



Appeal Decision

Site visit made on 25 September 2019

by R E Jones BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26th November 2019.

Appeal Ref: APP/R3325/W/19/3232601

26 Throop Road, Templecombe BA8 0HR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Tom Allcott against the decision of South Somerset District Council.
 - The application Ref 19/00025/OUT, dated 5 January 2019, was refused by notice dated 29 March 2019.
 - The development proposed is for a two-storey detached dwelling house.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The appellant drew my attention to the document 'Local Plan Review 2016 – 2036 Preferred Options for Consultation'. This is a consultation document, as such it currently attracts minimal weight in my consideration of the merits of this appeal.

Main Issues

3. The main issues of the appeal are;
 - Whether or not the appeal site is a suitable location for a new dwelling having regard to local and national policy for the delivery of housing; and
 - the effect of the proposal on the character and appearance of the area.

Reasons

Location of Proposed Development

4. The appeal site is located approximately 1km to the south west of the settlement of Templecombe. The Council Settlement Strategy¹ provides a list of settlements where future growth will be targeted, while all other settlements, such as Templecombe, would be considered to be within the open countryside and identified in generic terms as Rural Settlements.
5. Policy SS2 of the South Somerset Local Plan (2006-2028), adopted March 2015 (SSLP), limits new housing in Rural Settlement to, for instance, where they provide employment opportunities and/or meet identified housing need,

¹ Policy SS1 of the South Somerset Local Plan (2006-2028), Adopted March 2015

particularly for affordable housing. There is no substantive evidence before me that the proposal meets any of the criteria for new housing outlined. Notwithstanding this, Policy SS2 recognises Templecombe as one of the larger Rural Settlements, which has a relatively strong employment function and good sustainable transport links.

6. The appeal site comprises the side garden area of No 26 Throop Road (No 26), a detached property located within a small cluster of dwellings, farmhouses and associated farm buildings. The land around the group comprises undeveloped fields.
7. My attention has been drawn to a range of services within 850m-1350m of the site that could be reached by walking for 10-16 minutes. The majority of these are approximately 1100m away and include a café, bus stop and surgery. However, the pedestrian route to access these is primarily along a narrow road that is lit only occasionally by street lights and has no pedestrian footway for the majority of its length. Therefore, even if the services and facilities would sufficiently cater for future residents' needs, it would be unlikely that the occupiers of the proposed dwelling would choose to walk or cycle to them on a regular basis, as it would be much easier and more convenient to access them by car.
8. It is acknowledged that Manual for Streets states that walking can replace car trips for journeys up to 2km. However, given the unsuitability of the route to these services the likelihood of this occurring would be rather limited, when journeys by car would be quicker and more convenient.
9. The route to the village has very low volumes of traffic using it and is often used by dog walkers and runners and would be judged an acceptable walking route for children by the Local Education Authority. However, these are examples of one type of journey, whereas local residents would travel along the road for a greater number of reasons to access local services at different times of the day. For instance, the consented but as yet unopened convenience store, would likely involve transporting purchased goods back to the proposed dwelling, but doing so by foot along the partially lit route would be inconvenient and unappealing. Moreover, there are a greater range of services and employment opportunities further afield, making the use of the car by future residents even more likely.
10. In order to access public transport occupants of the proposed dwelling would be required to walk or cycle to the train station or bus stops which are located 1200m and 1100m from the site respectively. This would make choosing to travel by public transport to destinations further afield less likely when compared with the convenience of using a car. This would especially be the case in the dark and in adverse weather conditions. Therefore, occupiers of the dwelling would be likely to be heavily reliant on the use of motor vehicles for many of their journeys.
11. The Council has granted permission for schemes including a barn conversion and others which provided 2, 4 and 12 dwellings. Although I have limited details of these schemes, all were either in other settlements or better related to the centre of Templecombe and are therefore not directly comparable with the Appeal proposal.

12. I have also had regard to the Braintree judgement². The proposed dwelling would not be spatially isolated in the sense that it would be a close distance from other residential development. However, I am not persuaded that the proposal would meet the requirements of paragraph 78 of the National Planning Policy Framework (the Framework) which states that housing in rural areas should enhance or maintain the vitality of local communities.
13. I therefore find that the site would not be a suitable location for a new dwelling, having regard to local and national policy for the delivery of housing. As such the proposal would be contrary to Policies SD1, SS1 and SS2 and EQ2 of the SSLP. These, in part, provide a settlement hierarchy for housing delivery and making the efficient use of land whilst having regard to accessibility. Moreover, it would also be contrary to the Framework where it aims to locate development in accessible and convenient locations and promote walking, cycling and public transport use.

