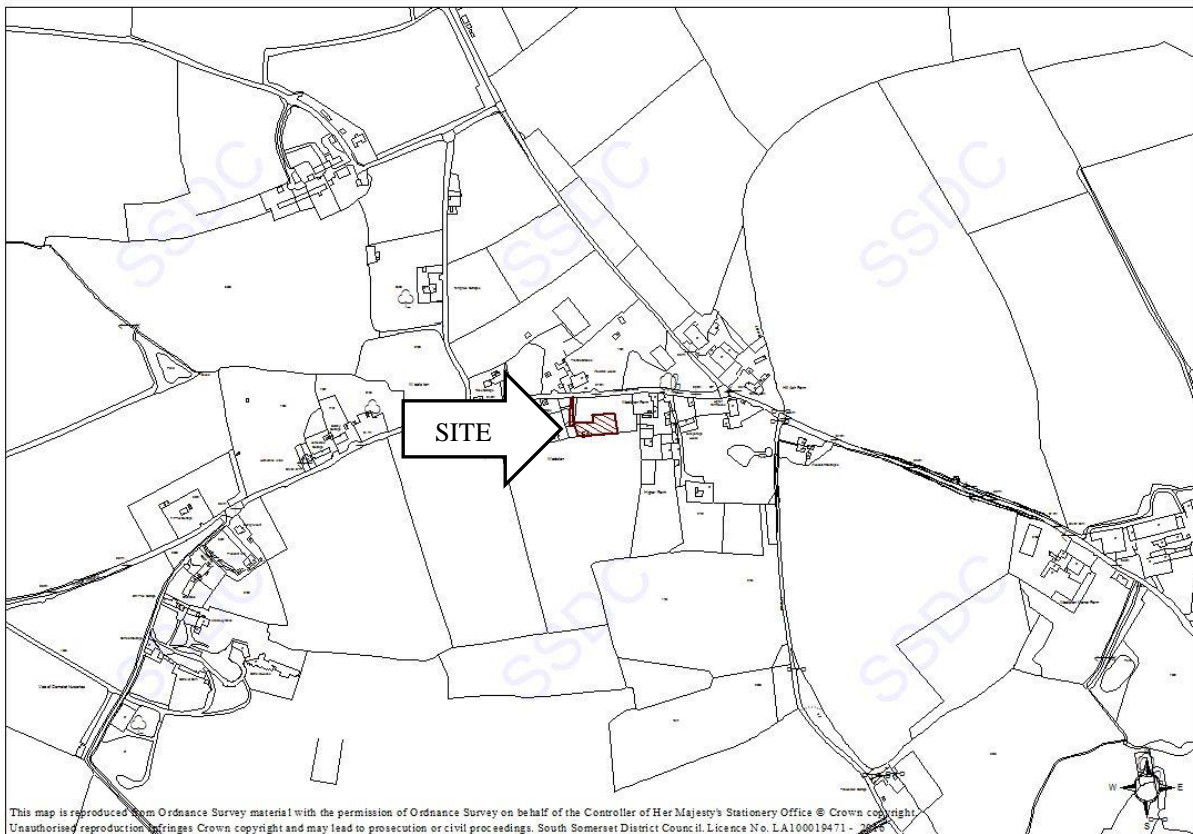


Officer Report On Planning Application: 16/00666/OUT

Proposal :	Outline application for the erection of a detached dwelling with all matters to be considered at this stage.
Site Address:	Land At The Barn House Woolston Road North Cadbury
Parish:	North Cadbury
CARY Ward (SSDC Member)	Cllr Nick Weeks Cllr Henry Hobhouse
Recommending Case Officer:	Dominic Heath-Coleman Tel: 01935 462643 Email: dominic.heath-coleman@southsomerset.gov.uk
Target date :	12th April 2016
Applicant :	Mr & Mrs P Randall
Agent: (no agent if blank)	Mr Matt Williams Wessex House High Street Gillingham Dorset SP84AG
Application Type :	Minor Dwellings 1-9 site less than 1ha

The application was considered at Area East Committee on 11th May 2016 at the request of the ward members, and with the agreement of the area vice-chair, in order to allow local support for the scheme to be publicly debated. The committee resolved to defer the application to seek additional information regarding appearance, landscaping, scale, and layout. Such information has now been received and consulted on. The following report has been updated to reflect the new nature of the application and the results of the new consultation.

SITE DESCRIPTION AND PROPOSAL





This application seeks outline permission for the erection of a single storey dwelling, however no matters are now reserved for future consideration. The site consists of a field laid to grass, containing a small, open-fronted, agricultural building. The site is located outside of the development area as defined by the local plan. The site is close to various residential properties and open countryside.

