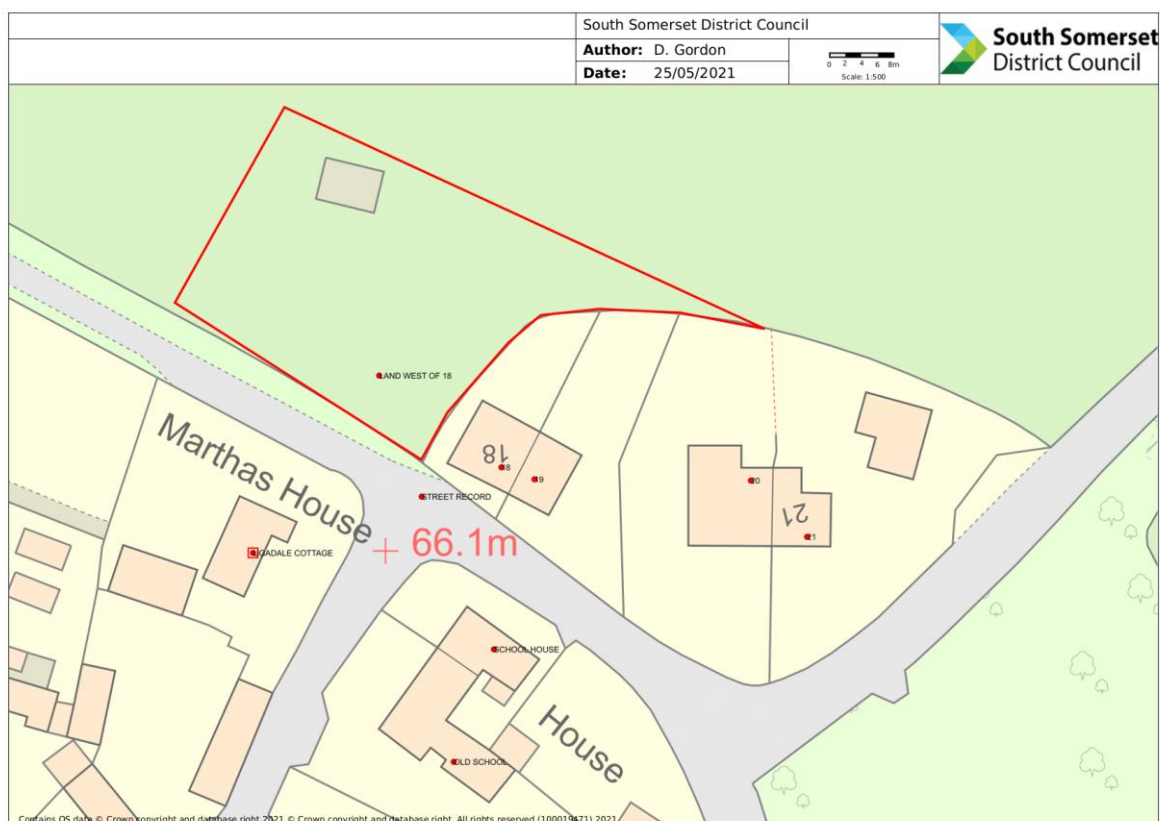
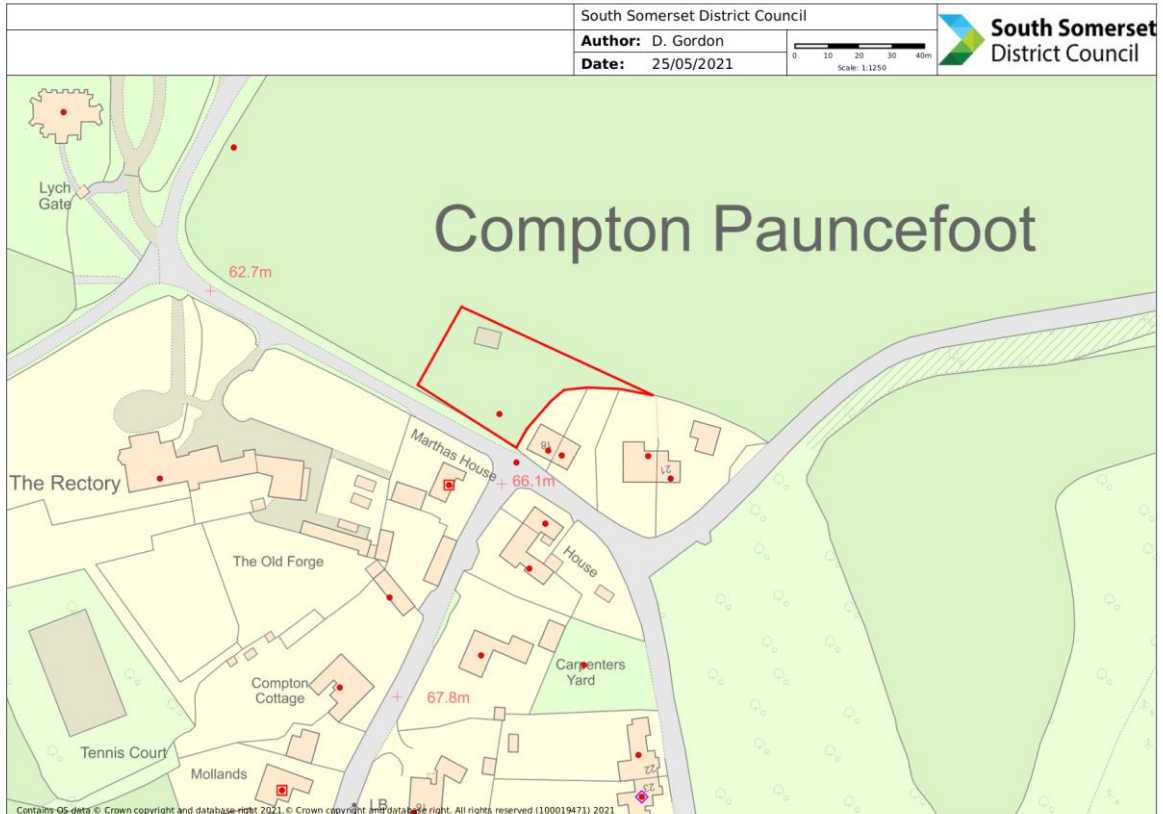


