

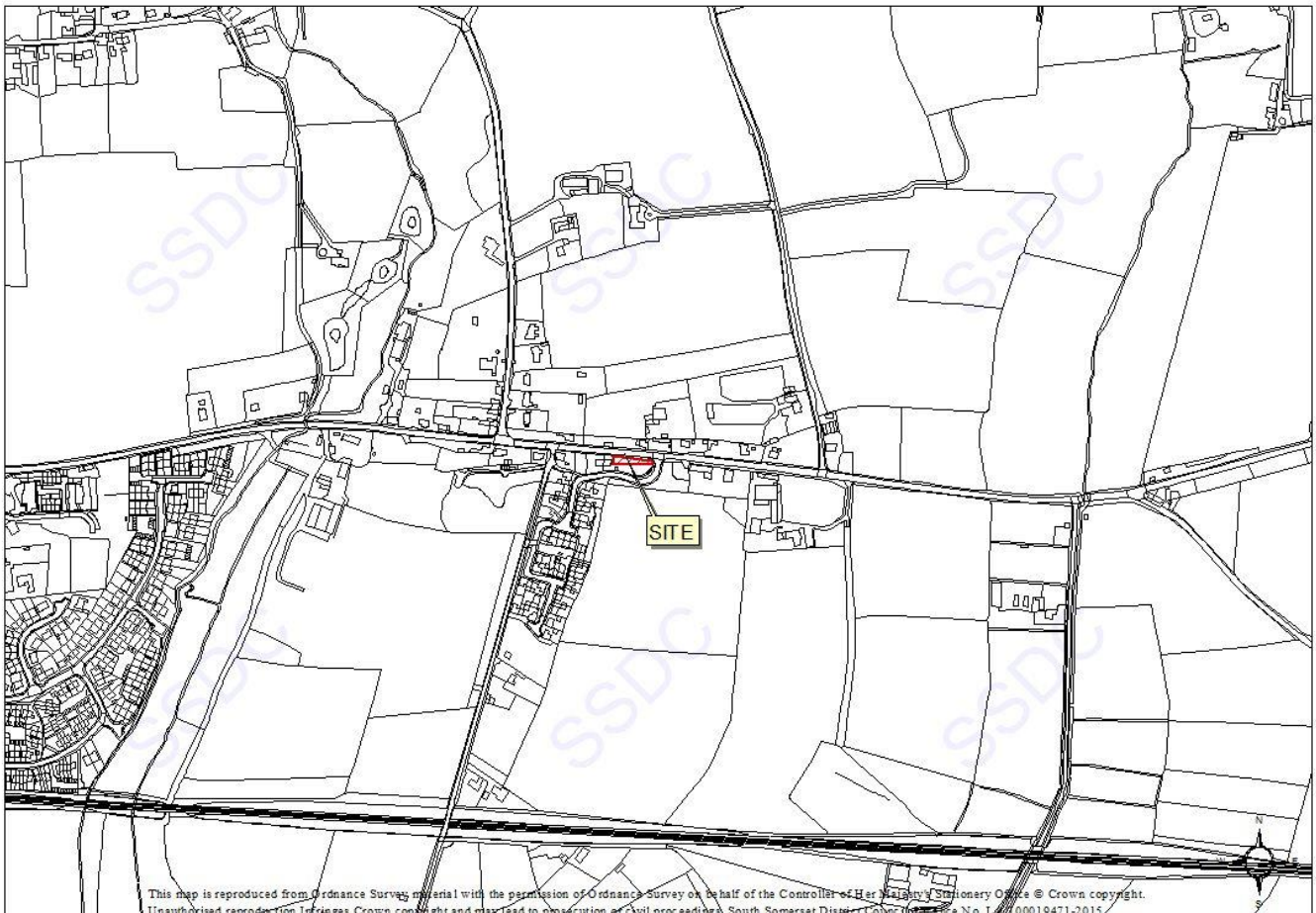
## Officer Report On Planning Application: 17/00021/FUL

