

Officer Report On Planning Application: 16/00714/OUT

Proposal :	Outline application for the erection of a single dwelling and associated access utilising existing access track.
Site Address:	Land North Of Brimfield Lambrook Road Shepton Beauchamp
Parish:	Shepton Beauchamp
SOUTH PETHERTON Ward (SSDC Member)	Cllr Adam Dance Cllr Crispin Raikes
Recommending Case Officer:	Nicholas Head Tel: (01935) 462167 Email: nick.head@southsomerset.gov.uk
Target date :	13th April 2016
Applicant :	Mr & Mrs I Moses
Agent: (no agent if blank)	Joanna Fryer, Home Orchard, Littleton, Somerton TA11 6NR
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

The report is referred to the Committee at the request of the Ward Members, to enable a full discussion of the issues raised and in particular recent decisions in the locality.

SITE DESCRIPTION AND PROPOSAL





The site is a large paddock to the rear of the dwellings fronting onto both Lambrook Road and Brimgrove Lane. The site is bounded to the west by an access drive to a recently approved dwellinghouse situated immediate west of Brimfield. Beyond this driveway are the two-storey houses along Brimgrove Lane. To the north-east the site is bounded by the garden area of Edgefield House; to the south-east by the garden of Brimfield. Along the norther boundary of the paddock are stable buildings, associated with the equestrian use of the land further to the north.

Outline permission is sought for a single dwellinghouse, with all matters except access reserved for later determination.

HISTORY

- 15/02314/FUL Erection of a single dwelling and provision of associated access track
- permitted with conditions
- 14/04798/OUT Outline erection of a single dwelling and provision of associated access track
- permitted with conditions

POLICY

The South Somerset Local Plan (2006 - 2028) was adopted on the 5th March 2015. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) and Section 70(2) of the Town and Country Planning Act 1990 (as amended), the adopted local plan now forms part of the development plan. As such, decisions on the award of planning permission should be made in accordance with this development plan, unless material considerations indicate otherwise. Legislation and national policy are clear that the

starting point for decision-making is the development plan, where development that accords with an up-to-date local plan should be approved, and proposed development that conflicts should be refused, unless other material considerations indicate otherwise.

Policies of the South Somerset Local Plan (2006 - 2028)

SD1	Sustainable Development
SS2	Development in Rural Settlements
SS4	District Wide Housing Provision
SS5	Delivering New Housing Growth
HG5	Achieving a Mix of Market Housing
TA5	Transport Impact of New Development
TA6	Parking Standards
EQ2	General Development

National Planning Policy Framework (March 2012):

4. Promoting sustainable transport
6. Delivering a wide choice of high quality homes
7. Requiring good design
8. Promoting healthy communities

National Planning Practice Guidance - Department of Communities and Local Government, 2014.

Policy-related Material Considerations

Somerset County Council Parking Strategy, March 2012 and September 2013.
Somerset County Council Highways Standing Advice, June 2013.

CONSULTATIONS

Parish Council: *This planning application was considered by Shepton Beauchamp Parish Council at their meeting on 14 March. Concern was expressed by some of the residents of Brimgrove due to the extra traffic this would create and the poor access at the junction with Lambrook Road. The majority of the Councillors voted in favour of supporting the application (7 in favour, 2 abstentions) provided the Highway Authority have no objections. A condition removing permissive rights on this field was proposed, with 4 councillors in favour of this, 3 against and 2 abstentions.*

Highways Authority: Standing Advice applies.

SSDC Highway Consultant: *Junction of Brimgrove Road/Lambrook Road is substandard but increase in use of junction as a result of the proposed development is unlikely to be significant/severe. Ensure on-site parking provision accords with SPS. Suggest first 6.0m of access road is consolidated and surfaced (not loose stone/gravel).*

SSDC Landscape Officer: *Whilst the location of the site toward the settlement edge brings a degree of sensitivity to the proposal, from a landscape perspective, the site is sufficiently visually contained, and related to adjacent residential properties, such that there is no substantive landscape issue.*

County Rights of Way: No objection. Applicant should be aware of footpath running along

existing access drive.

REPRESENTATIONS

12 letters of representation have been received. Six of these support the proposal, making the following main points:

- the proposal will provide accommodation for a range of possible occupants;
- it represents a good use of land, surrounded by buildings;
- a house can easily be accommodated on the site;
- new development should be encouraged, to support local services and facilities;
- the access off a secondary road is welcomed;
- adequate off street parking would be possible.