## Officer Report On Planning Application: 21/00008/FUL

<b>Proposal :</b>	Change of use of land and application for provision of new access, proposed garage & workshop and ancillary works.
<b>Site Address:</b>	Land West Of 18 Compton Pauncefoot Yeovil
<b>Parish:</b>	Compton Pauncefoot
<b>BLACKMOOR VALE Ward (SSDC Member)</b>	Cllr W Wallace Cllr H Burt
<b>Recommending Case Officer:</b>	Peter Thomas (Specialist) Tel: 01935 462350 Email: Peter.Thomas@SouthSomerset.Gov.Uk
<b>Target date :</b>	2nd March 2021
<b>Applicant :</b>	Hopkins Estates Ltd
<b>Agent: (no agent if blank)</b>	Miss Coral Curtis Grass Roots Planning Ltd 86-88 Colston Street City Centre Bristol BS1 5BB
<b>Application Type :</b>	Minor Other less than 1,000 sq.m or 1ha

This application is referred to Committee after referral from the Chairman following one Ward Member request for committee, and another in support of the officer recommendation.





## SITE DESCRIPTION AND PROPOSAL

The application site comprises a parcel of land which forms part of an agricultural field which is bounded by Compton Road to the south-west and the rear of No. 18 & 19 New Road to the south-east. A septic tank serving six properties from the village is located at the north boundary of the site. The site rises in an easterly direction and forms part of the Compton Pauncefoot Conservation Area. It is within proximity of several listed buildings and non designated heritage assets, including the Grade II\* listed church of St Mary and grade II buildings including the Old Rectory and Stable wing.

The site also contains a non-designated heritage asset, in the form of earthworks identified in the Somerset Historic Environment Record.

The proposal is for a new field access into the field, provision of a new access track with ground source heat pump below, a new car port with overhead workspace and a new hedgerow around the site to separate it from the rest of the agricultural field.

Amended plans were submitted through the application which reduced the overall site area, and repositioned the proposed carport.

