

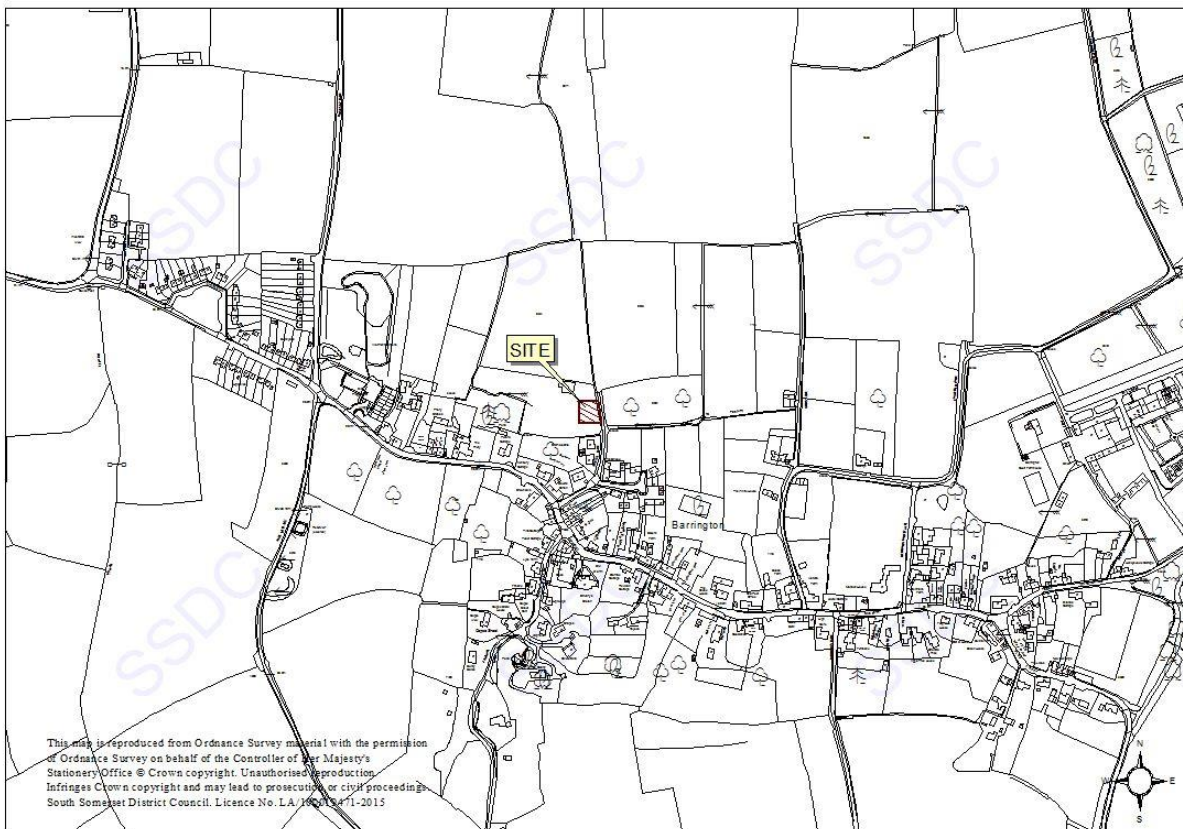
Officer Report On Planning Application: 17/02973/OUT

