



Appeal Decision

Site visit made on 20 August 2018

by JP Roberts BSc(Hons) LLB(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 September 2018

Appeal Ref: APP/R3325/W/18/3202416

Harvester Works, Mayfield Close, Galhampton, Yeovil BA22 7AX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by R Tincknell & Son Ltd against the decision of South Somerset District Council.
 - The application Ref 17/04023/FUL, dated 4 October 2017, was refused by notice dated 26 January 2018.
 - The development proposed is the creation of 8 detached new family dwelling homes on brownfield site.
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Decision

1. The appeal is dismissed.

Procedural matter

2. The application site description refers to Mayfield Close. However, the current and proposed access is from High Road, with no connection to Mayfield Close. I have dealt with the proposal on this basis.

Main Issues

3. The Council says that the site is outside of any development area or location identified for growth in the South Somerset Local Plan, and is contrary to LP Policy SD2. However, it concedes that elements of the policy must be considered to be out-of-date, and therefore no objection is made to the principle of residential development on this site. I see no reason to disagree.
4. Accordingly, the main issues are:
 - i) The effect of the proposal on the character and appearance of the surrounding area,
 - ii) the effect on the setting of nearby Grade II listed buildings, Old Hunt Farmhouse and Foxcombe Farmhouse and nearby non-designated heritage assets;
 - iii) the implications of the proposal for flood risk, and
 - iv) the planning balance.

Reasons

Character and appearance

5. The site is an open area of land on the northern edge of a small group of buildings which mark the northern edge of Galhampton. It is not in a conservation area, and there is no other area designation in respect of local character or appearance. The site and the proposed houses on it would be highly visible from the fairly busy A372 High Road onto which the site fronts.
6. The village of Galhampton extends some way to the south east of the site, and some dwellings can be seen from High Road to the north of the site. However, the site is more readily seen in the context of an existing cluster of buildings around the High Road and Long Street junction to the south of the site, on either side of the High Road. These buildings have a varied character and age and include a farm, a disused single storey flat roofed garage and petrol filling station and the two-storey semi-detached Orchard Inn as non-residential buildings, whilst most of the dwellings are two storeys, of varying sizes. A terrace of three dwellings lies to the south of the junction in an outlier, and there is also a small terrace of dwellings at Foxcombe Cottages. Foxcombe Farmhouse is a large detached dwelling, whilst Wellstead is a detached bungalow on the corner of Long Street.
7. All of the proposed dwellings would be end-on to the road, whilst the majority, but not all, of the houses in the nearby cluster front the road. The small terrace of Foxcombe Cottages fairly close to the site are end-on to the road, and a further dwelling Tors Edge Cottage, a little way to the south is also end-on, providing local references for such an orientation. However, my concern is that all the houses would be end-on, and that the layout, with similar but not identical houses with generous and roughly uniform gaps, albeit with double car-ports between, would bear little relationship to the more compact and varied appearance of cluster to the south, most of which front the road. The proposal would appear as a highly suburban layout in which the access road, rear fences and garden paraphernalia would dominate, which landscaping or the use of sympathetic materials would not sufficiently mitigate.
8. The use of a "wrap-over" roof on the dwellings would hint at roof designs commonly found on modern agricultural buildings. However, the houses have not been designed to replicate or hint at agricultural buildings in other respects; they would clearly appear as modern dwellings, and the dark, shallow pitched roofs would draw attention to them and emphasise their uncharacteristic layout.
9. The Council is also concerned about the prominence of fencing forward of the dwellings as they turn the sharp corner within the development. The submitted plans show that 1.8m high timber fences would separate the plots. Where the dwellings are slightly angled to the road the fences would be highly visible in the street scene. In order to maximise privacy in the rear gardens, it is likely that fencing would be erected in places not shown on the submitted plans, which would add to the dominant impact. Whilst it is likely that planting in the front gardens would soften the otherwise intrusive appearance impact, this would not overcome my concern about the visual dominance of fencing, which would add to the overall impression of a layout which fails to pay sufficient regard to its context.

10. I therefore conclude on the first main issue that the proposal would result in material harm to the character and appearance of the surrounding area, and would conflict with South Somerset Local Plan (LP) Policy EQ2 which deals with general development, and which, amongst other things, aims to promote local distinctiveness and preserve or enhance the character and appearance of the district.

