

Officer Report on Planning Application: 16/03605/FUL

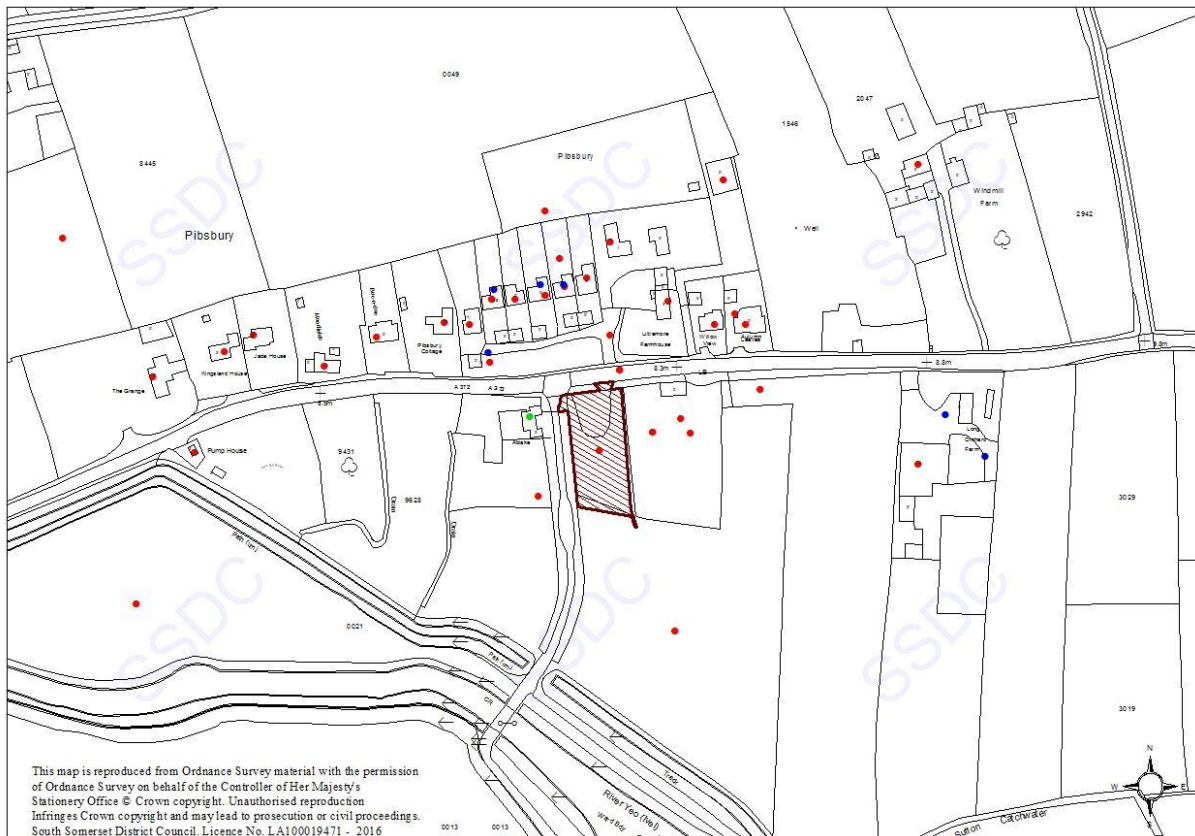
Proposal :	Erection of two dwellings and garage block
Site Address:	Land East of Ablake, A372, Pibsbury, Langport
Parish:	Huish Episcopi
LANGPORT AND HUISH Ward (SSDC Member)	Cllr Clare Aparicio Paul
Recommending Case Officer:	Nicholas Head Tel: (01935) 462167 Email: nick.head@southsomerset.gov.uk
Target date :	28th October 2016
Applicant :	Mr & Mrs Morris
Agent: (no agent if blank)	Michael Williams, Sanderley Studio, Kennel Lane, Langport TA10 9SB
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 Member to allow a full discussion of the issues raised by the application and local residents.

SITE DESCRIPTION AND PROPOSAL





The site is located on the south side of the A372, within the small settlement of Pibsbury, located between Long Sutton and Huish Episcopi / Langport. Pibsbury is a linear settlement of houses along the north side of the road, with few developments on the opposite side. The site itself is located between an existing dwellinghouse to the west (Ablake) and a site which currently had a single stone workshop building, but where permission was granted for the erection of 2 double storey houses. It formerly housed a service station. To the south of the site is open agricultural land and the Environment Agency's pumping station, access via a track running along the western boundary of the site.

Two previous applications for single dwellinghouses have been refused on the site. The current application is for the erection of two dwellings and a garage block.

HISTORY

15/05024/FUL: Construction of new dwelling house and garage. Resubmission of application 15/02517/FUL. The application was refused for the following reasons:

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 key services and as such will increase the need for journeys to be made by private vehicles. The proposal fails to enhance the sustainability of the settlement, and constitutes unsustainable development that is contrary to Policy SD1 of the South Somerset Local Plan (2006-2028) and to the aims and objectives of the National Planning Policy Framework.*

02. *The proposal, by reason of its design, scale and massing, represents a dominant and visually intrusive development that fails to respect the established character and appearance of the locality, or to reinforce local distinctiveness of the setting, contrary to the aims of the*

NPPF and Policy EQ2 of the South Somerset Local Plan (2006 - 2028).