The applicants state that the works are required to provide formal access to a septic tank for the dwellings. Additionally, No. 18 New Road currently has no formal residential parking, requiring that the residents park on the road adjacent to the property

## HISTORY

None relevant to this site

## POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, and 12 of the NPPF indicate it is a matter of law that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

South Somerset Local Plan (2006 - 2028)

The most relevant policies are:-  
SD1 - Sustainable Development  
SS2 - Development in Rural Settlements  
TA6 - Parking Standards  
TA5 Transport impact of New Development  
EQ1 - Addressing Climate Change in South Somerset  
EQ2 - General Development  
EQ3 - Historic Environment  
National Planning Policy Framework  
Achieving sustainable development  
Promoting healthy and safe communities  
Promoting sustainable transport  
Achieving well-designed places  
Conserving and enhancing the historic environment  
Other Relevant Considerations

Somerset County Council Parking Strategy (September 2013)  
Somerset County Council Highways Development Control - Standing Advice (June 2017)

## **CONSULTATIONS**

### Parish Council

I am writing to you in my role as Chair of Compton Pouncefoot and Blackford Parish Meeting. Normally I would ask our Parish Meeting for their views, but as we are unable to have any meetings due to COVID that hasn't been possible. All Parishioners have been notified of the application and have had the opportunity to comment.

I note that not all the comments of agreement completely support the entire plan, and some of the supporters are also well out of area.

There also seems to be a lack of consultation and engagement on planning matters between the applicant and the Parishioners.

In view of the balance of responses I forward a summary of the Parish view as an objection.

### Response to amended plans

Comment from Chair of Compton Pouncefoot and Blackford Parish Meeting: As the Covid restrictions have prevented the holding of normal parish meetings to gather resident views, I have analysed the comments of support and objection submitted on this application following submission of the revised plans. A total of 49 comments are now recorded on the SSDC consultation site, 32 Objecting and 17 supporting. Of the Supporting comments 14 have been submitted by individuals not residents of the village, (with addresses ranging from London to Launceston), only 3 messages of support have been submitted by village residents (with only 2 fully supporting the detailed plans), whilst 25 resident inputs of objection have been made. In the light of this imbalance, which I find odd and very untypical of applications in this area, I reiterate my summary of the Parish Meeting view as one of Objection to the application. I continue to be disappointed that the applicant has not seen fit to engage the community as the plans have been drawn up and then revised.

### Conservation Specialist

I previously stated that I considered that the harm was in the medium to high area of the spectrum of less than substantial harm. With the benefit of the report and the redesign I am happy to reduce my assessment of less than substantial harm. I now place it in the medium range of this category. I am not aware of any public benefit which is required to offset this harm, but that is ultimately for the Planning Specialist to determine. Accordingly I maintain my formally OBJECTION to this application.

### County Highway Authority:

Standing advice applies.

### SSDC Highway Consultant:

I am supportive of the proposal as it would allow service vehicles requiring access to the septic tank to park off the public highway, and similarly provide off-road parking for an existing residential dwelling. The proposed visibility splays (to be formed by relocating/setting back the frontage hedgerow) would be commensurate with vehicle speeds of 15mph. Given the close proximity of the junction to the south-east of the proposed entrance, I consider such a splay in the south-easterly direction to be acceptable. Vehicles approaching the proposed access from the north-west may be travelling faster than 15mph but they would be decelerating and given the width of the road, they would be visibility from a further distance than 17m (potentially 25m). The gradient of the access should be no steeper than 1:10 which may require a cut into the field. At least the first 5m of the access from the carriageway edge must be properly consolidated and surfaced (not loose stone or gravel). Drainage measures would be required across the entrance to prevent surface water from discharging onto the highway. The plans do not show any entrance gates so it is assumed none are proposed. In summary, in the event that planning permission is granted, I recommend conditions are imposed securing the visibility splays as shown (maximum height of 600mm within the splays), the proper consolidation and surfacing of the first 5m of the access, the provision of surface water drainage measures and a maximum gradient of 1:10. It may also be necessary to obtain a S.184 license from SCC prior to the commencement of the works - this can be secured via a Note to Applicant.

#### Ecology:

No objection subject to conditions

#### Amended Plans

It would appear that there is no change to the location of the access point nor the details of the means of access. Therefore, I refer the planning officer to my previous comments and recommended conditions.

#### Historic England

We do not wish to offer any comments

#### South West Heritage Trust

As far as we are aware there are limited or no archaeological implications to this proposal and we therefore have no objections on archaeological grounds.

#### CPRE Somerset:

Object: (full letter online)  
Intrusive into open countryside  
Incongruous design  
Works to the hedge will urbanise the lane  
Interdiversibility with heritage assets

### **REPRESENTATIONS**

53 letters of representation have been received overall. 19 are of support and 34 are of objection.