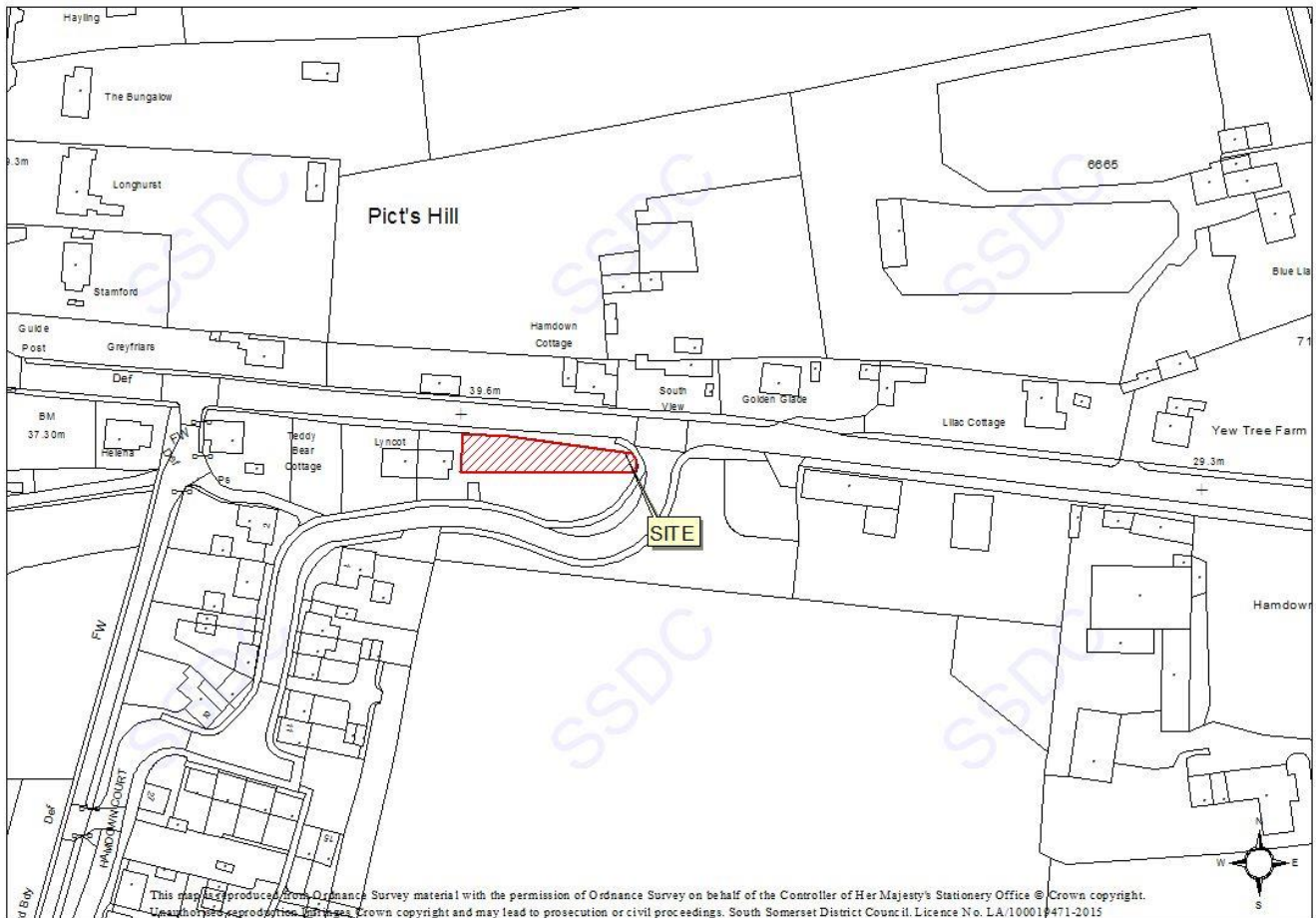
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|---------------------------------------|--|
| <b>Proposal:</b>                      | Erection of one 4 bedroom dwelling with associated carport and parking area. |
| <b>Site Address:</b>                  | The Cottage, Picts Hill, Langport.   |
| <b>Parish:</b>                        | High Ham   |
| <b>TURN HILL Ward (SSDC Member)</b>   | Cllr G Tucker  |
| <b>Recommending Case Officer:</b>     | Nicholas Head<br>Tel: (01935) 462167 Email: nick.head@southsomerset.gov.uk   |
| <b>Target date:</b>                   | 1st March 2017   |
| <b>Applicant:</b>                     | Mr Brian Martin  |
| <b>Agent:<br/>(no agent if blank)</b> |  |
| <b>Application Type:</b>              | Minor Dwellings 1-9 site less than 1ha                                       |

### REASON FOR REFERRAL TO COMMITTEE

The application is being presented to the committee at the request of the ward member and with the support of the Chair to enable the physical impact of the dwelling to be properly assessed.