15/02517/FUL - Erection of a dwelling house and detached garage - refused

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
SS1 Settlement Strategy
SS2 Development in Rural Settlements
TA5 Transport Impact of New Development
TA6 Parking Standards
EQ2 General Development

National Planning Policy Framework (March 2012):

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: *No objections in principle, although one larger dwelling might be more appropriate, and concerns remained regarding proximity to flood area.*

Highways Authority: No objection, subject to conditions.

SSDC Landscape Officer: *the revised proposal before us intends the construction of two sizeable residential units, sited between an existing modestly-scaled property, and to the west of the site of two recently consented detached units (application 15/00514).*

Pibsbury lays in a countryside context outside the built-up areas of Langport and Huish Episcopi, and is characterised by a limited ribbon of development, which is primarily to the north side of the road (the A372) and residential in character, whilst to the south of the A372, the land is primarily a mix of small fields/paddocks, along with a couple of sporadic small building groups irregularly interspersed along the roadside amongst the field systems. It is on this southern side of the road that the application site lays.

In consideration of the earlier application (15/00514) I viewed this southern side of the road to be characterised less by residential form, more by the mix of fields and pastures that act as a buffer and transition from the wider open moor to the south. As such, I considered the introduction of two substantial two-storey buildings to be both contrary to the local settlement pattern - to thus be at variance with local character (LP policy EQ2) - and at two-storey plus, to be visually intrusive in views toward the moors, and not in-keeping with the rural character of the locality.

To some extent, that view remains valid for this site, and whilst the recent consent now places this application between two residential plots, to provide an immediate built context, it also aggregates built form in a way that is at variance with the character of Pibsbury's housing between the road and the open moors. Whilst the plot in itself has no inherent landscape value, and the presence of the current hardstanding to the fore of the plot somewhat erodes its rural character, on balance there remains a landscape case against this proposal due to its likely impact upon local character & distinctiveness, LP policy EQ2.

SDDC Ecologist: No comment.

Natural England: No objection.

Lead Local Flood Authority: No comment received.

County Planning and Minerals: No comment received.

Parrett Drainage Board: No objection.

REPRESENTATIONS

Two letters of general support have been received:

- letter of support has been received from the manager of the EA depot to the south of the site, noting that development of this site would be helpful in removing the existing openness of the site, which would reduce visibility of the EA site, and thereby possibly the theft of equipment that has taken place.
- a neighbour generally supports the development as it would ensure that the site is developed and not used as a waste ground.

Six letters of objection have been received, raising the following main points:

- the proposal represents over-development of the site;
- a single dwelling would be supported;
- there is no east elevation to enable assessment of overlooking [note: this is incorrect];
- views from opposite the site would be harmed;
- there are highway safety concerns;
- the site could be subject to flooding;
- the proposal would result in excessive development on the south side of the A372
- the reasons given for the rejection of the two previous applications on the site remain pertinent;
- the design is not in keeping with the more traditional style in the area, and has unusual window design and relative sizing of the two dwellings;
- the proposal is out of character with the setting and settlement;

- the development is cramped - the houses are 'squeezed' onto the plot.

CONSIDERATIONS

Principle of Development

The site is effectively in open countryside, being on land peripheral to a small settlement with no services or facilities (Policy SS2 of the Local Plan is not applicable). The principle of development is therefore to be determined on the basis of whether the proposal represents sustainable development.

Two previous applications on the site have recently been refused (each for a single dwellinghouse) on the basis that the site is unsustainably located, and the development would foster growth in the need to travel by private vehicular transport.

In this respect, the principle of development for a single dwelling on the site has been clearly established, which is considered to be even more applicable to the two dwellinghouses proposed.

Five-Year Housing Land Supply

The Council cannot currently demonstrate an adequate 5-year housing land supply. In such cases, the NPPF advises that policies relevant to the supply of housing should be regarded as out of date. The NPPF notes (paragraph 49): 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.

As with the previous two applications on the site, the application falls to be determined on the basis of its sustainability.

Sustainability

The application site is located in a rural settlement with no local services. The nearest key services available are those in Huish Episcopi / Langport, the developed edge of which is approximately 1km to the west. The nearest service, the public house at Huish Episcopi, is approximately 1.4km away, with Huish Episcopi Academy and the centre of Langport further away.

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.

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.

Social Role: The provision of two new dwellings, under the circumstances of an identified shortfall in overall housing provision, carries weight in favour of the proposal.

A further aspect of the **social role** of sustainability is accessible local services. The village has no services, and occupants would be largely dependent for their day-to-day needs on private vehicular transport. As set out above, and taking into account the previous refusals of

permission, the application fails to contribute towards sustainable development in this respect.

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.