The effect on heritage assets

11. There are two nearby Grade II listed buildings, the nearest of which is Old Hunt Farmhouse, a semi-detached two storey dwelling, the unlisted attached neighbour being the Orchard Inn, which lies between the building and the appeal site. Only a two storey rear addition to the house is visible from the appeal site, and this has an unpunctuated stone elevation with metal wall plates, and a clay tiled roof. A modern steel flue protrudes from the roof which contrasts with the traditional features of the annex. The rear part of the building has less architectural interest than the main part of the house, which contains features specifically mentioned in the listing. A UPVC conservatory type extension to the Orchard Inn is a prominent modern structure which forms a significant part of the foreground to the annex of the listed building. These factors lead me to the view that the rear part of the listed building has only limited significance.
12. The other listed building is Foxcombe Farmhouse, on the opposite side of the road to the site, and further to the south, opposite the junction of High Road with Long Street. It is a large detached stone-built dwelling of significant architectural quality, set back some way from the road. The listing says it has good group value with Old Hunt Farmhouse which lies on the east side of the road.
13. Whilst the site lies within the setting of both listed buildings, only views of the rear part of the Old Hunt Farmhouse would be affected by the development, and even then, the set-back position of the proposed houses would mean that views of the listed building would be little affected. The proposal would not interfere with views of Foxcombe Farmhouse at all. Other buildings in that group, particularly The Orchard Inn and the Corner House, are traditional historic buildings of some heritage significance, and can be regarded as non-designated heritage assets.
14. However, this group of buildings are important to the setting of the listed buildings, marking the historic part of the settlement of Galhampton. The appeal site has no functional or associative connection with the listed buildings, but it is nevertheless an open space on the northern approach to the village which allows the group and the listed buildings within it to be appreciated. Although the appeal site was developed in the 20th century, its cleared condition is more akin to the open agricultural land that mapping suggests was the position when the listed buildings were constructed. Whilst I accept that the contribution that the setting makes to the significance of the listed buildings is not as great as their physical fabric, I nevertheless consider that the setting is important in placing the buildings in their historic context.
15. There is no suggestion that the appeal site should remain open. However, I consider that the uncharacteristic form of the proposed layout at an important approach to the village would damage the cohesiveness of, and compete with, the historic cluster. This would result in moderate harm to their significance.

16. I have had regard to the suggestions of the Council's Conservation Officer for an alternative siting, and the appellants' criticisms of it. However, I need to determine this scheme on its own merits, and I consider that the constraints of the site would not prevent an acceptable scheme coming forward. The proposal would therefore conflict with LP Policy EQ3, which deals with the historic environment.
17. The harm that I have found to the setting of the listed buildings is, in the terms of the Revised National Planning Policy Framework, less than significant. It therefore has to be weighed against the public benefits of the scheme. The Council cannot demonstrate a 5 year supply of housing land, and has a record of persistent under-delivery. I do not have an up-to-date indication of the extent of the 5 year shortfall, but the Council recorded that in June 2017 the supply was at 4.2 years' worth of the housing sites, and that the position was likely to worsen. The addition of 8 dwellings would make a modest contribution towards addressing the housing needs of the district, to which I attach significant weight. The proposal would also put a brownfield site in poor physical condition to beneficial use, and this too carries significant weight.
18. However, such benefits would also arise from a better designed scheme. Neither the Council nor I see any disagreement about the principle or quantum of development, and I see no reason why a scheme could not come forward that overcomes the objections that I have found. Thus the only net benefit from this scheme is that it would allow development to come forward somewhat earlier than would a revised scheme. In these circumstances, having regard to the importance that is attached to protecting the setting of listed buildings and to good design in general, I find that the public benefits of the scheme do not outweigh the harm that I have found.

Flood risk

19. The application was refused on the basis that there was inadequate drainage information submitted with the application. The appellants submitted a more detailed Flood Risk Assessment and drainage strategy with the appeal, which the Council has not commented on, as its appeal statement was returned for being submitted outside of the prescribed deadline. However, local residents have questioned the acceptability of the submitted scheme, which the appellants have not responded to.
20. A local resident claims that the site is completely permeable at present, whereas the drainage strategy implies that it is hard-surfaced and impermeable. However, the geotechnical report included the testing of boreholes which indicated that parts of the site were hard surfaced, and in any event the underlying ground was found to have low permeability, which led to infiltration schemes being ruled out. Accordingly, I consider it likely that the site has a higher existing run-off rate than would be expected of a permeable greenfield site.
21. The drainage strategy envisages a connection into the Wessex Water sewer at a discharge rate agreed with them at 5 litres/second, by means of a substantial attenuation tank to be buried in the south-east corner of the site, with a sufficient capacity to contain about 72 m³. I consider that this would be a significant improvement over likely existing peak storm run-off rates. On the basis of what I have been told, the attenuation would provide sufficient storage to ensure that 1 in 100 year storms (plus 40% allowance for climate change)

could be accommodated and that the discharge would be considerably less than is now the case.

22. Sustainable drainage in the form of sedum roofs, water butts and on-plot infiltration drains could be left to individual householders to maintain, as they are not critical in terms of their contribution to mitigating flood risk. However, the responsibility for the more substantive drainage mechanisms would need to be assured, and could be the subject of a condition if the appeal were to be allowed.
23. I am therefore satisfied that the proposal would not give rise to unacceptable flood risk and would comply with the aims of the Framework.

The planning balance

24. Paragraph 11 of the Framework requires that where relevant planning policies are out of date, as in this case where a 5 year housing supply (and appropriate buffer) cannot be demonstrated, permission should be granted unless one of two criteria are met. The first of these is where the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed, specifically including those policies which protect designated heritage assets. I have found that the harm that would be caused to the setting of the nearby listed buildings outweighs the public benefits of the scheme, and provides a clear reason for dismissing the appeal. Accordingly, the "tilted balance" of Paragraph 11 does not apply in this case.
25. I have had regard to the other benefits that would accrue from the development, including economic benefits from the construction and occupation of the homes, improvements in drainage, the putting of a brownfield site to beneficial use and the removal of the spoil and hoardings that surround the site, but even cumulatively, these benefits do not outweigh the harm that I have found.

Conclusion

26. For the reasons given above, I find that the proposal would conflict with the development plan as a whole, and that the appeal should be dismissed.

JP Roberts

INSPECTOR