

Officer Report On Planning Application: 15/01486/FUL

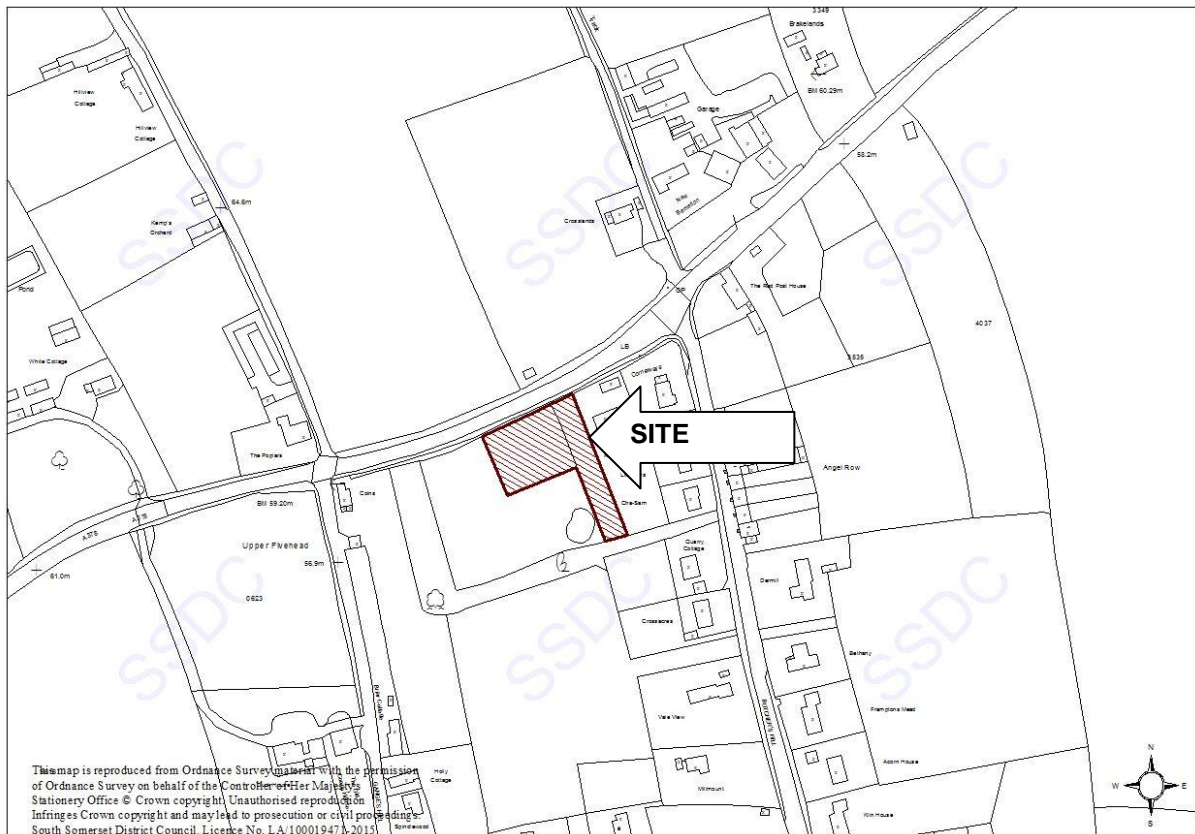
Proposal :	The erection of a four bedroom dwelling and change of use of agricultural land to residential curtilage (GR 335229/123328).
Site Address:	Windy Ridge, Butchers Hill, Fivehead.
Parish:	Fivehead
ISLEMOOR Ward (SSDC Member)	Cllr Sue Steele
Recommending Case Officer:	John Millar Tel: (01935) 462465 Email: john.millar@southsomerset.gov.uk
Target date :	2nd June 2015
Applicant :	Mr & Mrs Stuart Morling
Agent: (no agent if blank)	Mr John Bird, Joyden Farm, Holbear Lane, Forton Road, Chard TA20 2HS
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

This application is referred to committee at request of the Ward Member with the agreement of the Area Chairman to enable the issues raised to be fully debated by Members.

