

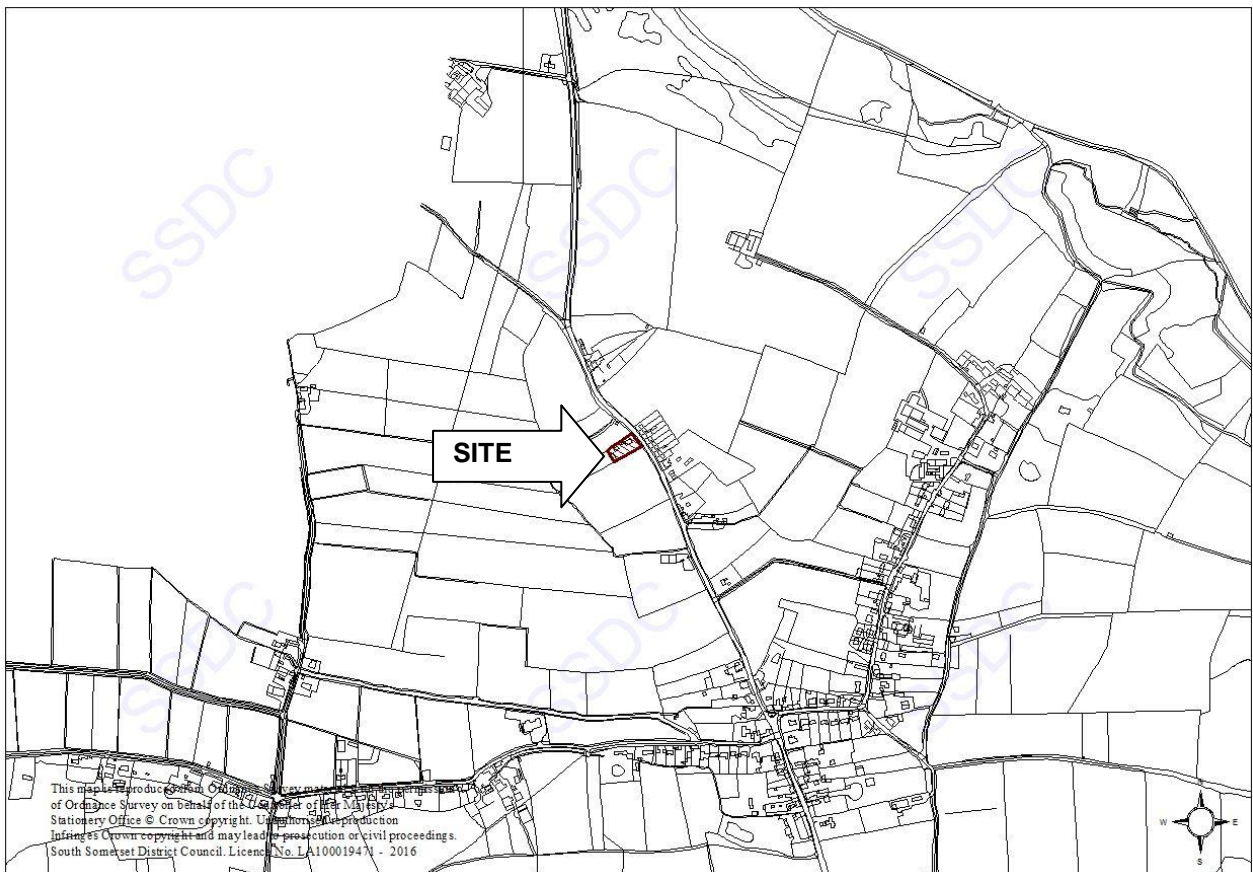
Officer Report On Planning Application: 16/00678/OUT

Proposal :	Proposed single dwelling, amended access and extended curtilage to include cottage orchard.
Site Address:	Clarendon House, Street Road, Compton Dundon.
Parish:	Compton Dundon
WESSEX Ward (SSDC Members)	Cllr Stephen Page Cllr Dean Ruddle
Recommending Case Officer:	Alex Skidmore Tel: 01935 462430 Email: alex.skidmore@southsomerset.gov.uk
Target date :	26th April 2016
Applicant :	Ms Vicki Olivier
Agent: (no agent if blank)	Ms Vicki Olivier, Clarendon House, Compton Dundon, Somerton TA11 6PY
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

The application has been referred to committee at the request of Ward Member Cllr Ruddle and with the agreement of the Area Chair to allow the landscape / visual amenity concerns to be discussed further.

