

## Officer Report On Planning Application: 15/01736/FUL

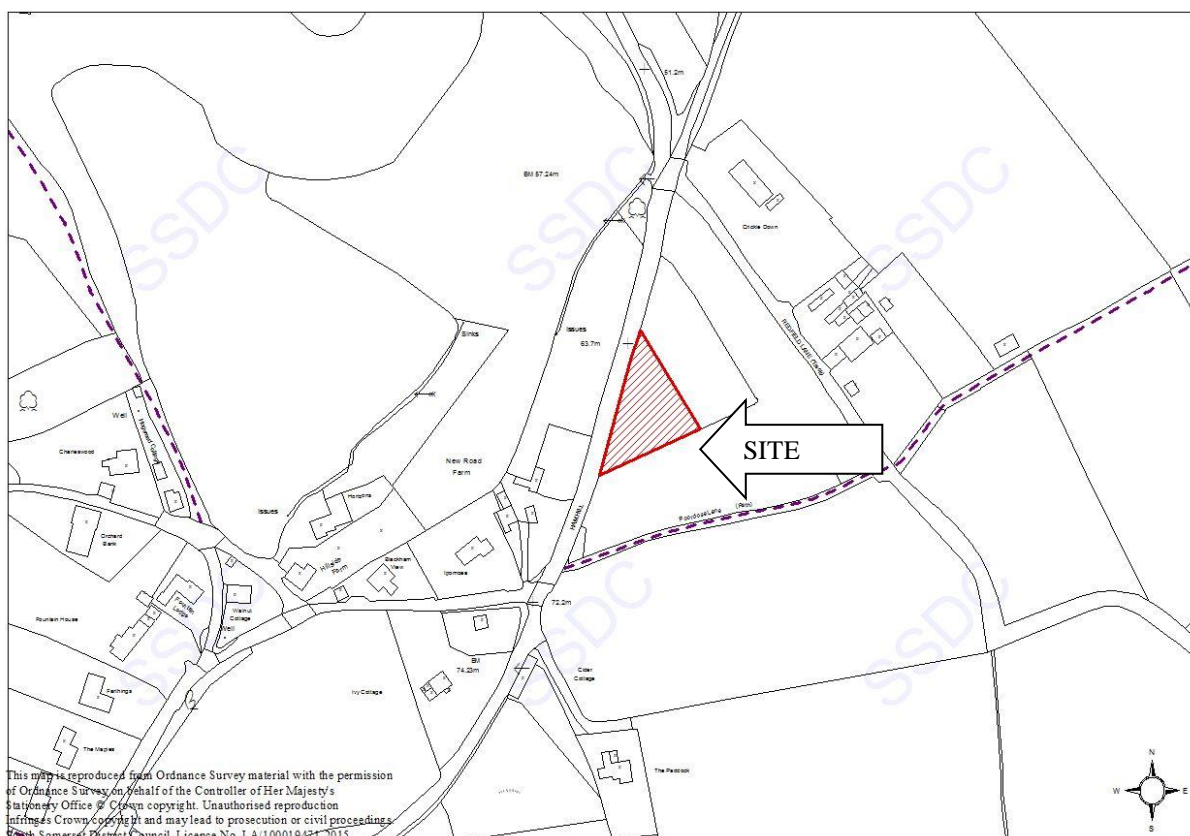
<b>Proposal :</b>	Erection of a dwellinghouse and change of use of land from agricultural to residential (GR:342850/131692)
<b>Site Address:</b>	Land At Ham Hill, High Ham, Langport.
<b>Parish:</b>	High Ham
<b>TURN HILL Ward (SSDC Member)</b>	Cllr S Pledger
<b>Recommending Case Officer:</b>	John Millar Tel: (01935) 462465 Email: john.millar@southsomerset.gov.uk
<b>Target date :</b>	15th June 2015
<b>Applicant :</b>	Mr Rick Crane
<b>Agent: (no agent if blank)</b>	
<b>Application Type :</b>	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 Vice Chair to enable the issues raised to be fully debated by Members.

### SITE DESCRIPTION AND PROPOSAL





The application site comprises a triangular plot of agricultural land on the east side of Ham Hill, beyond the northern edge of High Ham. The site is separated from the village edge by open countryside, although extended development presence along Hillside Farm Road does come almost as far as the site, although this is on the opposite side of the road. The topography of the site slopes steeply down to the east, with the eastern field boundary being approximately 7m below the adjoining road level. There are several small agricultural buildings on site, including a caravan, a couple of sheds and a greenhouse.

The application made for the change of use of part of the site to residential use and the provision of a 'Passive House' type, low impact eco dwelling. The proposed dwelling is a 3 bedroom, one and a half storey house, constructed with timber cladding with the roof finished with fully integrated PV panels to the south elevation and sedum roof to the north. It is also proposed to provide a new vehicular access onto Ham Hill, which is a classified 'C' road.

## HISTORY

15/00008/FUL: Erection of a dwellinghouse and change of use of land from agricultural to residential - Application withdrawn.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

### **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

### **National Planning Practice Guidance**

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:** No objection in principle on the basis of the plans and supporting information submitted.

The Parish Council have advised that they would not support any further infill between the proposed development site and the neighbouring property 'Cider Cottage', a dwelling about 100m to the south.

**SCC Highway Authority:** The County Highway Authority and the applicant carried out in depth pre-application discussions. Following the carrying out of a speed survey, the Highway Authority agree that visibility splays of 43m southbound and 78m northbound are appropriate, both of which should be taken from 2.4m in from the highway's edge at the centre point of the site access. It was initially advised that no details of these splays were provided, however additional information has been provided in the course of the application.