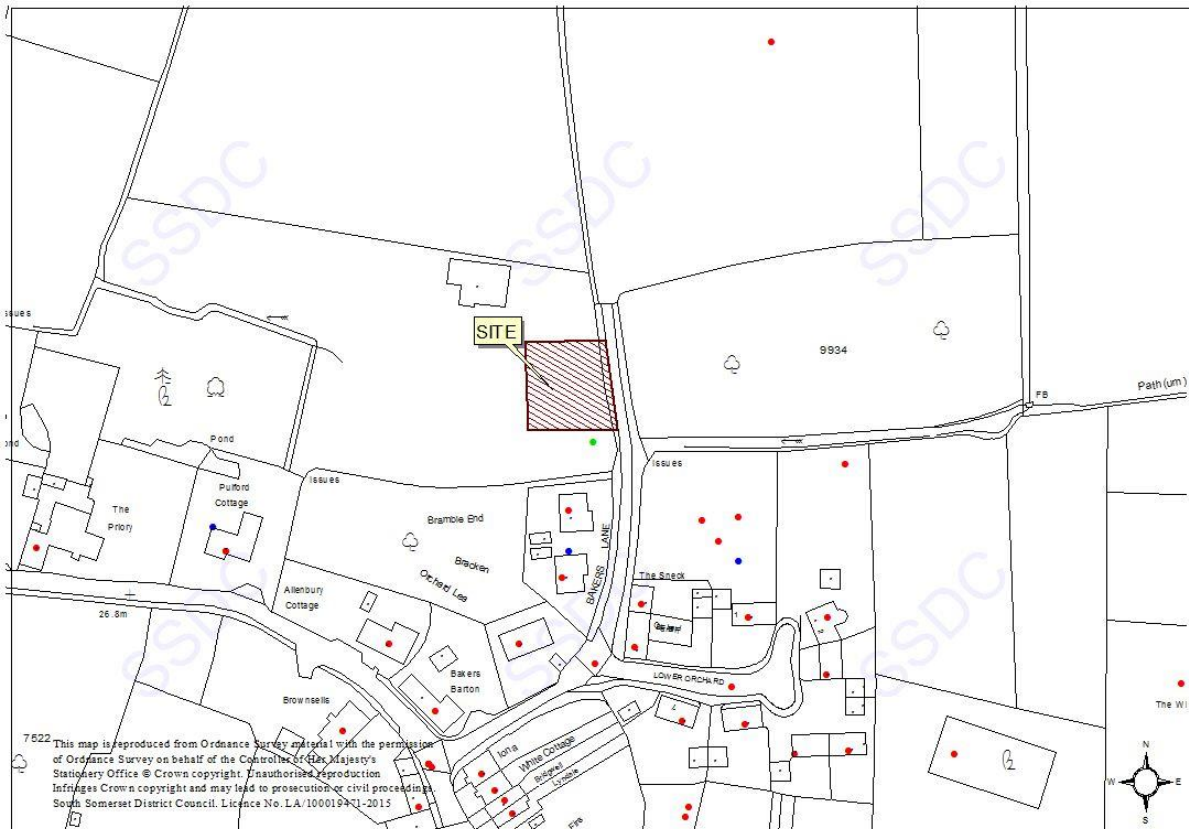
Proposal :	Outline application for erection of two dwellings
Site Address:	Land Adjoining Bramble End Bakers Lane Barrington
Parish:	Barrington
BURROW HILL Ward (SSDC Member)	Cllr Derek Yeomans
Recommending Case Officer:	Nicholas Head Tel: (01935) 462167 Email: nick.head@southsomerset.gov.uk
Target date :	31st August 2017
Applicant :	Dr And Mr Rowswell
Agent: (no agent if blank)	Paul Dance Paul Dance Ltd Foxgloves 11 North Street Stoke Sub Hamdon Somerset TA14 6QR
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

The report is referred to Committee at the request of the Ward Member to enable a full discussion of the issues raised by local residents and the Parish Council.

SITE DESCRIPTION AND PROPOSAL





The site is located to the north of the village, towards its western end, on the west side of the cul-de-sac Baker's Lane. The site surrounded on all sides by agricultural land, separated on the southern side from the nearest dwellinghouse by a strip of open land. To the north-west of the site (within the ownership of the applicant) is a large steel-framed agricultural building. Immediately west of the site is a group of polytunnels. The lane at this point, although an adopted highway, has no metalled surface and is in poor condition.

Outline permission is sought for the erection of two detached dwellinghouses, with all detailed matters reserved for later determination.