SITE DESCRIPTION AND PROPOSAL





The application site comprises a mix of domestic land associated with existing property Windy Ridge and adjoining agricultural land to the south of the A378, Langport Road. There are open fields to the north, south and west, with residential development in a linear pattern, along Butchers Hill and Langport Road, to the east. The site is accessed via two vehicular accesses directly off Langport Road. There is a grade II listed building, The Red Post House, located approximately 100m to the west.

The application is for a contemporarily designed four bedroom detached dwelling, to be constructed from a mix of materials, including brick untreated larch timber cladding, standing seam metal (roof and north elevation, and green roof. It is also proposed to erect an attached double garage to the front of the property. It is proposed to make use of one of two existing accesses off the adjoining highway, with the site being separated from the existing dwelling, with an existing garage and greenhouse to be included within the curtilage of the proposed new dwelling.

HISTORY

08/01169/FUL: Demolition of existing workshop; erection of a new workshop; creation of a new access, parking and turning area; landscaping and associated works - Application withdrawn.

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
EQ3 - Historic Environment

National Planning Policy Framework

National Planning Policy Framework (March 2012):
Core Planning Principles - Paragraph 17
Chapter 4 - Promoting Sustainable Transport
Chapter 6 - Delivering a Wide Choice of High Quality Homes
Chapter 7 - Requiring Good Design
Chapter 11 - Conserving and Enhancing the Natural Environment
Chapter 12 - Conserving and Enhancing the Historic Environment

National Planning Practice Guidance

Conserving and Enhancing the Historic Environment
Design
Natural Environment
Rural Housing

Policy-related Material Considerations

Somerset County Council Parking Strategy (September 2013)
Somerset County Council Highways Development Control - Standing Advice (June 2015)

CONSULTATIONS

Parish Council: The Council has no objection to the proposed sustainable development which will provide a new low-energy dwelling for family use.

The Council were impressed with the design of the new build, which whilst contemporary in appearance, will provide an interesting addition to the residential environment of the village. In practical terms the field is of little agricultural use and little/no ecological interest. The proposed approach to the landscape development around the building is sympathetic to the environment and provides sufficient area for screening or landscaping.

SCC Highway Authority: No objection. It is advised that the proposal will have limited traffic impact and that the application provides adequate information on the site access facility, visibility splays in line with requirements and appropriate and proportional car parking facilities. The Highway Authority has requested the imposition of several highway related conditions, if permission is to be approved.

SSDC Highway Consultant: Refer to SCC comments. Consider sustainability issues

(transport). The standard and details of the existing access have presumably been approved previously (for the double garage). Proposed car parking provision accords with SPS. Secure extent of visibility splays (2.4m x 120m including tangential splays) at site entrance and on-site parking and turning facilities.

Natural England: No objections.

SSDC Ecologist: Having considered the information submitted, the Council's Ecologist has no comments or recommendations to make.

SSDC Conservation Manager: There are no particular issues relating to the historic environment raised by a development proposal on this site. I would not describe the site here as a natural infill plot, it being detached from the core of the village and I note Robert's (Landscape Architect) comments. The proposal is well-designed and would be a distinctive piece of architecture and would not conflict with the mixed character of its context. I would therefore have no concern if the site was right and it conformed with policy but it appears not to be justified under SS2.