It is proposed to derive access from an existing driveway that currently serves two dwellings.

The proposed dwelling will be of two storey construction, designed as a chalet-bungalow, with a single storey detached garage/workshop to replace the existing building on site. The proposed buildings will be finished in natural stone under slate roofs.

No landscaping is proposed other than the maintenance of the existing roadside hedge.

HISTORY

None relevant

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF state that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.

For the purposes of determining current applications the local planning authority considers that the adopted development plan comprises the policies of the South Somerset Local Plan 2006 2028 (adopted March 2015).

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

Policy SD1 - Sustainable Development

Policy SS1 - Settlement Strategy

Policy SS2 - Development in Rural Settlements

Policy EQ2 - General Development
Policy EQ3 - Historic Environment
Policy TA5 - Transport Impact of New Development
Policy TA6 - Parking Standards
Policy HG4 - Provision of Affordable Housing: Sites of 1-5 Dwellings

National Planning Policy Framework

Chapter 6 - Delivering a Wide Choice of High Quality Homes
Chapter 7 - Requiring Good Design

CONSULTATIONS

North Cadbury and Yarlington Parish Council - Initially they noted that there would be need for further consideration at the detailed planning stage, and recommended approval of the outline application. On the receipt of the additional information requested by committee, they agreed to maintain their recommendation of approval.

County Highway Authority - Standing advice applies

SSDC Highways Consultant - Initially raised concern that improvements to the existing access are likely to be required but that no details of any such improvements had been provided. On the receipt of details of possible highway improvements from the applicant he confirmed (verbally) that without the improvements the scheme is unacceptable, and even with the possible improvements the available visibility is still substandard. On the receipt of the additional information requested by committee, he maintained his objection to the scheme on the grounds that the proposal represents an increase in use of a substandard access.

SSDC Conservation Officer - He initially made the following comments:

"Woolston is a small hamlet with a scattering of historic farmsteads and larger houses. It has seen little change during the C20th. The architectural and historic interest of the area is recognised through the designation of a conservation area. The field identified for development has some value as an open space within this context - in fact many of the gaps between the buildings in an area of scattered built form such as this are important to the character of the area. It appears to have historically been used as an orchard and is likely to have been easily viewed from the road without the current evergreen hedge. The open intervening fields relate to the former agricultural use of the surrounding buildings. Opposite the site is a fine detached C19th property, which although not listed is of great value as a component of the conservation area. This property was most likely orientated to enjoy an open view to the south across the fields.

I am afraid I consider the principle of introducing a new dwelling into this context to cause harm to the character of the conservation area. In accordance with paragraph 134 of the NPPF it is difficult to see what public benefit the building could offer, so I suggest that the application should be refused."

On the receipt of the additional information requested by committee, he made the following additional comments:

"We are now in a position where the design and siting of the building has also been submitted. The building proposed is a large five bedroom bungalow. It is of a building type and scale that is wholly at odds with the established character of the area and has been positioned right in the middle of what is currently an open field, of value to the character of the conservation area. It would appear that no effort has been made to design something that responds appropriately to the character and distinctiveness of the area.

I feel we are now in a stronger position to refuse the application on the basis of the harm the proposal will cause to the character of the conservation area, as a designated heritage asset."

SSDC Landscape Architect - Agrees the comments of the conservation officer.

REPRESENTATIONS

When the application was considered in May the following was true:

Letters of objection were received from the occupiers of 2 neighbouring properties. Objections were raised on the following grounds:

- *Concerns over highway safety dues to an existing substandard access*
- *Concerns over the impact on the character of the conservation area, and potential for setting an undesirable precedent.*
- *Concerns that additional hedge planting will have an adverse impact on the open aspect of the neighbourhood.*

One letter was received from the occupier of a neighbouring property raising no objections to the principle of development but raising concerns that the proposal should be in keeping with the surrounding houses.

Letters of support from the occupier of 4 neighbouring properties were provided by the applicant. Support was expressed for the following reasons:

- *General support.*
- *The building will have no adverse impact on the character of the area, as it would be well screened from the road.*
- *The building will be well away from neighbouring properties.*

On the receipt of the additional information requested by the committee seven letters of objection were received from the occupiers of neighbouring properties. Objections were raised in the following areas:

- *Concerns over the impact on the character of the conservation area, and potential for setting an undesirable precedent.*
- *Concerns over highway safety dues to an existing substandard access*
- *Concerns that the proposal does not reflect the original outline description being two storey rather than single storey.*
- *Concern that the proposal will have an adverse impact on neighbouring amenity by way of loss of light and outlook.*

One letter was received from the occupier of a neighbouring property raising no objections to the principle of development but highlighting the narrowness of the highway.