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
SS4	District Wide Housing Provision
SS5	Delivering New Housing Growth
TA5	Transport Impact of New Development
TA6	Parking Standards
EQ2	General Development
EQ3	Historic Environment
EQ4	Biodiversity

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: *Councillors voted to support the outline application but would like to draw your attention to the following concerns that were raised at the meeting. The applicant expressed his desire to work with the community and yourselves to address these matters:*

- *To consider a tie between the houses and the surrounding land so that the surrounding fields are not developed for housing*
- *To address residents' concerns about traffic in Bakers Lane by considering a turning area for vehicles*
- *To address residents' concerns about drainage and water flow by incorporating drainage measures into future plans*

The Parish Council welcome a FULL planning application in order to be able to consider these important issues more fully.

Highways Authority: Standing advice applies.

SSDC Highway Consultant: *I note that this is an Outline application with all matters reserved. I would recommend conditions are imposed securing (a) a 2.4m back and parallel splay (no obstruction greater than 600mm) across the whole site frontage, including red and blue edged land, (b) the provision of adequate on-site parking in line with the SPS (numbers and dimensions) set back into the site so that there is sufficient width (6.0m) to turn within, (c) the proper consolidation and surfacing (not loose stone or gravel) of the car parking and apron areas, (d) the implementation of suitable surface water drainage measures.*

SSDC Landscape Officer: *I am familiar with the application site and its wider context, and believe the main landscape consideration to be the likely effect of development impact upon landscape character and local distinctiveness. LP policy EQ2 requires development proposals to preserve and enhance the character of the local environment.*

Barrington is primarily a linear settlement that lays on an east-west axis, with the historic pattern broadly

reflected by the large Conservation area, which strongly relates to the main village street. The extent of the Conservation Area in Barrington - covering the majority of the village core - along with the presence of Barrington Court (a grade 2 registered HP&G) at the east edge of the village, brings a strong conservation ethos to development considerations within and abutting the village. This site lays beyond and to the north of the main village street and its general linear form, yet is within the immediate setting of the village conservation area.*

Historically, there was no development presence fronting onto Bakers Lane, to thus project built form away from Main Street, other than small-scale agricultural barns, whilst the historic settlement pattern maintains a distance between Barrington's main thread of development - as represented by the conservation area - and the well-used hollow lane that runs between Bakers and Gibbs Lanes to the immediate north of this site, of which this site's southern boundary is a westward projection. Consequently I view this proposed northward extension of residential form toward open farmland beyond this boundary line as a physical encroachment into the farmed land north of the existing housing edge, to be in a manner that is at variance with the village's historic pattern. I also note that this northward projection will erode the undeveloped gap of small paddocks that currently buffer the village from the large fields of the wider agricultural landscape further to the north - part of the village's wider rural setting - to be contrary to village character, and a subtle erosion of its setting.

Consequently I do not support this application, for it would result in an adverse impact upon landscape and visual character, due to the spread of domestic form at the rural edge of the village, in a manner at variance with local settlement character, and the historic settlement pattern. This landscape objection is substantiated by the recently published PPG (Natural Environment) which has re-iterated the need to reference local character in planning for change due to development, without sacrifice of character and distinctiveness. A layout in the form proposed is clearly at variance with the historic settlement pattern, to fail to relate to local context, and erode local distinctiveness, and as such satisfies neither the guidance, nor our LP policies EQ2 and EQ3.

County Rights of Way: No objections.

REPRESENTATIONS

Seven letters of objection have been received, making the following main points:

- increased traffic raises highway safety and nuisance issues, with poor turning facilities
- using this agricultural land will set an unacceptable precedent - there is open land on both sides of the lane which could be used in this way
- the development is not 'infill' development but housing on agricultural land
- there would be an adverse impact on infrastructure
- there has been long-standing community objection to development on this lane: particularly focussed on land just to the east and south of this site, where numerous applications have been refused and appeals dismissed
- permission would lead to applications to develop the rest of the field
- views will be harmed
- the location is unsustainable, with poor access to services and facilities, and the proposal is contrary to the Local Plan
- there would be harm to the setting, including the setting of the conservation area
- the proposal will create additional noise