SSDC Landscape Architect: The core of Fivehead village lays to the south of this site, with the settlement having some linkage to the A378 to the north by a linear arrangement of intermittent housing along two lanes, Butchers Hill and Ganges Hill. North of Ganges Close, the two lanes are separated by two paddocks, and it is the northernmost of these two paddocks within which this application site lays. Whilst contained to the east and west sides by the development footprints that are threaded along the lanes, to north and south lays agricultural land, which ties into the wider countryside to the north. This corridor of paddocks and fields that lay between - and project north from - Butchers and Ganges Hills, is historically undeveloped, and as such contributes to the local character of the village. Consequently I do not see this as an 'infill' site, for Fivehead (as distinct from Upper Fivehead to the west) lays aside from, rather than alongside, the A378. In this respect the proposal is at variance with local character, and thus fails to preserve and enhance it as is required by LP policy EQ2.

REPRESENTATIONS

One letter of objection has been received from a local resident. The main points raised are as follows:

- The proposal will adversely affect the setting of the nearby dwelling, Red Post House.
- Planning permission will set a precedent for future residential building on this site and other agricultural land.
- The change of use from agricultural land would exacerbate runoff during periods of heavy rainfall, increasing the risk of flooding on Ganges Hill and Butchers Hill.

Two letters of support have also been received, making the following main points:

- The dwelling will benefit the village of Fivehead. It's good to see new building of this nature, which will complement the village hall, which is also an ecological build. Buildings like this are the future and should be supported, as they fit in with the countryside, are energy saving and generally sustainable.
- The owner of the nearby listed building states that the property is an interesting design and will have no impact on the listed building. It is advised that the proposal will not be seen from the listed building and will not be as intrusive as the other houses on the other side of Butchers Hill.

CONSIDERATIONS

Principle of Development

The application site lies at the edge of the northern developed limits of Fivehead, protruding into open countryside. In policy context, national guidance contained within the National Planning Policy Framework (NPPF) sets out a presumption in favour of sustainable development, advising that "local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances." Paragraph 49 of the NPPF also states housing applications should be considered in the context of the presumption in favour of sustainable development, as does policy SD1 of the South Somerset Local Plan (2006-2028).

Policy SS1 (Settlement Strategy) highlights the areas where new development is expected to be focused, grouping certain towns and villages into a hierarchy, of settlements including the Strategically Significant Town (Yeovil), Primary Market Towns, Local market Towns and Rural Centres. All other settlements, including Fivehead, are 'Rural Settlements', which policy SS1 states "will be considered as part of the countryside to which national countryside protection policies apply (subject to the exceptions identified in policy SS2. The previously referenced development area has now been deleted. Policy SS2 states:

"Development in Rural Settlements (not Market Towns or Rural Centres) will be strictly controlled and limited to that which:

- Provides employment opportunities appropriate to the scale of the settlement; and/or
- Creates or enhances community facilities and services to serve the settlement; and/or
- Meets identified housing need, particularly for affordable housing.

Development will be permitted where it is commensurate with the scale and character of the settlement, provides for one or more of the types of development above, and increases the sustainability of a settlement in general. Proposals should be consistent with relevant community led plans, and should generally have the support of the local community following robust engagement and consultation. Proposals for housing development should only be permitted in Rural Settlements that have access to two or more key services listed at paragraph 5.41 (i.e. local convenience shop, post office, pub, children's play area/sports pitch, village hall/community centre, health centre, faith facility, primary school)."

In considering this application against Local Plan policy SS2, it is acknowledged that there is access to several key services within the village of Fivehead, however there is still the need to meet the policy requirements in terms of providing development that *meets identified housing need*. In this case, the proposal is for a four bedroom dwelling, which the current occupiers of the existing dwelling, Windy Ridge, wish to develop and move into. It is also noted that the application has the support of the Parish Council. While this is acknowledged, the proposal still fails to be justified by an identified **local need** that would meet the requirements of Local Plan policy SS2. In addition to no appropriate justification having been put forward, there is no neighbourhood plan, housing needs survey, or any other formal document identified to support the proposal. It must therefore be concluded that the proposal fails to satisfy policy SS2 of the Local Plan as it does not provide employment opportunities, enhance community facilities and services to serve the development, or meet an identified housing need, particularly for affordable housing.

