

NORTH PERROTT PARISH COUNCIL

In response to:

Application No. 15/02183/FUL; Half Pennyfield, Stonage Lane, Haselbury Plucknett, Crewkerne, Somerset, TA18 7SX, The erection of 1 No. wooden gypsy lodge, toilet and stables/tackroom (Part Retrospective Application). (GR 347716/110462)

- Interest and general view

The North Perrott Parish Council (NPPC), met previously on 19th May 2015 and examined the plans for this application. The council, knowing this site well and its history, resolved to continue to object strongly to the development of this field as a residential area. At a subsequent meeting on the 11th June 2015, in consultation with the village community and our Local District Councillor, Ric Pallister, the following document is the official response of the Parish Council.

- Policy & Guidance

Development in this field has been successfully opposed by NPPC against previous planning applications however; as this application is by a member of the travelling community, new and additional guidance must be implemented.

South Somerset District Council (SSDC) has a statutory duty to provide at least 23 permanent sites for Gypsies, Travellers and Travelling Show people (Travellers) by 2028. This statutory duty does not take precedence over other statutory duties of the Council in particular where it goes against stated development plans.

Currently the guidance for development in South Somerset is contained in

1. The South Somerset Local Plan 2006-2028 (SSLP)
(specifically; Policy HG7 page 162)
2. Local Plan Policy SS2 (recently adopted)

Other policies and plans that are material to this application include:

3. SSDC Housing Strategy Implementation Plan
4. Department for Communities and Local Government Planning policy for traveller sites
5. Department for Communities and Local Government Planning policy for traveller sites - Equality impact assessment.

- Village Development Plan

Prior to the adoption of the South Somerset Local Plan 2006-2028 (SSLP), North Perrott was designated a "Hamlet" within the Local Development Plan for Crewkerne

(Crewkerne Town Plan). Without a development boundary, no residential development was permitted unless for social or agricultural need.

The core of the village is a conservation area and this also includes the old Manor House (now Perrott Hill School) and its landscaped parkland. The village contains a number of hamstone properties listed Grade I and II. It is surrounded by uninterrupted views over ancient and beautiful agricultural land towards neighbouring villages. Haselbury Plucknett is the closest neighbour and the separation to the north of the village is clearly marked by a "strategic green space" of two or three open fields or orchards. Half Pennyfield is part of one of these fields.

In 2006 the South Somerset Local Plan (previously the Core Strategy) replaced the Crewkerne Town Plan with the resultant loss of protection from development for the village. At that time the NP Parish Council submitted to the consultation paper stating among other concerns, worries about traffic and building development. The consultation says: "we do not want to spoil the existing character of the village either by the scale, appearance or location of unsuitable development."

In 2002 the village was approached by SSDC and encouraged to prepare a Village Design Statement (VDS). The VDS was printed in 2003 and accepted by SSDC in 2006. A VDS is not about whether development should take place, that is the role of the planning department, it is to determine how and where it should take place. There is currently no published Village Plan as North Perrott already has most facilities normally found within a country village and probably many more than befits its small size. Community facilities such as a pub, village shop, village hall, cricket club and church (and a Prep School) already exist and are well established. NPPC has continued to operate on a presumption of NO development from outside the existing community.

At the time that the SSLP was adopted by SSDC the NPPC was assured by Ric Pallister (Local District Councillor), that it would give more control to the community for the future development of North Perrott, not less. The VDS and consultation for the Core Strategy both stress the importance of location and the VDS specifically mentions the importance of not developing the fields between Haselbury Plucknett and North Perrott (VDS page 23). Local Plan Policy SS2 has been recently adopted to give the community still more control over the type and location of development in rural villages such as North Perrott. It is assumed that Policy SS2 is designed to strengthen the case for preventing development in areas where the community could demonstrate that it was their wish protect them.

- Planning History

Prior to 2006, there was a policy of no new development within the parish of North Perrott. As such there have been very few attempts to test this policy. In 1999 there was an application for a two storey dwelling in Trindlewell Lane (99/02582/OUT) that was withdrawn by the applicant after consultation with the Parish Council.