CONSIDERATIONS

Principle of Development: Policies SS1 and SS2 of the Local Plan

Barrington is identified as a Rural Settlement under Policy SS1 of the Local Plan. Rural Settlements are to be considered as part of the countryside to which national countryside protection policies apply. Within these Settlements, Policy SS2 aims to control and limit new development, an exception to which is development that meets an identified housing need, particularly for affordable housing. Where new housing is proposed, the policy requires the scheme to have the support of the local community. Furthermore, new housing development should have access to two or more key services. The services are identified in paragraph 5.39 of the Local Plan and include local shops, community halls, pubs, health and social care facilities, recreation, faith and education facilities.

The village has more than the two key services, including a church, a pub and a village hall.

Five-Year Housing Land Supply

The Council cannot currently demonstrate an adequate 5-year land supply. Under these circumstances, policies controlling the housing land supply (such as Policies SS1 and SS2) should be considered out of date. Paragraph 14 of the NPPF states that where relevant policies are out-of-date, permission for sustainable development should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. Limited weight will therefore be applied to the aim of limiting housing land within these policies.

Community Support - Policy SS2

Whilst aspects of Policy SS2 of the Local Plan might be considered 'out of date' owing to the absence of an adequate 5-year land supply, appeal Inspectors have given weight to the need for development to demonstrate 'support of the local community following robust engagement and consultation'. In this case, the Parish Council has offered conditional support, appearing to prefer the submission of a full planning application which can deal with the disposition of the entire field and provide some guarantees of a limit on development. Their comments, and the very detailed and strong objections submitted by 7 near neighbours of the site, do not demonstrate strong local support, based on robust engagement and consultation. In this respect, the proposal is considered to fail to meet the requirements of Policy SS2 of the Local Plan.

Visual and Landscape Impact

Barrington is a linear settlement, with the historic pattern largely contained within the large Conservation area, which relates to the prime village street, appropriately called Main Street. The extent of the Conservation Area in Barrington, covering most of the core of the village, also brings a strong conservation ethos to development considerations in the village, and at the periphery. Historically, there was no development presence fronting onto Bakers Lane, other than small scale agricultural barns, though three bungalows and the Lower Orchard development now have access onto the Lane. However, the historical pattern has always maintained a distance between development to the rear of Main Street, and the green lane that runs between Bakers and Gibbs Lane. This proposed northward projection of the village well beyond the extent of the green lane is therefore considered to be a physical encroachment into the open land north of the existing housing edge (for this is a rural setting) in a manner that is completely at variance with the village's historical pattern.

Appeal Precedent: In considering two parallel applications in 2009 (08/02367/FUL and 08/02368/FUL), for applications which would have resulted in two detached houses on a site immediately south of the footpath between Bakers Lane and Gibbs Lane (i.e. immediately south-east of this site), the Appeal Inspector noted, in identical comments on both decisions, that:

Barrington is a linear settlement with a relatively small number of dwellings built behind those on the main street frontage. A feature of the pattern and character of the village are the numerous gardens and small paddocks that sit between the main developed area and the agricultural landscape beyond as a

transition between the settlement and the countryside. The land to the north of Lower Orchard has fulfilled this role in its previous existence as part of a farmyard and continues to do so as an open area of garden beyond the existing dwellings...

He then determined that he considered:

...that a dwelling built on the appeal site[s] would be prominent in the landscape, particularly during the winter, when viewed from Bakers Lane, Gibbs Lane and the public footpath adjoining the northern boundary of the site. It would have the effect of extending the confines of the settlement into the countryside. I consider this would be harmful to the appearance of the locality and the setting, form and character of the settlement...

The application site is further removed from the village, to the north-west of this appeal site, and these concerns apply equally. The proposal is considered to be harmful to the established character and appearance of this sensitive setting at the edge of the village, and contrary to the aims of the NPPF and Policy EQ2 of the Local Plan.