Scale and Appearance

The application site lies at the edge of the northern developed limits of Fivehead, protruding into an existing paddock/meadow land within open countryside at the village edge.

Policy EQ2 states that "development will be designed to achieve a high quality, which promotes South Somerset's local distinctiveness and preserves or enhances the character and appearance of the district. Furthermore, development proposals will be considered against (among other things):

- Conserving and enhancing the landscape character of the area
- Reinforcing local distinctiveness and respect local context
- Local area character
- Site specific considerations

In this case, the local development pattern comprises a linear development alongside roads such as Butchers Hill and Ganges Hill, which link the A378 to the village core, with surrounding sites alongside the A378 comprising a corridor of paddocks and field that are historically undeveloped and contribute to the local character of the village. In this case, the intrusion into open countryside in this traditionally undeveloped village edge location is considered to be at variance to the prevailing development pattern, thereby not according to local character and failing to preserve or enhance it as required under Local Plan policy EQ2.

Notwithstanding these objections to the siting of the property and its consideration against local development pattern, the design and materials are considered to be acceptable. This is an interestingly designed property that comprises a mix of materials. The Council's Conservation Manager has considered the proposal in detail and considers this to be a distinct piece of architecture that would not conflict with the mixed character of the nearby development. He does however note the Landscape Architect's comments and agrees that this is not a natural infill plot due to its detachment from the village core.

Overall, while the design and appearance of the proposal is considered to be acceptable and compliment the mix of development types locally, it is felt that the site location at the village edge, intruding into open countryside, is at odds to local development pattern.

Residential Amenity

The proposal is located to the side of the existing dwelling, and is at a suitable distance and orientation to avoid any unacceptable impact on the occupiers of either dwelling by way of overlooking or overbearing impact. The property is also located at considerable distance from any other nearby properties so as to avoid any harm to residential amenity.

Highway Safety

In considering the highway safety issues, the County Council Highway Authority have considered the existing two accesses, one of which is to be retained for the use of Windy Ridge, the other for the proposed dwelling. It is noted that there is adequate visibility to meet the requirements of the site and adequate space to provide the appropriate levels of parking and turning for both dwellings. It is also noted that the two sites are to be separated by a new timber fence boundary, which will prevent a conflict of movements as both accesses will be completely separate to serve their respective sites. Neither the County Highway Authority nor the District Council's Highway Consultant have raised any objection, with both suggesting the imposition of conditions to ensure that the proposed access, parking and turning arrangements are completed and maintained as proposed. Overall, it is considered that the proposal is acceptable from a highway safety point of view.

Conclusion

Despite the general acceptability of the proposed design and no identified harm to residential amenity or highway safety, the failure to relate to general pattern of development and associated intrusion into open countryside are considered to make the scheme unacceptable, as is the failure to satisfy Local Plan policy SS2 as it does not provide employment opportunities, enhance community facilities and services to serve the development, or meet an identified housing need, particularly for affordable housing.

RECOMMENDATION

Refuse permission

FOR THE FOLLOWING REASONS:

01. The proposed development, comprising the erection of a new dwelling, is located at the edge of a "Rural Settlement", where development will be strictly controlled and limited to that which provides employment opportunities, enhances community facilities and services to serve the development, or meets an identified housing need, particularly for affordable housing. The proposal fails to satisfy any of the aforementioned criteria and as such constitutes unsustainable development that is contrary to policies SD1, SS1 and SS2 of the South Somerset Local Plan (2006-2028) and to the aims and objectives of the National Planning Policy Framework.
 02. The proposed development, as a result of its siting and built footprint, which intrudes into open countryside beyond the village edge, is at variance with the local pattern of development and thereby fails to preserve or enhance local character. As such, it has an unacceptable impact on the character, appearance and the rural context of the locality. The proposal is therefore contrary to policy EQ2 of the South Somerset Local Plan (2006-28) and provisions of chapters 7, 11 and the core planning principles of the National Planning Policy Framework.
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