Object  
Within the conservation area  
Open space which contributes to the character  
Car port on raised open ground  
Adjacent to buildings of historic significance  
Field has archaeological significance  
Parking space has always been close to the property  
Lacks any community support  
No community consultation has been carried out  
Other applications aren't comparable to this site.

Wessex water have smaller vehicles for sites which are harder to reach  
Sewerage plant is in good order  
Supporting information states that the septic tank is working well  
Overdevelopment in the countryside  
Why need a workshop with its own road  
Managed before without off road parking  
Workshop would be better as a subservient addition to the house  
Heart of the village with a footpath nearby  
Bends are sharp and people proceed with caution anyway  
Cleaning the tank takes once a year and around 30 mins  
Overlooking and loss of privacy  
Applicant purchased the property in full knowledge of parking situation#  
Parts of original fence removed

#### Support

Would help the traffic safety on this corner  
Car does not have its own garage  
Would allow for better access for pedestrians horses, children and bikes  
Only house in the village that doesn't benefit from parking  
Hazardous for traffic  
Seems like a sensible idea  
It's dangerous for horse riders and horses  
Current area is unkempt and in need of management  
Would become accepted part of the landscape  
Dangers to tourists  
Good use of materials

### **CONSIDERATIONS**

The main consideration relates to the impact of the proposal on the appearance of the site and surrounding area, the conservation area and highway safety.

#### **Visual Amenity / Character of the Area/Conservation Area**

The site currently forms part of an agricultural field, which rises in an easterly direction. To the east and south east are residential dwellings. The road running past the site is linear in nature and is boarded by hedging on its northern side and a brick wall on the south. It is considered that this site is very much associated with a rural character and the current boundaries which surround the residential boundaries form a natural demarcation of the built form and the countryside. Whilst the proposal has been scaled back from its original form, it is still considered that the change of use of part of this field with views out to the north and available from the public footpath to the west, that the provision of any new form of domestication of the site with the provision of the access track and the car port would be a harmful incursion into the rural appearance of this part of the area. The proposal is located at the eastern point of the field which rises in an uphill direction. It is considered that the provision of the carport given its size and scale would be read as an intrusive and prominent feature within the landscape. The road leading down past the site is considered to be linear in form with strong boundaries without openings, save for to the very west of this part of the road. It is considered that the breach within the hedge boundary and creation of visibility splays would erode this character to the detriment of its appearance. Even with landscaping around the site, this would not prevent views into the site and views of the car port and access into the site. Historical photos show this to be an unbroken hedgerow. Policy EQ2 of the local Plan requires that development will be designed to be of a high quality which promotes south Somerset's local distinctiveness and preserves or enhances the character and appearance of the district. It is considered that the proposal would fail to do this and is unacceptable in this regard.

#### Conservation Area

The site is within the Compton Pauncefoot conservation area, and a very detailed statement of significance has been submitted with the application which in summary concludes that:

The new development will be within an area of agricultural land, and the addition of a building and access will therefore slightly change the rural character of the Conservation Area, albeit on a very limited

scale, with a discrete non-residential building within a small site. This is further tempered by the small-scale and ultimately reversible nature of the proposed development, the visual impacts of which will be softened by green landscaping. The associated benefits of the work would be to remove residents' cars from the narrow lanes, resulting in improved road safety. The reduction in on-road parking will also arguably be an improvement to the experience of the Conservation Area, removing a very modern element (motor vehicles) from the typical rural village lanes.

The key change, will be the loss of a small part of a larger field through the addition of access tracks and a small-scale non-residential building, thereby eroding the rural and agricultural character of the village to a negligible extent, and on a very limited scale. In all cases, the scale and nature of this change is not considered to impact on the key heritage significance of these assets, while the overall open character of most of the field will be retained.

This statement has been assessed by the Conservation Specialist who has given the view that:

They have taken the opportunity to amend the scheme which has helped. However this is an open field and that is very important to the character of the Compton Pauncefoot Conservation Area. They have moved the red line and excluded the undesignated heritage asset (earthwork) which is welcomed. The impact on this is reduced but not removed.

The development has been moved closer to the road. This has helped with the undesignated heritage asset but not with the setting of the conservation area. Having read the AB Heritage report that identifies this scheme as causing less than substantial harm as described in paragraph 196 I am happy to concur. I previously stated that I considered that the harm was in the medium to high area of the spectrum of less than substantial harm. With the benefit of the report and the redesign I am happy to reduce my assessment of less than substantial harm. I now place it in the medium range of this category. I am not aware of any public benefit which is required to offset this harm, but that is ultimately for the Planning Specialist to determine. Accordingly I maintain my formally OBJECTION to this application.

