met (para 4.35). Paragraph 4.44 of the emerging Local Plan states that new housing development should only be located in those Rural Settlements that offer a range of services. The Local Plan has now been submitted to the Secretary of State however this is an innovative Policy which has yet to be tested at Examination therefore can be given little weight.

Whilst I understand the applicants desire to remain in the settlement she has lived in for many years and recognise that she has the support of her neighbours, due to the site's unsustainable location, from a planning policy perspective this application cannot be supported, therefore an objection is raised.

Ecologist - " I'm satisfied with the Ecological Survey report (Michael Woods Associates, Jan 2013) and I'm in agreement with its conclusions.

I agree the possibility of dormice using the short section of hedge required to be removed for the access is low but can't be ruled out. The amount and quality of hedge removal required isn't sufficient to have any longer term impacts on dormouse conservation in the area. However, I support the consultant's recommendation that as a precautionary measure the hedge removal should take place outside of the dormouse hibernation season (winter months). I therefore recommend a condition that limits hedge removal to the period of May to September inclusive."

REPRESENTATIONS

41 letters of support from 23 different addresses have been received. They make the following comments:-

- One more cottage will make little impact upon the area.
- The proposal is regarded as infill with surrounding properties.
- The applicant is well known, lived in Border Cottage for over 25 years and it would be a shame if she had to move away as she is an asset to the community as is involved in community activities.
- The dwelling will look better than the existing shed.
- As the applicant is a widow she needs a smaller house and wish to remain within parish.
- The proposal would not be detrimental to the local environment.
- The selling of the existing dwelling will mean it will be available for a young family.
- No new land will be needed so supports Government policy in reusing land.
- A great deal of thought has gone into the design and position on the site.

12 letters from 7 different addresses have been received raising the following areas of concern:-

- Impact upon adjoining listed building.
- Narrowness of lane.
- The new dwelling will not fit in.
- Due to the dwelling's location would affect the amenity of the neighbouring property.
- No special need for the dwelling has been justified.
- The proposal will be a harmful domestic incursion into the countryside.
- Overlooking of neighbouring property.
- Dwelling will rise above hedge height of boundary between site and neighbouring dwelling.
- Could set an undesirable precedent.
- Impact upon wildlife.
- There has been a history of refusals on the site and this proposal is for a larger dwelling than the existing building on the site.
- The rural character of Border Lane, the listed buildings with views beyond would be adversely affected by the proposal.
- There have been a number of smaller properties for sale within Brewham recently to allow the applicant to stay locally.
- The proposal does not comply with the NPPF Paragraph 55.
- The proposal does not constitute infill.
- It is not clear if this is agricultural land.

APPLICANTS CASE

The Design and Access Statement says that the applicant has lived in Border Cottage for over 26 years. Border Cottage has a large garden area together with stables and a large field of approximately 1.2 hectares. The applicant's husband recently passed away and the land and maintenance of the house is becoming too onerous for the applicant to manage on her own.

In the conclusion of the Design and Access Statement, it is stated that;

"The hamlet of Border is acknowledged in the community document 'Our Brewham' consists of a loose knit group of dwellings including those running South along Border Lane. The site of the new house is between existing houses and will not therefore be an isolated dwelling. It is important to note that the national policy contained in the NPPF related to isolated dwellings. Space will remain between the new dwelling and existing ones sufficient to justify the description of 'loose knit' and the description of 'urbanisation' resulting from the proposal as previously used by the inspector is entirely inappropriate. The use of this large garden area to provide a home that meets the future needs of a resident who is very much part of the community and who wishes to continue to play her part in that community, that causes no harm to the living conditions of any nearby resident, or to the setting of any listed building and which respects the character and appearance of the area within which it is set is surely an example of common sense."

CONSIDERATIONS

Principle

The house is located outside of the defined development area, in a location with few local facilities and services. As set out by both the Policy and Highways Officers, the proposal would require the occupants of a new dwelling to travel for their daily needs (work, education, shops, services etc.). Furthermore the provision of services to future occupiers would also be costly in terms of environmental and economic costs. It is these aspects of the proposal that are considered to render the proposal unsustainable and therefore contrary to the core principle of the NPPF.

This is the third application for a dwelling house on this site, two previous applications having been refused in 2005 (also dismissed on appeal) and the conversion of the existing building in 2007. The applicant's justification is based on future personal circumstances. As set out by the policy officer this cannot justify setting aside long established planning policies.

Clearly the principle criterion for new residential development is whether or not it would be in a 'sustainable' location.

Paragraph 55 of the NPPF sets out the approach local planning authorities should take to promote sustainable development in rural areas and contains clear advice to avoid isolated new dwellings in unsustainable rural locations.