Character and Appearance

14. The appeal site comprises a roughly rectangular parcel of land between Nos 26 and 28. It is primarily lawned and surrounded by mature boundary trees along its frontage with Throop Road and along the boundary with No 28. A single storey outbuilding close to the flank wall of the host dwelling is located within the site. This outbuilding would require removal to make way for the proposed dwelling. A menage to the rear of the site, sits within a large paddock that is enclosed by hedgerow.
15. The small cluster the appeal site relates to comprises loosely separated dwellings and farm buildings that face Throop Road. The land surrounding the cluster of buildings and the associated curtilage land, consists of large undeveloped fields enclosed by hedgerows and trees. As a group, the cluster of properties is visually and functionally separate from Templecombe.
16. The dwellings in the cluster are primarily set back from the road with mature trees and vegetation occupying the intervening space and often abutting the road. Taking account of the generally spacious arrangement, verdant setting and the prevailing sense of openness around and beyond the buildings, the road has a distinctly rural character and feel. The undeveloped space between and beyond No 26 and No 28 makes a positive contribution towards the rural character of the road.
17. A dwelling of similar size to existing dwellings in a setback position would reduce its prominence from the road and allow the retention of trees to the frontage. However, it would likely be seen rising above and between existing trees and detract from the open setting to the rear of the neighbouring buildings. Along with the other domestic paraphernalia that would be likely to appear, the proposed development would significantly change the appearance of the site, having a harmful urbanising effect upon it. This impact would also be at odds with the intrinsically rural character of the cluster and open landscape beyond, adversely affecting the character of this countryside location.
18. The existing outbuilding has modest proportions and is utilitarian in appearance. It does not dominate the site and is clearly subservient to the host

² Braintree District Council v SSCLG & Ors [2017] EWHC 2743 (Admin), and Court of Appeal judgement: Braintree DC v SSCLG, Greyread Ltd & Granville Developments Ltd [2017] EWHC 2743 (Admin).

property, consequently, it does not appear out of place in its context. By contrast the introduction of a dwelling would be likely to be taller, have more of a domestic appearance and would necessitate new access arrangements and hard surfacing. Therefore, any benefits associated with the removal of the outbuilding would be outweighed by the more significant impact on the rural area of a new dwelling. The existing single storey garage in front of No 28 is ancillary in appearance and scale to the main dwelling. I do not consider that this would be a reasonable comparison to the proposal, which would likely be greater in terms of its scale and as a consequence have a harmful impact on the openness of the area.

19. The appeal site is not within any designated landscape at a local or national level and meets the Framework's definition of previously developed land. However, I do not consider that the proposal responds positively to the local context or character as required to by the development plan.
20. The proposal would have a significant harmful effect on the character and appearance of the area. It would therefore be contrary to Policy EQ2 of the SSLP, in particular where it requires proposals to conserve and enhance the landscape character of the area. The proposal would also be contrary to the aims of the Framework where it requires development to be sympathetic to local character.

Other Matter

21. The Council's submission includes the listing details of the grade II Throop Farmhouse, located on the opposite side of the road to the appeal site. The farmhouse has a landscaped rear garden which is enclosed by wooden fencing, whilst a grassed area surrounded by a stone wall and shrubs sit in front of the farmhouse. The setting of the farmhouse is considered to derive from the existing boundary features that surround it. Given the scale of the proposed development, the separation distance that could be maintained from the listed building, and the prospect of a design that would be consistent with the surroundings, I do not consider that it would harm the farmhouse's setting.

Planning Balance

22. The Council accept that they do not have an up to date 5-year housing land supply. Therefore, Paragraph 11 of the Framework advises that where policies relevant for determining the appeal are considered to be out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against policies in the Framework taken as a whole.
23. In the context of the development plan I have found that the proposed development would be contrary to policies SD1, SS1, SS2 and EQ2 of the SSLP. For this appeal, I have found these policies to be broadly consistent with the relevant aims of the Framework.
24. I have attached significant weight to the conflict with Policy EQ2 and the harm that would arise in the context of this policy, there would also be an over-reliance of future occupants on private transport. On the other hand, the social and economic benefits that would accrue from the provision of one house would be minimal. As would any benefits arising from sustainable energy efficiency (i.e. car charging points). The fact that the proposed development

would not result in any significant highway safety, biodiversity, heritage and residential amenity impacts, are neutral factors in the planning balance. This would also apply to developer contributions.

25. Overall, I find that the adverse impacts of the proposed development would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework when taken as a whole. Therefore, the proposal would not be a sustainable form of development.

Conclusion

26. For the reasons given above, I conclude that the appeal proposal would conflict with the development plan and there are no other considerations that outweigh that conflict. I therefore conclude that the appeal should be dismissed.

RE Jones

INSPECTOR