The field to which the current application refers is commonly known as (part of) Pennyfield, which abuts Stonage Lane. This lane is the boundary between the two villages and the area on either side represents the last bastion of "strategic green

space” between our two communities. The boundary to Pennyfield has been unchanged for many hundreds of years although there has been recent planting of internal hedges. Prior to its sale in 1999, it had been permanent pasture, surrounded by an ancient hedge, for over 200 years. In March 2002, application 02/00856/FUL was made to erect a polythene tunnel (a glasshouse having been built a some weeks previously). While there were a number of letters of objection regarding the spoiling of what was a beautiful area of the village, the Parish Council agreed to support the applicant in his wish to establish a small market garden. He had already planted a small orchard and a number of trees, internal hedges and prepared the ground for planting vegetables. The following year the same applicant submitted 03/02037/FUL for the placement of a static mobile home as a rest room and tool store. The Parish Council questioned its possible use as a dwelling and as a compromise; conditions were applied to prevent this scenario. Plans for the market garden did not go well and the owner subsequently sold off approximately one third of the field (now known as Half Pennyfield and subject to the current application) followed a few years later by the middle third. In 2009 the owner submitted application 09/02240/COU to change the use of the static home to residential. The Parish Council objected to this, principally on the grounds of the VDS, which had been drawn up in 2003, stating that this area of the Parish was strictly off-limits for development, but also on the grounds that the applicant had not proved a need for tied horticultural accommodation. The application was refused. This final third of the field was then sold and the new owner applied to remove the original condition on the static home using application 10/03059/S73. Again, the Parish Council objected to this on the grounds that it was a sensitive area on the village boundary and the applicant agreed to a temporary extension for use only as a tool store and shelter, which expires in July 2015. In 2014, it was reported that Half Pennyfield had been sold again and that the new owner was living on the site. The planning department of SSDC was asked to investigate and eventually, they acknowledged evidence that the new owner was living on the site. The new owner (the current applicant) was asked to desist and sign a legal undertaking not to live on the site until a valid planning application had been accepted. In April 2015 an application 15/01647/FUL was submitted and quickly withdrawn, to be replaced in May with 15/02183/FUL, the current application. It remains the Parish Councils policy to follow the recommendations set out in the VDS and protect this field from any development until such time that the community changes its view.

Alongside the history to this site, in 2011 an application for a Gypsy site, 11/02044/FUL was submitted in Haselbury Plucknett, in a neighbouring field to Pennyfield. Being on the Parish Boundary, NPPC was asked to comment. While not being in our Parish, a strongly worded opposition was submitted stating the sensitivity of the area in terms of “strategic green space” between the villages, objection to the removal of ancient hedges and both increased traffic on the narrow lane and the danger of the junction to the A3066. The application was refused by SSDC on the grounds of the Highways report but on appeal, the Planning Inspector over-ruled and 11/02044/FUL was granted with conditions. NPPC now believes that most of the reasons the Planning Inspector gave to underpin his over-rule have since been proved to be wrong, most importantly the number and size of the vehicles kept on the site and the volume of traffic visiting the site. At the time, SSDC could not show that they were on track to fulfil their quota of traveller sites, in 2015 they have achieved this goal.

- Reference to Community.