CONSIDERATIONS

Principle of Development

The additional information received does not change the issues regarding the principle of development. As such, the discussion below remains the same as when the application was considered in May.

The site is located outside of the development area as defined by the local plan, where development is usually strictly controlled. Policy SS2 of the local plan allows for some scale development in rural settlements with basic facilities, such as North Cadbury. However, whilst the site is in the parish of North Cadbury, the hamlet of Woolston is some distance from the main settlement of North Cadbury (with the site being some 1.3km from the main built up area of North Cadbury), along a road with no pavements or street lights. As such, the future occupiers of any dwellings on this site are likely to be dependent on the private motor vehicle for their day to day needs. The site is not considered to be within the rural settlement of Woolston and, consequently, the exceptions to restrictive rural development policies set out by policy SS2 are not considered to apply.

In any case, the applicant has argued that, in the absence of five year supply of housing land, policy SS2 should be set aside and the development considered against the sustainability criteria set out in the NPPF. They argue that the development would fulfil an economic role by providing employment within

the construction sector, by increased demands for local goods and services, as well as the financial benefit of the New Homes Bonus and subsequent taxation. They state that the social role would be fulfilled by contributing to local housing supply and by providing a specific type of dwelling that will meet the needs of an ageing population. They also argue that the dwelling will help to maintain the vitality of the rural community and will provide a contribution towards the provision of affordable housing. They argue that, in terms of the environmental role, that the development would not have a detrimental impact on the local landscape, that it will be located where there are opportunities for sustainable travel which can reduce carbon emissions, that it will not add to flood risk, that there are opportunities to provide net gains in biodiversity, that there will be no adverse impact on heritage assets, and that a the dwelling could be designed to ensure a safe and comfortable living environment is provided for the occupants of the property.

It is accepted that the development will offer a small economic benefit in providing employment within the construction sector, and that there will be a social benefit in providing a contribution towards the supply of housing within the district, and a possible social benefit if the occupation of the dwelling was restricted to people of retirement age, as suggested by the applicant. However, there will, notwithstanding the arguments of the applicant, clearly be an adverse impact on the environment in terms of the likely reliance of future occupiers on the private motor vehicle for all of their daily needs. The applicant has argued that North Cadbury, and the services it offers, are within walking distance of the site. However, it is considered that, in the absence of street lights and pavements, it is unlikely that anybody would attempt this walk for any of their daily needs. It is not considered that the benefit of providing a single dwelling towards the housing supply in South Somerset, even when combined with the other small benefits of the development identified above, is significant enough to outweigh the harm to the environment that would be created by the provision of a dwelling in this location outside of any significant settlements and remote from services, facilities, and employment opportunities. Furthermore, the scheme does not meet any of the criteria laid out in paragraph 55 of the NPPF for diverging from restrictive countryside development policies.

As such, the principle of a single dwelling in this location is not considered to be acceptable, and does not accord with the policies of the local plan and the aims and objectives of the NPPF.

Highways

The additional information received does not change the issues regarding highways. As such, the discussion below remains the same as when the application was considered in May.

It is considered that there is sufficient space on site to achieve an appropriate level of parking and turning in accordance with the Somerset Parking Strategy. This could be secured through appropriate conditions on any permission issued.

Local concerns have been raised as to the impact of the scheme on highway safety, in relation to the substandard vehicular access. The highway authority was consulted as to the impact of the scheme. They referred to their standing advice. The SSDC Highways Consultant was consulted and raised an objection to the scheme on the grounds of highway safety. The existing access is clearly substandard in terms of the visibility offered, and the proposal represents a fifty percent increase in its use. The applicant has offered to make improvements to the access but, even with such improvements, has not been able to demonstrate that the required level of visibility can be achieved. For some reason they have shown a visibility splay to the east to the offside carriageway edge, rather to than the nearside edge as it should be measured. If measured to the nearside edge, as it should be, the amount of visibility on land within the applicant's control is approximately 16.5 metres. If the visibility is measured to the centre of the carriageway, as it could be argued is appropriate when considering traffic approaching from the left, the available visibility is approximately 30 metres. Whilst the applicant has suggested that actual vehicle speeds are likely to be significantly lower than the 60mph speed limit, they have not demonstrated that vehicle speeds are as low as 20-25mph, which would be the maximum appropriate for the available visibility to the east, if the visibility is measured to the centre of the carriageway (as based on the figures in Manual for Streets). If the visibility is measured to the nearside carriageway, as set out in the highway authority standing advice, the visibility is only sufficient for vehicle speeds of 15mph.