SITE DESCRIPTION AND PROPOSAL





This application is seeking outline planning permission and to agree the detailed matter of access (with matters of appearance, landscaping, layout and scale reserved matters). The application originally sought to agree matters of layout and landscaping however the applicant has subsequently asked that these be made reserved matters.

The application site forms part of the rear garden belonging to Clarendon House, a modest detached bungalow, located opposite an existing row of houses and connected to the main built up hub of Compton Dundon by a continuous footpath. The existing access is to the side of the house leads on to the B3151 and is substandard in visibility. The site is flat and level with the existing dwelling and is enclosed by native hedgerows along the side boundaries and open to the field beyond. There is a residential property (Hedgerows) in the adjacent field to the northwest of the site.

RELEVANT HISTORY:

13/02964/FUL: Replacement dwelling and garage. Alterations to exiting highway entrance including a dropped kerb. Extended curtilage to include cottage orchard. Permitted.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF states that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.

For the purposes of determining current applications the local planning authority considers

that the adopted development plan comprises the policies of the South Somerset Local Plan 2006 2028 (adopted March 2015).

Policies of the South Somerset Local Plan (2006-2028)

SD1 - Sustainable Development

SS2 - Development in Rural Settlements

TA5 - Transport Impact of New Development

TA6 - Parking Standards

HG4 - Affordable Housing

EQ2 - General Development

EQ4 - Biodiversity

National Planning Policy Framework

Part 4 - Promoting sustainable transport

Part 6 - Delivering a wide choice of high quality homes

Part 7 - Requiring good design

Part 10 - Meeting the challenge of climate change, flooding and coastal change

Part 11 - Conserving and enhancing the natural environment

CONSULTATIONS

Compton Dundon Parish Council: Recommend approval

County Highways: Standing advice applies

Landscape Officer: No objection. I recollect this site from an earlier application, which approved the proposition of a new and larger dwelling than the current bungalow within the plot. My response to that proposal raised no landscape objection. This proposal is a further step in establishing a greater footprint of domestic form within the plot, though at this time, a potential scale of development is not indicated.

I note that two existing buildings will be demolished to enable construction of a further dwelling and garaging, hence the overall increase in footprint is not overt, and scale can be controlled at a later time, should this application be successful. Whilst there is an increase in curtilage, the westward extent appears to go no further than the current limit, hence with likely landscape impact considered to be limited, I have no substantive landscape issues to raise.

REPRESENTATIONS

Written representations have been received from one adjacent neighbour (Hedgerows) raising the following comments / concerns:

- Large vehicles accessing the site during the construction phase and how this will impact on their own entrance. Also additional vehicles using the substandard access as a result of an additional dwelling.
- Concerned about their right to light as a result of the new planting.
- The application does not respond to a need for housing but to the applicant's wish to profit from the development.
- If approved what assurance do we have that permission will not be sought for yet more houses at a later time.

- Across the road a development of 10 houses is not entering its final stage, I do not see that there is a demonstrable need for more housing. The village has few services and the bus service is sparse. Houses are slow to sell / rent in the village. Jobs in the village are few.
- Worried that this end of the village will become a ghost town with an oversupply of houses in a relatively economically depressed rural location with poor amenities.

A further letter, this time in support of the application, has also been received making the following comments:

- The proposal will serve to raise the tenure of the local environs.
- The applicant has constantly shown her willingness to make these improvements and invest not an inconsiderable sum in her property.
- We will overlook this development, it can only be an improvement to our current view.

CONSIDERATIONS

Compton Dundon is a relatively small village that is served by a village hall, post office, church, recreation ground and pub and there is a bus service that stops in the middle of the village by the village cross. On the basis of this range of facilities / services it is accepted that Compton Dundon should be accepted as a Rural Settlement / policy SS2 settlement.

Whilst policy SS2 sets out a need for new residential development to meet a demonstrable local need, at present SSDC is unable to demonstrate a five-year housing land supply. In such circumstances paragraph 49 of the NPPF states that relevant development plan policies for the supply of housing should not be considered up-to-date. Subsequent case law, High Court decision (Woodcock Holdings Ltd), concludes that appropriate weight can be attached to 'out-of-date' housing supply policies when considered in the 'planning balance' of whether the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits.