The inspector, in relation to the appeal against the 2005 refusal stated:-

"I do not share the appellant's view that the site could be regarded as being within a rural village. Only limited facilities are available in North and South Brewham and I consider that for almost all day-to-day needs the occupants of the proposed dwelling would need to travel as far as Bruton which is over 3 miles away and with poor transport

links."

It is not considered that there have been any changes to circumstance that could now justify the local planning authority concluding that this site is now a sustainable location for residential development. Furthermore acceptance that this is a sustainable location would set a clear precedent for further development in this isolated, rural part of Brewham.

Whilst paragraph 55 of the NPPF does allow for limited exceptions to the presumption to protect the countryside from unsustainable development it is not considered that this proposal meets any of the exception tests in that:-

- It does not to meet an essential need for a rural worker
- It is not necessary to safeguard a heritage asset
- It is not for the reuse of a redundant building;
- It is not of such exceptional design that a policy departure could be justified.

Accordingly it is not considered that the agents arguments that adding an additional house to an isolated rural cluster of loosely related dwellings strung out along this lane carries sufficient weight to off-set the clear policy presumption to protect the countryside from unsustainable development. Similarly the argument that the proposed dwelling would be no more unsustainable than the existing dwellings is not considered to carry any weight as the existing dwellings were either erected pre-1948 (i.e. not require planning permission) or benefited from a policy exception (i.e. barn conversion and agricultural workers dwelling).

It is not considered reasonable to accept, without appropriate justification, the addition of a new dwelling to such a loose and isolated cluster of houses on the basis that it would be no less sustainable than the existing houses. Such line of reasoning would ignore the clear advice of the NPPF and both the saved policies of the local plan and those of the emerging local plan. It would also set a very clear precedent for similar circumstance not just in this location, but also on a district wide basis.

Visual Impact

The site has an existing single storey storage building. This building is to be demolished and the new dwelling located further into the site. The land slopes to the East and the new dwelling is to be cut and filled into the site. The Landscape Architect considers that the site will be domesticized, the provision of a drive and new access will detract from the character of the lane. He also notes that whilst accepting that a building currently resides on the site, it is a non-domestic subservient structure to the current house, and the plot is primarily grassland, and thus agricultural in character. The introduction of a 1.5 storey domestic form, and the potential domestication of the current pasture land, will be contrary to the historic and settlement character, and subtly erode the spaciousness of the existing domestic plots along this lane. The introduction of nightlight associated with residential occupation is a further subtle erosion of local character. Therefore on this basis raises an objection to the proposals.

In considering the above concerns, the proposals are not considered to respect the area by eroding its rural character and therefore no accord with saved Policy EC3 of the South Somerset Local Plan.

Residential Amenity

The neighbours at Meadowside Cottage, the dwelling to the North have raised concerns over the overlooking of their property and the dwelling would appear over the boundary hedge. The boundary hedge between the application site and Meadowside Cottage is currently at approximately 2m in height and has been well maintained. The submitted plans in relation to the boundary hedge and trees show a degree of artistic licence.

The agent has stated that there would not be any overlooking of Meadowside Cottage. However a rooflight, is proposed on the Northern roof slope. In considering the submitted section this window would be at eye level and result in direct overlooking of the private garden area of Meadowside Cottage. As such the proposal is contrary to saved Policies ST5 and ST6 of the South Somerset Local Plan.

Layout / Design

The proposed dwelling is to be set back from the road by a minimum of 14m to the front of the porch. This does not respect the general form of dwelling along the lane, which is mainly road frontage. In order to minimise amenity concerns, the dwelling has been designed as a 1 and a half storey chalet bungalow. This approach is contrary to current residential dwellings within the lane. Residential dwellings within the lane are two storey but a dwelling at two storey would further exacerbate amenity concerns.

The use of timber cladding and external chimneys are also incongruous features within the area and exacerbate the unacceptable design. As such the proposal fails to comply with saved Policies ST5 and ST6 and the aims and requirements of the NPPF.

Setting of Listed Buildings

Two listed buildings border the site to the North and West. Forest View, the dwelling to the West is not considered to be affected by the proposals.

To the north of the site, is a listed building known as Meadowside House and Meadowside Cottage. This property sits just back from the road with a long front elevation addressing the road and contributes significantly to the character of the streetscene due to its prominent position. The surrounding land and buildings give Meadowside a pleasant rural setting. Buildings are spaced out and loosely scattered along the east side of the lane. The introduction of a modern bungalow into this context, in a position set back from the road edge, the Conservation Officer does not consider is acceptable. The design fails to respond to the existing character appropriately due to its form and position. A new dwelling in this context has the potential to have a harmful urbanising influence on the lane in any form or position, as referred to in the previous inspectors decision, and will damage the strong rural character that is a precious existing quality.