Sustainable Development

Given the housing land supply shortfall, the proposal is required to be assessed in terms of its sustainability. Paragraph 7 of the NPPF advises that there are three dimensions to sustainable development: economic, social and environmental. To promote sustainable development in rural areas, paragraph 55 of the Framework advises that housing should be located where it will enhance or maintain the vitality of rural communities.

The economic role of sustainability includes contributing to the creation of a strong, responsive and competitive economy. There would be some economic benefits during the construction phase of the development, but these would be limited.

The Social Role of sustainability is supported in this instance by the provision of two new dwellings, which would contribute positively towards alleviating the Council's current shortfall of supply.

The environmental role of sustainability includes making a contribution towards the protection of the natural and built environment. Policy EQ2 of the Local Plan requires development to achieve a high quality of design which promotes local distinctiveness and preserves or enhances the character and appearance of the District. The proposal is considered harmful to the character of the setting of village (including the setting of its extensive conservation area), and in this respect, the proposal is not considered to represent sustainable development.

Residential Amenity

There are no nearby neighbours whose residential amenity would be harmed by two additional dwellings, and the site affords adequate opportunity to devise a layout that would ensure a good standard of amenity for future occupants.

Highway Safety

The lane is a cul-de-sac, and there would be little or no passing traffic. Although the indicative layout shows a parking layout that is not ideal, it is considered that there is adequate space to enable access and parking that protects highway safety.

Parish Comments

It is noted that the Parish has reservations about the proposal, notwithstanding the advice that the application is supported. The suggestion that all the owner's land be 'tied' to the development is not considered appropriate or necessary: any future proposals would require planning permission, and it is not practicably possible to prevent future owners of the land making any such applications.

The parking and turning arrangements are considered generally acceptable, although they would form

the subject of further consideration under reserved matters, which would be given further consideration at that stage.

Drainage is generally a building control matter, which can be dealt with in further detail at reserved matters stage. The site is not within a high-risk flood zone (i.e. it is in Flood Zone 1) and no special controls are considered necessary at this stage.

Comments of Local Residents

These have all been carefully considered and largely dealt with above. The following further comment is made:

- although precedent is not generally a planning consideration, it is agreed that extending development this far beyond the current extent of the village would be harmful, and would change the way other land along this lane would be viewed in future; it is agreed that two dwellings in this position could well lead to rationalisation of the lane and further development, which has long been strongly opposed to the north of the village
- two dwellings would not have a significant impact on infrastructure that would warrant a refusal
- the loss of a view is not a material planning consideration
- noise associated with dwellinghouses is not considered to represent a reason for refusal of the proposal

Conclusion

The proposal does not enjoy full local support, and is considered to fall short of the requirement under Policy SS2 of the Local Plan to demonstrate 'support of the local community following robust engagement and consultation'. Assessed under the wider sustainability aspects set out in the NPPF, there is some benefit as identified in details above, in the provision of two new dwellings. However, the identified harm to the character and appearance of the setting, which includes the setting of a long-established historical pattern of development protected by the Conservation Area, is not considered to be outweighed by the benefit. The proposal is considered to represent unsustainable development for these reasons, and is accordingly recommended for refusal.

RECOMMENDATION

Refuse.

FOR THE FOLLOWING REASON

01. The proposal would result in the extension of development along this narrow country lane that would encroach into this sensitive area of countryside on the edge of the village. It would result in an adverse impact upon landscape and visual character, as a result of the spread of domestic form at the rural edge of the village, in a manner at variance with local settlement character, and the historic settlement pattern. The proposal is thereby considered to fail to reinforce local distinctiveness and respect local context. The identified harm is not considered to be outweighed by the contribution of two additional houses to the overall supply of housing land. In these respects the proposal is considered to represent unsustainable development and is contrary to the aims of the NPPF and Policies SD1, EQ2 and 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, 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, and there were no minor or obvious solutions to overcome the significant concerns caused by the proposals