The Landscape Officer has set out an objection to the proposed development of 2 large dwellings on this site. Notwithstanding recent development, the main development of the settlement has taken place on the north side of the Langport Road. The current proposal effectively develops the site from boundary to boundary (east to west), there being only 1.5m between the two buildings. The proposal would be harmful in that:

- it would significantly increase residential form on the south side of the road, contrary to the established character and pattern;
- the development would be visually intrusive in views towards the open moors, contrary to established character;
- built form is aggregated significantly at this point, contrary to the inherent character of the settlement.
- the massing of the two buildings, combined with the additional garage building at the front of the site, would be visually imposing, and out of character with the more dispersed nature of development on this side of the A372.

Note: Whilst the latter of the two recent refusals did not consider that the landscape harm was sufficient to warrant a refusal, the current application is for two dwellings rather than one. Under these circumstances, the Landscape Officer has assessed the harm to be sufficiently great to raise an objection.

The design has details which draw attention to the massing of the buildings, and which are not characteristic of the setting (especially the fully-glazed dormer windows on the principal elevation.)

The proposal is considered to represent a poor design response to the site, and harmful to the character of the setting of village within the open landscape to the south, and in this respect, the proposal is not considered to represent sustainable development.

Possible Precedents

The applicant quotes various other sites in the area as representing precedents for sustainable development. There are two sites to the east of this site on which development has been approved as 'sustainable'. However, these decisions have been based on particular circumstances. The site immediately to the east offered an enhancement of a previously developed site used for B1/B8 uses - this was the original reason for allowing residential development on this side of the A372 and on this site. Area North Committee subsequently extended this permission to two dwellings, after an Appeal Inspector had allowed retention of outbuildings in addition to a newbuild house. On the north side of the A372, a permission was similarly allowed (Former Atkins Garage) on the basis of a previous non-residential use.

Highfield Farm is also referred to. This site is at the western edge of Pibsbury, and significantly closer to Huish Episcopi. 'Walkability' to services and facilities is considered to be significantly better than this current site.

It is not considered that any of these cases indicate that this site should automatically be regarded as 'sustainable' - in all the various aspects referred to above.

Impact on Residential Amenity

The development leaves a gap of approx. 3m between the easternmost dwelling and the new development on the adjacent site. The buildings are placed within a similar building line. There is a single bathroom window on the east elevation, facing towards similar bathroom and kitchen windows on the adjacent development. Whilst the gap is narrow, it is not considered to result in demonstrable blocking of light. As the buildings are within the same general building line, it is not considered that this proximity would result in unacceptable overbearing of habitable living areas or outdoor space. Subject to a condition requiring obscure glazing, it is not considered that harmful overlooking would occur.

The gap between the proposed two dwellings is also narrow, but has no impact on light or outdoor space.

There are not considered to be any harmful amenity impacts that would indicate a refusal of the application.

Highway Safety and Parking

The application has been assessed by the Highway Authority, who raise no objections, subject to conditions. Adequate on-site parking can be provided.

Flood Risk

The site is outside of the flood zones where development would be constrained (i.e. it falls within Flood Zone 1). There is therefore no reason to object to the proposal on the basis of flood risk, subject to appropriate drainage arrangements being made on site.

Ecology

The site is within the 1Km consultation zone for the Wet Moor SSSI, located to the south of the site. No objection is raised by Natural England or the Council's Ecologist.

Parish Council Comments

As noted above, the site falls within Flood Zone 1 and there is no flooding reason for refusal of the proposal.

Neighbour Comments

The concerns raised by local residents have been considered and largely dealt with above. As discussed, there is not considered to be a level of amenity harm that would warrant refusal of the application. Whilst the positive impact of development is noted (i.e. tidying up and using the site) it is not considered that this outweighs the level of harm identified.

Conclusion

The proposal for two dwellings is of a design and scale that is out of character with the immediate setting and the locality. The massing of the proposed buildings would present an intrusive presence out of scale with and contrary to the established local character, increasing

built form along the south side of the A372.

Furthermore, the site is remote from services and facilities, in a rural settlement with no key services. Occupants of the proposed development would rely for day-to-day needs on private motor vehicle transport, and the dwelling would make no direct contribution to enhancement of the sustainability of the village.

The harmful impacts of the development have been weighed against the benefits of contributing two new dwellings towards the overall supply of housing in the district, and the small economic benefit of some local construction work resulting from the development. It is not considered that these benefits demonstrably outweigh the harm. The proposal is considered, on weighing this balance, to represent unsustainable development, and is recommended for refusal.

RECOMMENDATION

Refuse.

FOR THE FOLLOWING REASONS:

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 key services and as such will increase the need for journeys to be made by private vehicles. The proposal fails to enhance the sustainability of the settlement, and constitutes unsustainable development that is contrary to Policy SD1 of the South Somerset Local Plan (2006-2028) and to the aims and objectives of the National Planning Policy Framework.
02. The proposal, by reason of its design, scale and massing, represents a dominant and visually intrusive development on the south side of the A372, that fails to respect the established character and appearance of the locality, or to reinforce local distinctiveness of the setting, contrary to the aims of the NPPF and Policy EQ2 of the South Somerset Local Plan (2006 - 2028).

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, the applicant was advised that the proposal did not accord with the development plan in important respects. There are not considered to be any material planning considerations to outweigh these problems.