In this instance Compton Dundon is considered to be an acceptable location for a modest level of growth and this proposed 'in-fill' plot is considered to respect the scale and character of the settlement. The application site is located at the northern edge of Compton Dundon opposite a row of existing houses and next to another residential side located to the northwest. There is a footpath across the site frontage and a footpath on the opposite side of the road that connects this part of the village the short distance to the village centre. It is noted that the proposal has the support of the Parish Council.

For these reasons, the development is considered to constitute a sustainable form of development and to therefore be acceptable in principle.

Pattern of development and visual impact

Under the initial submission the applicant sought to agree layout and landscaping as detailed matters and indicated that they would like a two-storey house. They have since omitted matters of layout and landscaping from this application and confirmed that they would be willing to consider a single or one and a half storey house.

Clarendon House is a modest single storey property that is in a standalone position with fields to either side and a row of properties opposite and is physically separated from the main built up part of Compton Dundon by several fields. Due to this position the context in which the property sits is open countryside and it is considered that the consolidation of built

form in this position is inappropriate and will have an intrusive presence, especially due to its backland position projecting to the rear of the existing bungalow. Furthermore, this backland arrangement is contrary to the primarily linear pattern of development that prevails on the opposite side of the road. The development therefore fails to respect the character of the area and is contrary to local plan policy EQ2.

Residential amenity

Due to the position of the site to the rear of the existing bungalow and some distance from the neighbour to the northwest the proposed development is not considered to cause any undue loss of privacy, light or other amenity concern to neighbouring properties.

The adjoining neighbour has raised a concern about possible loss of light to their property as a result of planting indicated on the submitted plans. Given the distance from the site to this neighbour there is no reason why any significant loss of light issues should arise as a result of the proposed new dwelling and landscaping in any case is now a matter for later consideration.

Highway safety

The application has been amended since it was originally submitted to modify the access arrangements so that the existing dwelling and the proposed dwelling are each served by their own access, with the new dwelling being served by the existing access. Whilst the visibility splays for the proposed new access complies with the highway authority's standing advice (43m in either direction), the existing access is substandard in the southerly direction and cannot be improved as it passes overly third party land. However, on the basis that this access will still only serve one dwelling it is accepted that the level of traffic will remain substantially unchanged to the existing situation and it would be unreasonable to object to the development on this basis.

It is accepted that the indicative layout plan has demonstrated that it will be possible to accommodate an appropriate level on on-site parking and turning (in line with the highway authority's parking strategy) for each dwelling.

The adjoining neighbour has expressed highway safety concerns in respect of the associated construction traffic. It is accepted that the existing access arrangements are constrained where HGVs are concerned however given the modest scale of the development the construction phase will only be for a very short period of time. Should HGV's have to stop briefly in the highway to make deliveries there is no evidence to demonstrate that this will pose a significant highway safety risk. In respect of other smaller construction traffic, the applicant owns the paddock to the rear and there is no reason why this could not be used as a temporary compound for construction parking and storage purposes.

Contributions

Local Plan Policy HG4 sets out a requirements for small scale schemes such this to make a financial contribution towards the provision of affordable housing across the district. In May the Court of Appeal made a decision (SoS CLG vs West Berks/Reading) and determined that Local Authorities should not be seeking contributions from schemes of 10 units or less and less than 1000 square metres in floor area. The proposed development is for a single dwelling and the indicative footprint for the dwelling would result in a floor area of just 200 square metres (for a two storey dwelling) and so falls below the threshold whereby policy HG4 can be applied.

Planning balance

Due to the backland nature of the site and the standalone position of the existing dwelling the development will intrude into open countryside in a manner that is inappropriate and visually

intrusive and at odds with the primarily linear pattern of development that prevails on the opposite side of the road. For these reasons the development fails to respect the rural character of the locality and to be contrary to policy EQ2 of the South Somerset Local Plan.

The modest scale of the development means that although the development will make a positive contribution towards meeting the district's five-year land supply such a contribution will be very small and there is no evidence to demonstrate that it will be meeting a local need. On the other hand, the visual harm identified above is considered to be substantive and to therefore outweigh the limited benefit identified. For this reason the application is considered to be unacceptable and is recommended for refusal.

RECOMMENDATION

Refuse consent for the following reasons:

The proposed development, by reason of its backland position and standalone nature, will have an intrusive presence in what is an open countryside location and be contrary to the established linear pattern of development that prevails in the area and as such to be contrary to the aims and objectives of policies SD1 and EQ2 of the South Somerset Local Plan and the provisions of the National Planning Policy Framework.
