
Appeal Decision

Site visit made on 17 August 2020

by James Taylor BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 August 2020

Appeal Ref: APP/W3330/W/20/3251631

Barton House, Bradford Road, Oake, Taunton TA4 1DR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Browne against the decision of Somerset West and Taunton Council.
 - The application Ref 27/19/0028, dated 20 December 2019, was refused by notice dated 11 March 2020.
 - The development proposed is the erection of a dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a dwelling at Barton House, Bradford Road, Oake, Taunton TA4 1DR in accordance with the terms of the application, Ref 27/19/0028, dated 20 December 2019, subject to the attached schedule of conditions.

Main Issues

2. The main issues are:
 - i) The effect of the proposal on the character and appearance of the area;
 - ii) The accessibility to services with particular regard to the use of the private motor vehicle; and
 - iii) The principle of development in locational terms having regard to the relevant policies of the development plan and the National Planning Policy Framework.

Reasons

Character and appearance

3. The appeal site is located on the fringes of Oake, outside of the village settlement boundary. This edge of the village has an open and low-density character including the recreation ground and village hall to the south, agricultural buildings and the residential development of Barton House, Barton Cottage and Lothlorien to the north.
4. The proposal would be located on a small paddock enclosed by post and rail fencing and a small section of close-boarded fencing. To the south side of the site are two timber framed barns. The proposal indicates use of the existing access which also serves Barton House.

5. The proposal would represent a form of infill within the ribbon development along Bradford Road. Whilst it would reduce an open gap, it would be of a low-density and retain a significant sense of space and openness at this point. It would be consistent with the grain and density of development within this fringe of village location. Furthermore, the dwelling would have a simple linear form with materials to reflect the local context, including timber cladding and slate tiles. Whilst the existing hedges along the highway and the south boundary cannot be considered permanent features, they would help the proposal to assimilate with its context and ensure that the development would not be visually prominent.
6. Therefore, in conclusion on the first main issue the proposal would not harm the character and appearance of the area. As such, the proposal would not conflict with Policies DM1 and CP8 of the Taunton Deane Core Strategy 2011-2028, Development Plan Document, September 2012 (CS). Amongst other aims these policies seek to conserve the open character of the area, ensure development is appropriate in terms of scale, siting and design; vary density according to the character of the area and avoid unacceptable harm to character and appearance.

Accessibility to services

7. The appeal site is located within a reasonable walking distance of the services and facilities of Oake. There are pavements and street lighting outside the site. From my site visit I observed that the village shop and post office was in the process of relocated to the adjacent village hall. Furthermore, the site lies within walking distance of the services and facilities within the neighbouring settlement of Hillcommon.
8. Policy A5 of the Taunton Deane Adopted Site Allocations and Development Management Plan, December 2016 (SADMP) acknowledges that journeys within the district will occur by car, setting out maximum acceptable travel times for such trips. I have no evidence to indicate that relevant times would be breached. Regular travel beyond walking distances would be required to access wider services and facilities, including secondary education and employment. The Council acknowledge that the local bus service allows opportunity for commuting to Taunton town centre at the beginning and end of a working day.
9. Nonetheless a proportion of future occupiers' trips beyond the villages would realistically be carried out by private vehicle and the environmental impacts of this, with vehicle emissions contributing to climate change impacts, weighs against the scheme. However, such effects would be very modest when associated with one dwelling. I am mindful that similar impacts could occur from housing development within the settlement boundary. In this specific case the appeal site is no more or less likely to rely on the private motor vehicle than any housing within the settlement boundary and would be equally likely to support the local rural services.
10. Therefore, in conclusion on this main issue the proposal would have adequate accessibility to services without undue reliance on the private motor vehicle. As such, the proposal would not conflict with Policy CP1 of the CS or Policy A5 of the SADMP. These policies seek amongst other aims to ensure that development demonstrably addresses issues of climate change, reducing the need to travel through the location and accessibility of development.

Principle of development

11. The proposed dwelling would be located outside of the village's defined settlement limits. Policy SP1 of the CS sets out that whilst no further housing allocations will be made for Oake in the plan period, some scope for small scale proposals within the settlement limits remains. However, outside of the settlement, proposals should be treated as being within the open countryside.
12. Policy SB1 of the SADMP seeks to maintain the quality of the rural environment, and secure a sustainable approach to development, by ensuring proposals outside of the settlement boundaries comply with Policies CP1, CP8 and DM2 of the CS. There is no evidence to indicate that the two exceptions within Policy SB1 are applicable here. As set out above, the proposal would not be in conflict with Policies CP1 and CP8. Furthermore, Policy DM2 sets out a permissive approach to a range of developments in the open countryside that are not applicable in this case. Therefore, whilst the proposal is not supported by this policy, nor does the policy specifically discount it either.
13. In addition, I am mindful that the National Planning Policy Framework (the Framework) sets out at section 5 the need to deliver a sufficient supply of homes. For example, paragraph 78 states that to support sustainable development in rural areas, housing should be located where it will enhance and maintain the vitality of rural communities. Whilst there is little evidence to suggest that the proposal meets an identified need, given its location and accessibility to local rural services and facilities, I place some weight on the benefit of supporting the vitality of rural communities even from one dwelling.
14. Therefore, in conclusion on the final main issue the principle of the development would be acceptable in locational terms having regard to the relevant policies of the development plan and the Framework. As such, the proposal would not conflict with Policies SP1, CP1, and SD1 of the CS and Policy SB1 of the SADMP.

Conditions and Conclusion

15. The Council have suggested a number of conditions. In order to define the terms of the permission and to protect the character and appearance of the area I have imposed the standard implementation and approved plans conditions. I have added reference to the appellant's application form in order to secure the schedule of materials that they specified therein and that were indicated on the approved plans. In the interests of highway safety, I have imposed the suggested condition on parking and turning. Finally, I have added a condition to secure the submitted details in relation to foul and surface water drainage in the interests of flood risk and pollution prevention.
16. For the reasons given above I conclude that the appeal should be allowed.

James Taylor

INSPECTOR

Schedule of conditions:

- 1) The development hereby permitted shall be begun within three years of the date of this permission.
- 2) The development hereby permitted shall be carried out in accordance with the following approved details:
(A3) DrNo A0A Page 1 Site Location Plan, (A3) DrNo LSPB Page 2 Landscape Plan, (A3) DrNo PGPC Page 3 Proposed Ground Floor Plan, (A3) DrNo PFPD Page 4 Proposed First Floor Plan, (A3) DrNo PEPE Page 5 Proposed Elevations Plan, (A3) DrNo SECT Page 6 Proposed Section A2 and the Application Form.
- 3) The parking and turning area as shown on the approved plans shall be provided prior to the first occupation of the development and maintained thereafter. The parking/ turning area shall be made of porous material, or alternatively provision shall be made to direct run-off from the hard surface to a permeable or porous area or surface within the residential curtilage.
- 4) The surface and foul drainage as shown on the approved plans shall be provided prior to the first occupation of the development and maintained thereafter.