### SITE DESCRIPTION AND PROPOSAL





The site is located on the south side of the B3153 (Picts Hill) between the junctions with Union Drove and Hamdown Court. It is a narrow strip of land between Hamdown Court and an existing pair of semi-detached cottages fronting onto Picts Hill, currently part of the garden area of the easternmost of these two dwellings. An existing access onto Picts Hill serves the existing dwellinghouse.

Application is made for the erection of a new dwellinghouse together with the relocation of the access a short distance towards the east of the existing access, and the erection of a garage.

## HISTORY

No relevant recent history.

## 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 (March 2012)**

**National Planning Practice Guidance** - Department of Communities and Local Government, 2014.

## **Policy-related Material Considerations**

Somerset County Council Parking Strategy, March 2012 and September 2013.  
Somerset County Council Highways Standing Advice, June 2013.

## **CONSULTATIONS**

**Parish Council:** The application is supported.

**Highways Authority:** Standing Advice Applies.

**SSDC Highway Consultant:** *There would be no objection to an access off the B3153 on the basis that one exists at present (to be closed). The details of the access and on-site arrangements should be secured by condition, including, the proposed extent of the visibility splays (no obstruction greater than 900mm), The first 6m of access as measured from the carriageway edge must be properly consolidated and surfaced (not loose stone/gravel). Suitable drainage measures should be implemented to ensure surface water does not discharge onto the highway. On-site parking should accord with the Somerset Parking Strategy optimum standards. The existing access would need to be stopped up and permanently closed. A S184 road opening license will be required from SCC.*

**SSDC Landscape Officer:** *Whilst this is not an urban location, noting the proposed site to lay within a domestic garden; between two existing houses; and adjacent an access that is clearly engineered to modern carriageway standards, I do not see this site as sufficiently sensitive to preclude development of a single residence.*

**Wessex Water:** General advice on connections for a new dwelling.

## **REPRESENTATIONS**

None received.

## **CONSIDERATIONS**

### Principle of Development

The proposal is located in the 'countryside', where local and national planning policies restrict new housing development. Local Plan policy SS2 of the Local Plan only permits housing development in Rural Settlements that have access to at least two of the key services listed in paragraph 5.41 of the

Local Plan. Picts Hill does not benefit from such access, although it is recognised that the proposal is around half a mile from the edge of Langport/Huish Episcopi, identified as a Local Market Town with a range of services and facilities to meet local needs.

The Council cannot currently demonstrate an adequate housing land supply. The NPPF (para 49) states that policies relevant to the supply of housing should not be considered up-to-date where a five-year housing land supply cannot be demonstrated, and therefore permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF.

#### Location: Sustainability

The site is within a reasonable distance of major facilities in the local market town identified in the Local Plan (Langport/Huish Episcopi). A good bus service operates on the route. A pedestrian footway (pavement) exists from Hamdown Court to the west of this site, and it is therefore possible to walk on a good pedestrian route to the town in safety from that point. In an application approved in 2013 (12/04705/FUL) two dwellings were approved by Committee on Picts Hill Road, near to this site to the north-west, and within a similar distance of the market town, for the following reason:

*This site, by virtue of its distance from shops and services, the availability of a regular bus service and the provision of footpath links, is a sustainable location for development and the site is reasonably capable of accommodating the proposed development without harm to residential or visual amenity or highways safety. As such the proposal complies with policies ST5, ST6 and EC3 of the South Somerset Local Plan and the provisions of the National planning Policy Framework.*

The location of this site is therefore considered to meet the sustainability criteria in terms of access to services and facilities, even if the access to the pavement route to Langport would be via Hamdown Court. The development would not necessarily result in unwarranted additional vehicle trips.

#### Design: Contrived Layout

The applicant has advised that there is a legal reason why the site cannot be treated as a single entity. This has resulted in a contrived layout, forcing the proposed dwellinghouse into a linear site with inadequate amenity space, and where the house has to be unacceptably close to the highway edge and forward of the established building line. One of the 12 Core Principles of the NPPF is that planning should

*Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.*

The greater site is all within the ownership of the applicant (see submitted block plan, areas edged red and blue). A legal restriction (covenant) on the major portion of the land is not a material planning consideration. It has resulted in a poorly contrived layout that does not respond adequately to the potential of the site, or the character of the setting. It has also directly resulted in a layout that provides poor outdoor amenity space, when considered against the potential that this pocket of land offers. It is not considered that the layout represents 'high quality design', and it thereby falls short of one of the core principles of the NPPF and the aims of Policy EQ2 of the Local Plan.