In the event of permission being granted, conditions relating to the provision of the access, drainage provision and parking and turning are requested.

**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.

**SSDC Environmental Protection Officer:** No comments.

**SSDC Landscape Architect:** Whilst there are sporadic pockets of residential development outside the core of High Ham village, these fall short of the site before us, and as such I do not consider this site to lay within the village envelope, which lays primarily on the plateau head to the south. The landscape view is that this is a countryside location, where residential development is not favoured. By laying outside the village core, on land falling away from the village; being sited within a paddock which clearly has agricultural origins; and in eroding the small field buffer that lays between the village edge and its outlying farmsteads, I view the proposal to be at variance with local character, and thus failing to preserve and enhance it as is required by LP policy EQ2.

## REPRESENTATIONS

Two letters of objection has been received from nearby properties within High Ham. The main points raised are as follows:

- Approval of this proposal would set a precedent which could lead to much more farm land being turned into residential land, with new houses built in a village with little infrastructure. High Ham is not designated for development and there are more suitable areas for development.
- The provision of an eco-friendly dwelling is not relevant as the land was never intended for residential use. Approving this proposal will lead to the loss of agricultural land forever.
- The applicant approached local residents with his plans, which was to be a single storey building. The proposed dwelling appears to be a larger size and height than expected. It will be completely out of keeping with the rest of the properties in the village and visually undesirable.
- The need to widen the access will further expose the property to public view.
- The size of the house is not that of a typical family home and it is not believed to have any positive impact on the village, in terms of enhancing local facilities or bringing younger families into the village.
- The site is outside of the 30mph zone and increased access will create a much higher risk of traffic accidents.
- There is no pavement outside the site, with pedestrians having to cross the main road to reach the nearest footpath. This is not safe for this location.
- The removal of hedging to create the access will ruin the landscape.
- The proposal doesn't refer to early objections raised in pre-application consultation and gives the impression that the impacted neighbours were happy and that parish support was given. It is understood that this was not the case because issues of infill and highway safety were debated and remain the reasons why planning permission should not be granted.

Three letters of support have been received from residents of Thorney, Huish Episcopi and Henley, making the following main points:

- Support the provision of an ecological dwelling. The applicant has always been passionate about nature, conservation and the environment. It is important to support people and their families wanting to create their own homes that are environmentally sustainable, as this helps create affordable housing, reduces the negative impacts of climate change and

- empowers families to create healthy, sustainable homes and communities.
- The applicants would be an asset to any community having used their experience and skills to commit to and support community organisations.
- Precedents have been set in the parish for supporting individuals wanting to live in a 'non-traditional' way on agricultural land.

A further letter has been received from a nearby resident, making general observations. These are as follows:

- It is noted that over half of the land in the applicant's ownership is not within the application site, making it possible to apply for more houses in the future.
- The land is agricultural and lies outside the natural development area of the village.
- Permission would potentially open the door for future development of land to the north.
- The applicant has stated that it is his wish to live in the house with his family. If the application is approved, the applicant should reside there long enough to prove that this application is not made to just make a substantial return on the modest price of the land.

## **CONSIDERATIONS**

### **Principle of Development**

The application site lies beyond the edge of the northern developed limits of High Ham, 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 High Ham, 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 are some key services within the village of High Ham, 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 two/three bedroom eco-dwelling, designed to 'Passive House' standards, which the applicant wishes to develop and move into. It is noted that the application has the support of the Parish Council, following pre-application consultation, however the Parish Council identify the application as meeting an identified housing need, while also raising concern about future infill between the application site and another property along Ham Hill. There are also some letters of support, as well as objections received from local residents. While noting the objections, the general Parish support is acknowledged. Nonetheless, 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 High Ham, protruding into an existing agricultural land within open countryside at the village edge. While the site is close to existing dwellings at the junction of Hillside Road and Ham Hill, the site is on the opposite side of Ham Hill and would further extend development to the north east of the current developed limits of the village in a manner that is not considered to relate to the local pattern of development. It is further noted that the site drops steeply to the east further exacerbating the impact of the proposed development of this agricultural land beyond the existing confines of the village.

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 intrusion into open countryside beyond village edge location, coupled with the changing topography, means that the proposal is considered to be at variance with local character and therefore fails to preserve or enhance that character and appearance of the locality as required under Local Plan policy EQ2.

### **Residential Amenity**

The proposal is located at some distance from the nearest dwellings, and will therefore avoid any unacceptable impact on the residential amenity of local residents.

## **Highway Safety**

In considering the highway safety issues, the County Council Highway Authority have raised no objections in principle. The site is outside of the 30mph zone so national speed limits apply at this point, however speed surveys have been carried out indicating that visibility splays of 43m to the south and 78m to the north are adequate. This is accepted by the County Highway Authority, however they initially indicated that there was insufficient information to show how this was to be achieved. Further information has been submitted by the applicant to demonstrate that there is sufficient space within land in their ownership and Highway Authority land to ensure appropriate visibility. The site is also of sufficient size to ensure that other requirements such as the provision of parking and turning space and surface water disposal arrangements can be properly provided. Overall, it is considered that the proposal is acceptable from a highway safety point of view.

## **Conclusion**

Despite there being 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 and identified housing need, particularly for affordable housing.

## **RECOMMENDATION**

Refuse permission

## **FOR THE FOLLOWING REASON:**

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 form, scale and siting, 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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