The following main points of objection have been raised:

- the proposal will cause highway safety issues in Brimgrove Lane which has parking, congestion and layout issues; in particular, there is no pavement leading to the junction with Lambrook Road; emergency vehicles could have access problems;
- Highway safety at the junction with Lambrook Road is a concern: it has poor visibility; a bus stop exists at this point; there is no pavement; there have been minor accidents;
- the access drive does not provide an access of adequate width for access to two dwellings;
- the proposal, and previous applications on the nearby land, have raised considerable concern and unhappiness amongst local residents;
- the proposal would cause harm to residential amenity, by way of disturbance, noise, overshadowing and overlooking;
- existing open views will be lost;
- prevention of all future development of the nearby land should be considered;
- there has been encroachment onto land adjacent to the site;
- there is currently congestion of Brimgrove Lane associated with the recreation ground;
- current use of adjacent land for equestrian purposes by the applicants is referred to;
- the proposal will have a negative impact on property values;
- there is concern about the final appearance of the proposed dwelling;
- development of land in this area causes disruption and amenity harm during construction;
- there is concern at further non-agricultural use of land in the vicinity;
- local concerns and opposition to development are not being heeded
- various concerns have been raised about the statements made by the applicant in the submission documents; on particular, it is not considered that the proposal represents 'sustainable development' as defined in government policy.

CONSIDERATIONS

Principle of Development: Policies SS1 and SS2 of the Local Plan

Shepton Beauchamp is identified as a Rural Settlement under Policy SS1 of the Local Plan. Within these Settlements, Policy SS2 aims to control and limit new development, making provision for an exception to where development meets an identified housing need, particularly for affordable housing. Where new housing is proposed, the policy requires the scheme to

have the support of the local community. Furthermore, new housing development should have access to two or more key services. The services are identified in paragraph 5.39 of the Local Plan and include local shops, community halls, pubs, health and social care facilities, recreation, faith and education facilities.

The village has more than the two key services, including a school, church, shop, a pub and a village hall.

Five-Year Housing Land Supply

The Council cannot currently demonstrate an adequate 5-year land supply. Under these circumstances, policies controlling the housing land supply (such as Policies SS1 and SS2) should be considered out of date. Paragraph 14 of the NPPF states that where relevant policies are out-of-date, permission for sustainable development should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. Limited weight will therefore be applied to the aim of limiting housing land within these policies.

Sustainable Development

Given the housing land supply shortfall, in the main, the proposal is required to be assessed in terms of its sustainability. Paragraph 7 of the Framework advises that there are three dimensions to sustainable development: economic, social and environmental. To promote sustainable development in rural areas, paragraph 55 of the Framework advises that housing should be located where it will enhance or maintain the vitality of rural communities.

Sustainability: Economic Role

The economic role of sustainability includes contributing to the creation of a strong, responsive and competitive economy. There would be some economic benefits during the construction phase of the development, but these would be limited.

Sustainability: Social Role

The provision of a new dwelling, under the circumstances of an identified shortfall in overall housing provision, carries significant weight in favour of the proposal. It should also be noted that a contribution would be payable towards the provision of affordable housing.

A further aspect of the **social role** of sustainability is accessible local services. The village has various basic services. These would provide some day-to-day needs. Public transport connections, however, are poor. Development, and the introduction of additional residents, would make a contribution towards the maintenance and future enhancement of existing local services.

However, there are concerns about **Residential Amenity**. Although it would be possible to position a dwellinghouse in this backland locality at a reasonable distance from other dwellings, this entire 1000 sq m paddock would become domestic garden area. This would impact directly onto gardens - some including secluded outdoor living space - backing onto the site. Of more concern, however, is that this entire site, and the new dwelling, would unavoidably be overlooked by at least six dwellings, the upper storey windows of which look down from higher ground onto the site. Furthermore, doubling the volume of residential traffic down the private access drive would negatively impact the residential amenity of three of the dwellings fronting Brimgrove Lane.

On balance, it is not considered that the positive sustainability benefits identified would

outweigh these amenity issues.