As such, it is considered that it has not been demonstrated that a safe and efficient means of access to the site can be achieved, contrary to policy TA5 of the South Somerset Local Plan.

Visual Amenity

The site is located in a rural area and with a conservation area. As such, the SSDC Landscape Architect and the SSDC Conservation Officer were consulted as to the impact of the development on the visual amenity of the area. The conservation officer considers that the open spaces within the conservation area contribute significantly to its character, and the specific open space in question is important to the setting of a fine detached C19th property, which although not listed is of great value as a component of the conservation area. He contends that this property was most likely orientated to enjoy an open view to the south across the fields. He therefore considers the principle of introducing a new dwelling into this context to cause harm to the character of the conservation area. The SSDC Landscape Architect concurs with this view. Whilst the harm to the heritage asset is arguably less than substantial, there are no clear and convincing public benefits arising from the development to outweigh such harm. The additional information received from the applicant has in no way alleviated the concerns of the conservation officer and the landscape architect in relation to the principle of development, and the valuable contribution of the open space to the character of the conservation area. Furthermore, they now argue that the proposed building is of a type and scale that is wholly at odds with the established character of the area and has been positioned right in the middle of what is currently an open field, of value to the character of the conservation area. They state that it would appear that no effort has been made to design something that responds appropriately to the character and distinctiveness of the area.

As such, in accordance with local concerns, it is considered that the proposed development does not preserve or enhance the character of the conservation area contrary to policies EQ2 and EQ3 of the South Somerset Local Plan and the aims and objectives of the NPPF.

Residential Amenity

Due to the size of the plot, the size, position and orientation of the proposed dwelling, and the position of adjoining dwellings, it is considered that the proposed dwelling would cause no demonstrable harm to the residential amenity of adjoining occupiers.

Therefore, notwithstanding the concerns of neighbouring occupiers in regard to loss of light and outlook, the proposal is considered to have no adverse impact on residential amenity in compliance with policy EQ2 of the South Somerset Local Plan.

Contributions

Policies HG3 and HG4 of the adopted South Somerset Local Plan requires either on site provision of affordable housing (schemes of 6 or more units) or a financial contribution towards the provision of affordable housing elsewhere in the district.

In May 2016 the Court of Appeal made a decision (SoS CLG vs West Berks/Reading) that clarifies that Local Authorities should not be seeking contributions from schemes of 10 units or less.

It is considered that whilst policies HG3 and HG4 are valid, the most recent legal ruling must be given significant weight and therefore we are not seeking an affordable housing obligation from this development.

We will also not be seeking any contributions towards Sports, Arts and Leisure (Policy SS6) as the same principle applies.

Other Matters

A concern has been raised locally that additional hedge planting will have an adverse impact on the open aspect of the neighbourhood. However, hedge planting is not development and therefore cannot be restricted through the planning system.

A neighbour has raised a concern that the proposal does not reflect the original outline description, being two storey rather than single storey. Whilst this is indeed true, the fact that it does not reflect the original description of development is not, in itself, a reason for the development to be constrained. Proper consultation has taken place that allows the scheme to be properly considered at this time.

Conclusion

Whilst the impacts of the development are considered to be acceptable in relation to residential amenity, the principle of development, notwithstanding local support, is not considered to be acceptable. The benefit of a single dwelling towards the supply of housing in the district is not considered to outweigh the harm of allowing a dwelling in this open countryside location. Furthermore, it is considered that the proposal would have an adverse impact on the character of the conservation area, and it has not been demonstrated that a safe and efficient means of access to the site can be achieved. The additional information supplied by the applicant has done nothing to address these concerns.

RECOMMENDATION

Refuse for the following reasons:

SUBJECT TO THE FOLLOWING:

01. The proposal would represent new residential development in open countryside, 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. This identified harm is not outweighed by the contribution of the proposal towards the supply of housing in the district or by any other benefit arising from the scheme. The proposed development therefore constitutes unsustainable development that is contrary to policies SD1, SS1 and SS2 of the South Somerset Local Plan (2006-2028) and to the aims and objectives of the National Planning Policy Framework.
02. It has not been adequately demonstrated that a safe and efficient means of access to the site can be achieved, contrary to policy TA5 of the South Somerset Local Plan.
03. The proposed development, by reason of its siting in an open area important to the character of the conservation area and its design that wholly fails to respond to existing local character, will fail to preserve or enhance the character of the conservation area contrary to policies EQ2 and EQ3 of the South Somerset Local Plan and the aims and objectives of the NPPF.

Informatives:

01. 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;
 - offering a pre-application advice service, and
 - as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions

In this case there were no minor or obvious solutions to overcome the significant concerns caused by the proposals.