



Appeal Decision

Site visit made on 12 February 2019

by Matthew Jones BA(hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 March 2019

Appeal Ref: APP/R3325/W/18/3215446

Land at Jarmany Hill, Barton St David, Somerton TA11 6DA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for outline planning permission.
 - The appeal is made by Mr Sean Reynolds, SAR Management Consultancy Ltd against South Somerset District Council.
 - The application Ref 18/01929/OUT, is dated 18 June 2018.
 - The development proposed is 6 two storey dwellings with associated parking and landscaping.
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Decision

1. The appeal is dismissed and planning permission is refused.

Procedural Matters

2. The planning application was submitted in outline with all matters reserved. This differs from the Council's evidence, which considers access in detail. As no written agreement of this change is before me, I have considered this appeal on the basis of the planning application as originally submitted.
3. Although the Council failed to give notice of its decision within the prescribed period, it is clear that its reasons for refusal had been formulated. I have therefore based my identification of the main issues on the three reasons for refusal given within the Council's evidence.
4. In February 2019, after all evidence from the main parties had been received, the latest version of the National Planning Policy Framework (the Framework) was introduced. However, the revisions to the Framework are not directly relevant to the issues in this appeal. I have therefore used the latest version of the Framework in my assessment without prejudice to any party.

Main Issues

5. The main issues are:
 - The suitability of the site for residential development with regard to local and national planning policy and having particular regard to its accessibility to services; and,
 - The effect of the proposed development on the character and appearance of the area.

Reasons

Suitability of the Site

6. The site is a section of field approximately 100m to the west of the main part of the village of Barton St David. It is accessed from Jarmany Hill which connects Barton St David to the rural settlement of Butleigh approximately 2.5km to the north west. Barton St David has a pub, church and other community and recreational facilities. Although the Council previously considered upgrading the village to a rural centre under the terms of Policy SS2 of the South Somerset Local Plan (Local Plan), it remains within the lowest tier of the Council's settlement hierarchy. The appeal site is not within or adjacent to the village and is located within designated countryside under Policy SS1.
7. Paragraph 108 of the Framework requires that development should achieve safe and suitable access for all users. Although the site is a short distance from the village, the connecting road is reasonably narrow, has no footpaths or street lighting, and there is a small curve near the site which inhibits visibility. There are narrow verges on the sides of the road, but they higher than the carriageway and are not easily accessible, particularly for less agile people or those with pushchairs. Consequently, I consider that pedestrians attempting to access the village would come into regular conflict with motor vehicles. This is different to within the village itself which, although also lacking in pavements, has several places where pedestrians can move off the carriageway.
8. To the west of the appeal site Jarmany Hill is similarly devoid of pavements and streetlighting, and the 500m walk to the bus stop would not be an appealing option to access the rural bus network. There is a Public Right of Way opposite the site which connects to the village. However, it crosses open fields and requires passing over fences and watercourses via steps, rudimentary planks and stepping stones. It is not a reliable alternative route to the village.
9. As such, although the site is near to the settlement, walking would not be a safe or reliable option, and occupants would be dependent on the motorcar to safely access services. Although levels of access vary between urban and rural places, in my opinion the degree of inaccessibility in this case would surpass the levels tolerated by local and national planning policy in this rural location.
10. The appellant refers to two sites previously evaluated by the Council for residential development. Although details before me are limited, both are within the main built-up area of the village and do not necessitate a 100m walk through an unsafe rural highway environment. Although I acknowledge that they have not come forward at this stage, this absence of progress does not, in my opinion, justify residential development at an inaccessible and unsuitable site within the countryside.
11. I therefore find that the site is not suitable for a residential development due to the lack of access to services. It would conflict with Policies SD1, SS1, SS2 and TA5 of the South Somerset Local Plan (adopted 2015) and paragraph 108 of the National Planning Policy Framework which, amongst other things, seek to provide safe and accessible development within rural settlements.

Character and Appearance

12. Despite its proximity to Barton St David and the presence of other buildings further along Jarmany Hill, the area immediately around the appeal site is

primarily rural in character and feels separate from the village. From the highway and connecting Public Rights of Way the site can be seen to contribute positively to this environment through its openness and verdant appearance.

13. Although in outline, the proposed development of six dwellings would provide an inevitable degree of built development, associated domestic trappings and tree and vegetation removal to facilitate a new domestic access. As a result, the proposed development would provide an incongruous and anomalous intervention into the rural landscape physically and visually divorced from nearby dwellings. Although the appellant's intention is to provide a design which strongly adheres to the vernacular, the quality of the external appearance of the dwellings would not overcome the fundamental harm that I have identified.
14. Consequently, the proposed development would conflict with Policy EQ2 of the South Somerset Local Plan (adopted 2015) which, amongst other things, requires development to conserve landscape character and respect local context.

Other Matters

15. With regard to the flood plain, I appreciate that the appellant has sought to introduce this element to resolve an existing off-site flooding issue and provide a SuDS beyond the particular drainage requirements of the proposal. However, as it is not necessary to resolve this issue to achieve an appropriate drainage strategy for the development, and the proposed flood plain is outside of the application site in any case, I would be unable to capture to it within a compliant planning condition.

Overall Planning Balance

16. The parties agree that the Council cannot currently demonstrate a five-year supply of deliverable housing sites and that, pursuant to paragraph 11 of the Framework, the weighted presumption in favour of sustainable development is engaged.
17. The proposed development would make a contribution towards meeting the housing shortfall within South Somerset. This would be a social and economic benefit. There would also be a limited and temporary economic benefit during the construction phase. However, due to the small scale of the development I consider these benefits to be moderate.
18. The location of the site would lead occupants to be overly dependent on the motorcar to access services and facilities. The proposal would introduce harmful development into a characteristically rural location. I consider these adverse environmental effects to be significant, and to significantly and demonstrably outweigh the moderate benefits of the proposal. The presumption in favour of sustainable development therefore does not apply in this case.

Conclusion

19. Taking all these factors into account, I conclude that the proposal would conflict with the development plan as a whole. There are no other material considerations that outweigh this conflict.

20. For the reasons outlined above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Matthew Jones

Inspector