Sustainability: Environmental Role

The **environmental role** of sustainability includes making a contribution towards the protection of the natural and built environment. Policy EQ2 of the Local Plan requires development to achieve a high quality of design which promotes local distinctiveness and preserves or enhances the character and appearance of the District. This Policy broadly accords with the NPPF's core planning principles relating to high quality design and the emphasis to be given to the different roles and character of different areas, and the conservation and enhancement of the natural environment.

Whilst no landscape objection is raised, the site is open 'backland' in a part of the village where development is clearly focussed on the roads. In this respect, the proposal is not considered to respect and complement the existing character and pattern of development, and would be harmful to the protection of local distinctiveness of the settlement.

Highway Safety

The property will be served by the same access track which serves the recently-approved additional dwelling adjacent to Brimfield, and which also serves the private equestrian activities on the land to the north of the site. The access passes the rear gardens of properties in Brimgrove Lane. It is considered that there will be sufficient space within the site to enable the provision of appropriate parking and turning arrangements. The proposed track for the dwelling will link with the existing access at the end of Brimgrove Lane (a no through road) where visibility is limited but given that the road is not adopted highway and traffic speeds are very low in the vicinity it is not considered that the additional movements generated by the proposal would be prejudicial to highway safety. This is also the case for the junction with Lambrook Road where visibility is below recommendations. However, given that over 20 houses use the junction along with users of the recreation ground, it is not considered that the movements created by one additional dwelling would result in cumulative impacts that can be considered 'severe'.

Overall, the development of one dwelling is considered acceptable as the associated movements would not be so significant as to prejudice highway safety in the vicinity.

Summary

In the absence of a five-year housing supply, the provision of an additional dwelling, and contribution towards affordable housing carries considerable weight. Although Policy SS2 is out of date, the support of the Parish Council is noted, and adds some weight to this conclusion. In assessing the overall sustainability of the proposal, there are limited economic benefits, and from an environmental perspective, the proposal undermines established local character and the pattern of development. Furthermore, it is not considered that the proposed development would maintain the standards of residential amenity currently enjoyed by existing residents; and future occupants of the development are likely to enjoy a poor standard of amenity as a result of overlooking, and the overbearing presence of dwellings along the west side of the site. It is not considered that the benefits identified would outweigh these amenity concerns.

Concerns of Local Residents

The concerns of residents in the area have been carefully considered and largely dealt with in reaching a recommendation. However, the following additional comments are made:

- The highway authority has raised no objection, referring to its standing advice; it is not considered that the addition of a single dwellinghouse would have so significant an impact on the existing highway safety position as to warrant a refusal of the application;
- loss of a view is not a material planning consideration;
- prevention of future development is not possible or necessary: development generally requires planning permission, which is adequate control; concerns about future use of other land are similarly addressed by the need for permission;
- perceived impact on property values is not a material planning consideration;
- final appearance of a dwelling would be determined at a second stage - 'reserved matters' application, as this is an outline application;
- disruption caused by construction is a temporary phenomenon, and not a reason for refusal of an application;

Affordable Housing

A contribution would be required under Policy HG4 of the Local Plan towards the provision of affordable housing. The applicant is agreeable to making such a contribution.

EIA Regulations

Conclusion

The proposal is considered to be at odds with the established character and appearance of the setting. The access track to the rear of existing gardens would harm the established residential amenity of occupants of adjoining dwellings, particularly by increasing domestic vehicular traffic past the rear of properties. Future occupants of a dwellinghouse would enjoy a poor standard of amenity as a result of overlooking by numerous houses on higher ground to the west of the site. The provision of a single dwelling unit is not considered to outweigh the identified harm. The proposal is accordingly recommended for refusal.

S.106 AGREEMENT

A contribution towards affordable housing is to be secured by way of a S106 Agreement in the event of an approval.

RECOMMENDATION

Refuse.

FOR THE FOLLOWING REASON:

01. The proposal fails to respect the established character and appearance of the setting, and harms the established residential amenity of occupants of adjoining dwellings, particularly by increasing domestic vehicular traffic past the side and rear of properties fronting Brimgrove Lane. Future occupants of a dwellinghouse would enjoy a poor standard of amenity as a result of overlooking by numerous houses to the west of the site. The provision of a single dwelling unit is not considered to outweigh the harm identified. In these respects the proposal is considered contrary to the aims of the NPPF and Policies SD1, SS2 and EQ2 of the South Somerset Local Plan.