Ecology

An Ecological Assessment has been submitted with the application. This concludes that no protected species are evidenced on the site. The roadside hedge is species poor, being dominated by Rhododendron with large gaps that feature along its length due to driveway openings. Due to the very low suitability of the habitat and lack of connecting habitat it is considered to be highly unlikely that dormice would be present. However, it concludes that before works to the hedgerow are undertaken, as a precautionary measure, works are not undertaken within the hibernation season. If not possible it is recommended that a survey is undertaken by a qualified ecologist. The Council's Ecologist concurs with this recommendation and concludes that the proposal would not

have any longer term impacts upon dormouse conservation in the area. An examination of nesting birds is also recommended. In assessing the above it is considered that protected species would not be adversely affected.

Highways Issues

The Highways Authority are concerned about the proposed parking and turning on the site on the grounds of insufficient space. This could be addressed by the submission of amended plans and as such it would not be reasonable to cite this as a reason for refusal. Should the applicant be minded to appeal against a refusal or resubmit, an informative could remind them of the need to address this issue.

Other Issues

'Our Brewham the future of our Parish' Parish Plan was adopted in July 2011. In the housing chapter reference is made to the South Somerset emerging Core Strategy. It states that in the Core Strategy, Brewham is classified as a rural settlement within open countryside where development is strictly controlled and limited to that which justifies a rural location. It further states;

" However, it allows for development that meets an identified housing need, particularly for affordable housing, where the number and type of housing can be justified based on the evidence from a local needs survey."

This proposal is not supported by a local needs survey and it has not been demonstrated to meet an identified housing need. The Parish Plan can be given limited weight and the proposal is not considered to comply with the document.

Conclusion

Whilst the applicant's personal circumstances are understood, it is not considered that they would outweigh the sustainability concerns associated with the site, which is remote from services and facilities, and would require future occupants dependent to travel for their day-to-day needs. Additionally, the proposed siting is considered contrary to the character of the area and detrimental to the setting of the adjoining listed building; its design, with external chimneys and the use of timber cladding would add to the incongruity of the proposal. Finally the rooflight to bedroom 3 would result in direct overlooking of the neighbouring property to the detriment of their amenity.

RECOMMENDATION

Refuse permission for the following reasons.

SUBJECT TO THE FOLLOWING:

01. The erection of a new dwelling in this rural location, remote from adequate services, employment, education and public transport, has not been justified on the basis of any exceptional circumstance or community benefit that would outweigh the longstanding policy presumption to protect the countryside from unwarranted and unsustainable development. As such the proposal is contrary to the aims and

- objectives of the NPPF (in particular paragraphs 14 and 55), and saved Policies ST2, ST3 and ST5 of the South Somerset Local Plan, 2006.
02. The proposal by reason of the rooflight to bedroom 3 would result in direct overlooking of the neighbouring property (Meadowside Cottage) and their private garden area to the detriment of residential amenity. As such the proposal is contrary to saved Policy ST6 of the South Somerset Local Plan and the aims and objectives of the NPPF.
 03. The proposal by reason of the design and materials of the dwelling, particularly the external chimneys and timber cladding, the form of the dwelling at one and a half storeys, and its position within the site, would result in an incongruous form of development to the detriment of visual amenities of the area and would adversely affect the setting of the adjacent listed building. As such the proposal is contrary to saved Policies EC3, EH5, ST5 and ST6 of the South Somerset Local Plan and the aims and objectives of the NPPF.
 04. The proposal by reason of the proposed parking layout's size and location is insufficient to serve the development and would result in parking of the highway to the detriment of highway safety. As such the proposal is contrary to saved Policy ST5, of the South Somerset Local Plan, Policy 49 of the Somerset and Exmoor Joint Structure Plan and the aims and objectives of the NPPF.

Informatives:

01. You are reminded of the concerns raised by the County Highways Officer with regard to:
 - i) on-site turning and parking spaces. Should you appeal against this decision or resubmit the proposal you should seek to address these concerns.
02. In accordance with paragraphs 186 and 187 of the NPPF the council, as local planning authority, takes a positive and proactive approach to development proposals focused on solutions. The council works with applicants/agents in a positive and proactive manner by:
 - i) offering a pre-application advice service, and
 - ii) as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

It is noted that there is a planning history on this site for refusals, the applicant/agent did not take the opportunity to enter into pre-application discussions and there were no minor or obvious solutions to overcome the significant concerns caused by the proposals.