#### Visual and Landscape Impact

The site forms part of the entrance to a new group of houses to the west (Handown Court). It is located close to the high point of Picts Hill, which would make any new development fairly prominent on the approach from the east. Whilst some form of development could be appropriate, the proposal makes use of a very contrived division of the available space, pushing the two-storey dwelling to the northern edge of this exposed site. This gives visual prominence to the proposed dwelling in a setting

where there is a general set-back from the highway edge. Although the applicant has amended the initial submission, moving the house a small amount back from the highway and slightly reducing the scale, it is considered that the visual impact would remain incongruous and intrusive. This is considered to be harmful to the established character of the setting, imposing an undue prominence on this new addition to an otherwise relatively open grouping of houses pulled back from the highway edge.

The applicant has pointed out that there are exceptions to this characterisation, and this is accepted. However, the prominent position on the brow of the hill, and its clear visibility on the approach along the B3153, would exacerbate the exceptional nature of a dwelling this close to the highway. Such prominence would exaggerate the impact of the exception, and be harmful to the general case - and to the established character.

### Impact on Residential Amenity

Because of the contrived form of layout mentioned above, poor use has been made of the available land. The amenity space provided for the dwelling is all on the eastern side, immediately adjacent to the very busy B3153. There is no useable space to front and rear of the dwellinghouse, and the potential shielding of traffic noise by the dwellinghouse is thereby ignored. As mentioned, this is not considered to represent good design. The standard of residential amenity for future occupants is considered to be unacceptably compromised because of it.

There are no nearby dwellings that would be affected by overlooking, overbearing or other harmful impact.

### Highway Safety: Access and Parking

The proposal would stop up the existing access used by The Cottage, and replace it with a similar new access slightly further to the east. Visibility would be no worse than is currently available (it might be improved slightly towards the west). It is not considered that there is any highway safety reason for refusal of the application under these circumstances.

However, given the contrived layout, the opportunity to close off access to the B road and take all access from Hamdown Court is missed. It is also noted that there is no adequate made-up pavement directly connecting the access to the footway to the west - this would have to be gained via a circuitous route, first travelling east into Hamdown Court. Although this is not a highway safety reason for refusal, it underlines the need to consider the site as a whole, and the benefits to be obtained by good design.

Adequate parking can be provided for the new dwellinghouse. The parking for the existing Cottage can be moved to the south side (as demonstrated in parallel application 16/05548/FUL).

### Conclusion

Whilst the site represents an appropriate location for the development of a dwellinghouse, being within reasonable distance of services and facilities and close to public transport, the proposal is considered to fail to create a development that represents high quality design. By reason of its siting, the proposed dwellinghouse would result in an intrusive and dominant presence close to the highway edge at the high point of Picts Hill (B3053). It would fail to retain and enhance the established character of the setting, and thereby harm the local distinctiveness of this important rural approach route into Langport. The potential of the site is not optimised because of the contrived layout, and this results in a less-than-optimal standard of amenity for future occupants, and a missed opportunity to improve highway safety. In these respects, the proposal is contrary to the core principles set out in the NPPF, and the aims of the Local Plan. It is accordingly recommended for refusal.

## **RECOMMENDATION**

Refuse.

01. By reason of its siting, the proposed dwellinghouse would result in an intrusive and dominant presence close the highway edge at the high point of Picts Hill (B3053). It would fail to retain and enhance the established character of the setting, and thereby harm the local distinctiveness of this important rural approach route into Langport. The potential of the site is not optimised because of the contrived layout, and this results in a less-than-optimal standard of amenity for future occupants, and a missed opportunity to improve highway safety. In these respects, the proposal fails to secure high quality design, and is contrary to the core principles and aims of the NPPF, and Policy EQ2 of the South Somerset Local Plan.

### **Informatives:**

01. In accordance with paragraphs 186 and 187 of the NPPF the council, as local planning authority (LPA), takes a positive and proactive approach to development proposals focused on solutions. The council works with applicants/agents in a positive and proactive manner by:
- offering a pre-application advice service, and
  - as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions

In this case, the applicant/agent did not take the opportunity to enter into pre-application discussions. However, during the course of the application, the concerns of the LPA in respect of layout were raised, and amended plans were accepted. The amended plans did not address the primary concern, and in the absence of a more comprehensive design for the available land, and the siting of the building, there were no material planning considerations to outweigh these problems.

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