In 2002 the Village Design Statement (VDS) was drawn up by a village committee, along with public consultation. It was printed in 2003 and it was adopted by SSDC in 2006. The VDS stated in its introduction, page 4. "Open fields define the northern edge of the village, which is important in maintaining its separation from Haselbury Plucknett." It enforces this view more prominently in the Guideline Summary P.23, Village Setting:- "1. Ribbon development between the villages of North Perrott and Haselbury Plucknett must not be allowed and tributary roads and lanes should be kept narrow." While this application does not indicate any alteration to the highway or hedges, the risk of an accident, either in the narrow lane or more likely at the junction of Stonage Lane with the A3066 remain high. In recognition of the danger posed by this junction the speed limit on the A3066 has been reduced from 40mph to 30mph but the risk is still deemed to be high. This is partly due to the unenforceability of the speed limit at this point (despite both villages having voluntary speed-watch teams) and partly supported by occasional skid marks on the road indicating near misses for vehicles leaving Stonage Lane travelling north and causing northbound traffic to take drastic avoiding action owing to the nature of the blind bend. Because of the inherent danger of this junction, during harvest, local farmers use a voluntary one-way system because of the narrowness of the lane and to avoid having to turn out of the lane in a Northerly direction. While steps have been taken to make this junction safer by reducing the speed limit. In practice, little has changed since the last Highways report, except the volume of traffic in Stonage lane has significantly increased. SSDC refused permission for the last planning application in Stonage Lane on the grounds of the Highways report. Any change in that policy decision would be unfathomable. NPPC will submit photographs and a traffic survey in a separate document.

- Reference to development plan and generic development control policy.

While no Village Plan for the development of North Perrott has ever been published, there is plenty of documented evidence of what is and what is not desired by the community and this is backed up with public consultation for the VDS, the South Somerset Core Strategy and a recent affordable housing survey.

The area between the villages is ancient farmland, mostly small fields with ancient boundaries and narrow lanes. Over the last 13 years, NPPC has consistently defended the area between the villages against ribbon development and to keep the characters of the two villages, which are quite different, preserved in their independence.

It was a great blow to this policy that 11/03462/S73 was allowed at appeal but at that time, Haselbury Plucknett had neither a village design statement or a village plan in place. This development on the boundary of our two villages has essentially cut the "strategic green space" space between them in half. Should residential permission be allowed in Pennyfield, on our own side of the boundary, then there will be little or no argument to prevent the similar applications (previously refused) from being re-submitted and permitted. In effect, the two small fields that remain between Pennyfield and the village would soon fall to development and the two villages will be merged into one.

- The Implication of a Traveller application

SSDC has an obligation to provide a quota of at least 23 permanent sites for the travelling community by 2028 (policy HG7) but SSDC admits in their Housing Strategy Implementation Plan 2014 that they are under no pressure to allow unplanned or unsuitable sites: "In terms of residential pitches we are already ahead of schedule thanks to providing planning permission (including losing appeals) to enough privately owned residential sites so that we are likely to need no specific action over next few years (see table 17 on page 68). In that respect we are unique, with the other districts in the county (and probably much further afield) having predicted shortfalls making it harder for them to prevent unsuitable sites gaining permission at appeal."

Policy HG7 stipulates that the development should not have a significant adverse impact on the landscape, character and visual amenity of the area. Comments from the public on previous planning applications have referred to unspoilt beauty of the area and view. The VDS guidance on future development of North Perrott specifically mentions this area as important not to develop to preserve the character of the village.

Policy HG 7 stipulates that the site is reasonably well related to schools and other community facilities. North Perrott does have significant community but this site is at the extremities of the village boundary and not at all close to any of them. There is no direct footpath to the village and the obvious route to the village is via Stonage Lane and the main A3066 road. This is a hazardous route for both pedestrian and vehicular traffic, being narrow in places with blind corners, significant speed of traffic and no pavements,

Policy HG7 stipulates that the health and safety of occupants and visitors will not be at risk though unsafe access to sites, noise pollution or unacceptable flood risk. The previous application in Stonage Lane was refused because of the Highways report stated that the junction between the A3066 and Stonage Lane was considered to be dangerous. Since that date, the volume of traffic has increased significantly and although the speed limit has been reduced, the speed of most traffic has not. The application is specified as being equestrian and the lane and junction are both particularly hazardous for horses, especially if they are towing a trailer of any kind.

Introduction (Planning policy for traveller sites) states: 4. that planning and decision-taking should protect Green Belt from inappropriate development. While the area between North Perrott and Haselbury is not designated by the Government as Green Belt, they are perceived as such by NPPC and this policy is supported by community consultation and written policies such as the VDS and consultation for the South Somerset Core Strategy. This field is important to our community as a buffer between the next village and us.