Contrary to the Conservation Specialist statement, this harm must be balanced against the public benefits of the scheme. The benefits of this proposal is that it would prevent vehicles from parking on the junction and allow a prospective resident to rent the property and be closer to their work. A number of letters of support have expressed this view in that it would lead to road safety improvements and has received support from the highway consultant. Other residents state that the speeds are relatively low and know to proceed with caution around these residential roads. It is however recognised that people try to park as close to their own dwelling as possible and therefore parking in this position is therefore unlikely to change.

It is also questioned just how reversible the proposed works are. It would seem unlikely that a car port with room in the roof space would be removed, or that the landscaping works and access tracks would be removed and are likely to be permanent features of this part of the conservation area. However, a car is more likely not to be parked outside of a property all day and therefore the benefits of the removal of a car which would be read in the context of the existing dwelling are considered to be very balanced. It is noted that the applicant states that they need a space outside of their property, and that it is the only property that does not have parking. However, local residents have stated that this has been the case for many years with this property and it has never been an issue.

There is also the benefit of the proposal being able to enable vehicles to access the septic tank. Wessex Waste state that the facility must be emptied as this could lead to raw sewerage overflowing towards the stream causing issues for the environment agency. However supporting information states that the tank needs to be emptied at least once a year, with periodical maintenance taking place. Another letter shows that there was some concern regarding discharge from the tank, but that was in 2012. Given the frequency of visits required to the tank, it is considered that this low usage would not entail that the benefits of the track would outweigh the harm in terms of appearance of the conservation area.

This proposal is considered to be very finely balanced taking the impact on the conservation area of Compton Pauncefoot and weighing it up against the public benefits. On balance it is considered whilst the benefits of the parking are noted, this does not outweigh the harm to the openness of this part of the conservation area which would be a permanent feature. as such the proposal is considered to be unacceptable and contrary to policy EQ3 of the Local Plan which requires all new development proposals relating to the historic environment will be expected to: Safeguard or where appropriate enhance the significance, character, setting and local distinctiveness of heritage assets; and make a positive contribution to its character through high standards of design which reflect and complement it

and through the use of appropriate materials and techniques.

### **Neighbour amenity**

Given the separation distance between properties it is not considered the proposal would result in any harmful overbearing. No windows are proposed to face south west, but there is a stairwell that could give rise to some overlooking in this direction. However given the separation with the road in between and that it would not form a balcony, it is not considered an objection is raised.

### **Archaeology**

A number of concerns have been raised regarding the archaeological value of the site given the location within the conservation area and the presence of the earthworks to the north. However no objections have been received from the county archaeology team.

### **Summary**

When considering any planning application that affects a conservation area a local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of that area. The House of Lords in the South Lakeland case decided that the "statutorily desirable object of preserving the character of appearance of an area is achieved either by a positive contribution to preservation or by development which leaves character or appearance unharmed, that is to say preserved." Policies in the NPPF seek positive improvement in conservation areas. Most explicitly paragraphs 185 and 192 require that local planning authorities should take into account "the desirability of new development making a positive contribution to local character and distinctiveness". The design policies further reinforce the objective of enhancement of an area's character and local distinctiveness, concluding that "Permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area..." (paragraph 130).

On balance, it is considered that the harm does not outweigh the benefits and as such is recommended for refusal.

## **RECOMMENDATION**

Refuse

01. The proposal by virtue of its prominent and open location within the Compton Pauncefoot Conservation Area would be a harmful intrusion into the landscape where the current boundaries form the separation between the built form and the rural edge, open to countryside beyond. The proposal would not preserve or enhance the appearance of the Conservation Area in which it is set, and the public benefits are not considered to outweigh the harm. The proposal is therefore contrary to South Somerset Local Plan policies EQ2 and EQ3 of the South Somerset Local Plan and the provisions of the National Planning Policy Framework.

### **SUBJECT TO THE FOLLOWING:**

#### **Informatives:**

01. In accordance with paragraph 38 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;
- o offering a pre-application advice service, and
  - o 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/agent did not take the opportunity to enter into pre-application discussions.

The applicant/agent was advised that the proposal did not accord with the development plan and that there were no material planning considerations to outweigh these problems.