Policy C (Planning policy for traveller sites) states: 12. When assessing the suitability of sites in rural or semi-rural settings, local planning authorities should ensure the scale of such sites do not dominate the nearest settled community. While the physical size of the site is not dominant, it's impact must be considered alongside the existing Gypsy site. It was mentioned at the time of the previous application that by halving the "strategic green space" would attract other applications and further erode the gap between the villages. The eventual scale of upset that this application would cause to the previous planning strategy of keeping the villages of North Perrott and Haselbury Pucknett as separate

communities is seismic. It will undo all the planning decisions made in this part of the village for the last 13 years.

While SSDC does have obligations to find accommodation for the travelling community, given that obligation has been fulfilled, there is no reason for it to over-ride the previous wishes of the local community in preventing any application in this area for a new dwelling.

Furthermore, in a personal statement by Maggie Smith-Bendell, she says the applicant earns a healthy living from trading at traditional fairs, none of which are particularly close to this site. This can only add to avoidable travel time and distances and therefore cannot be viewed as sustainable. In addition, in her letter she states that the applicant has the full support of her family, suggesting that there are plenty of existing locations in the area for her to continue her nomadic lifestyle, without having to settle in an area that the local community has sought for many years to keep clear of domestic development.

Time and time again, the Planning policy for traveller sites – “Equality impact assessment refers” to the protection of Green Belt. Although not officially identified as Green Belt by the Government, this field and the others between North Perrott and Haselbury Plucknett are morally and physically our the “strategic green space” between our two villages. Para. 4. of the Equality impact assessment states that “As part of the decentralisation agenda, the Localism Act repeals the statutory framework for regional planning in England. The Government intends to abolish existing regional strategies to put decisions on housing (including traveller sites) and planning back into the hands of local councils and communities.” (Policy SS2)

No reference can be found as to what immediate action SSDC is planning to continue to meet its quota of supplying pre-planned permanent Traveller sites other than the SADPD, which has yet to emerge. One obvious consequence of lack of action is that Travellers take it upon themselves to purchase whatever land is available to them, without consultation or pre-planning and hope to force through planning applications, regardless of historic policies or community wishes. This policy, or lack of it, puts undue pressure on rural areas that would otherwise be no-go to development. These applications are force through because of a lack of suitable alternatives rather than by any strategic planning. In this case there has been substantial and continued planning to prevent development in this area. In actual fact, there appear to be a number of brown-field sites available for sale or development in and around the fringes of local towns that the Council could purchase and sell on to travellers. In Somerset there is a company called CJH Land Ltd that specialises in sourcing brown-field sites for redevelopment.
<http://www.cjhland.co.uk/>

- Summary

During our consultations, it would appear that there is no single over-riding factor in Planning Law that specifically prevents the development of Half Pennyfield. However, the cumulative evidence that this is an area that the community has continually sought to protect for development is overwhelming. On the balance of arguments between the long existing and practiced policy of NPPC to prevent development on this site (including any field between the villages of North Perrott and Haselbury Plucknett) and the additional rights offered by Government Policy to allow the travelling community the opportunity to settle on their own land, NPPC is of the opinion that this case should weigh in the favour of the wishes of the local community.

The NPPC also raises a number specific points in the detail of the application that it objects to:

1. The NPCC objects to the submitted applicant's plan because it is so different to what actually exists on the site that they cannot recognise them as the same. The existing "Lodge" on the plan is some 30m from its current location and the access track appears to be partly on the neighbours land. As such, if the application is not valid then the agreement Ms Hughes signed is still valid and checks should continue that she has not yet living on the site, contrary to the agreement.
2. The NPPC objects to the term "Lodge" as perhaps not being enforceable in planning law and are concerned that there is no limit to what it might become in future years, without appropriate controls.
3. There is no mention of upgrading the road entrance in the application. The existing road gateway through which the property is accessed is shown not to be in Ms Hughes ownership. NPPC assumes that as a dwelling, the road entrance would need to be upgraded and it appears as if this might be beyond the control of the applicant.

JONATHAN HOSKYNS
Chairman, North Perrott Parish Council
11th June 2015