

Appeal Decision

Site visit made on 5 October 2020

by Matthew Jones BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 November 2020

Appeal Ref: APP/R3325/W/20/3255011

Land Adjoining Morganside, Turnhill Road, High Ham

- 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 A Roberts against the decision of South Somerset District Council.
 - The application Ref 19/02777/FUL, dated 3 October 2019, was refused by notice dated 1 June 2020.
 - The development proposed is the erection of 3 dwellings with associated works including the creation of a new access and landscaping.
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Decision

1. The appeal is dismissed.

Application for Costs

2. An application for costs was made by Mr A Roberts against South Somerset District Council. This application is the subject of a separate decision.

Preliminary Matter

3. It is undisputed by the main parties that the Council cannot demonstrate a five-year supply of deliverable housing sites, with the latest evidence pointing to a 4.5-year supply. I have no reason to take a contrary view and assessed the appeal on this basis.

Main Issues

4. The main issues are:
 - the suitability of the site for the proposal having regard to local policy for the supply of housing: and,
 - the effect of the proposal on the character and appearance of the surrounding area, having regard to the settings of the (i) Grade I listed Church of St. Andrew (the Church), (ii) the High Ham Conservation Area (the CA) and the Grade II listed The Grange.

Reasons

Suitability of the site

5. The site comprises part of the eastern extent of a rectangular field of pasture at the edge of the village of High Ham. The site adjoins Turnhill Road to the south, the rest of the field to the west and north, with farmland beyond that to the north, and the residences of Morganside and The Grange to the east.

6. It is not contested by the main parties that High Ham is a rural settlement under the terms of Policy SS1 of the South Somerset Local Plan 2006 – 2028 (adopted 2015) (SSLP). Further to that, as High Ham has a village hall, the Church, a public house and a primary school, it is a candidate location for new housing pursuant to Policy SS2 of the SSLP. Policy SS2 states that new housing in such settlements must meet an identified housing need, particularly affordable housing. Its supporting text clarifies that this relates to a local need.
7. The scheme would not provide affordable housing and there is no evidence before me that the scheme would meet any other identified local housing need. I understand that there is already a strong offer of 4-bedroom dwellings in the local area, and an outstanding demand for affordable housing.
8. I therefore conclude on this issue that the site would not be suitable for the proposal, having regard to local policy for the supply of housing. The proposal would conflict with Policies SS1 and SS2 of the SSLP. Given the Council's current supply of deliverable housing sites, these policies are out of date and the conflict with them attracts limited weight.

Character and appearance – setting of the Church

9. The appeal site is very close to the Church and its grounds, which lie across Turnhill Road and directly beyond three loosely set houses to the south. I therefore have a duty to consider the impact of the proposal on the special architectural and historic interest of the listed building.
10. The Church is a fine and striking building of mainly 15th century creation. It is enclosed by a secluded churchyard and it is this reflective space which principally contributes to the significance of the Church's setting. There is, however, more to its setting than that. Given its late medieval origins, the Church has historic value in representing the importance of Christianity for the rural and largely agricultural community which it has influenced for centuries. It therefore draws a degree of significance from its rural setting, and this connection can be made physically in wider landscape views of its tower.
11. The field hosting the appeal site is the nearest agricultural land to the Church. Records indicate that it is anciently enclosed and predates the 17th century. Its boundaries are in their historic position as of at least the early 19th century. Whereas much of the land around High Ham contained orchards, the field was used for arable purposes, with remnant ridge and furrow earthworks still visible to the naked eye within its fabric. The apportionment document to the 1832 (or 1838) High Ham Parish tithe map names the field as 'Churchcroft' owing, probably, to its spatial relationship with the Church.
12. This is borne out in visual terms. Whilst much of the Church and its grounds are screened from the site, its proximity is nonetheless commanded by its imposing tower. The open, undeveloped appearance of the site, and its strong and lengthy south boundary hedgerow set the foreground to the Church tower in multiple views. A visual connection can be made from Turnhill Lane, glimpsed from the Public Right of Way (PROW) which passes aside the field's north boundary, at a distance from a PROW around 400m further to the north, and from within the site itself. As such, the site makes an associative contribution to the significance of the Church as part of its immediate historic agricultural setting, the importance of which is heightened by its longevity.

13. The design of the proposed dwellings has clearly focused on a sensitive iteration of the historic built form within High Ham. Nonetheless, the proposal would diminish the historic legibility and appearance of the site by truncating its openness, the partial removal of its remnant ridge and furrow system and by removing/and or relocating a significant length of its south hedgerow. Works to the hedgerow would also involve the insertion of three successive domestic accesses, which would further diminish its agricultural and linear form. It follows that the scheme would harm the special historic interest of the Church which derives from the site's contribution to its longstanding rural setting.

Character and appearance – the setting of the CA

14. The CA is to the south and east of the appeal site and I must consider the effect of the proposal on its significance, which derives not only from its physical presence, but also its setting. The CA centres around the village green and the Church and comprises traditional buildings set sparingly amongst green, treed spaces. With regard to its setting, the CA's sinuous streets flow sometimes quite seamlessly into the surrounding rural lanes, as is quite evident along Turnhill Road. This provides an intrinsic relationship between the CA and its immediate rural environs.
15. Within Turnhill Road, the site's absence of development and its strong roadside hedgerow provides a strong agricultural character which contrasts with the built form of the CA on the other side of the narrow and enclosed carriageway. On this basis, the site makes a small but positive contribution to the significance of the CA as an intimate part of its agricultural landscape setting.
16. The development of the houses would erode this landscape setting to an extent. Of greatest concern is the works to the boundary hedgerow. Its removal and/or relocation to site a significant visibility splay, the proposed insertion of consecutive access points to serve each dwelling, and the associated widening of the modest carriageway at that point, would introduce an overt domesticity detrimental to the rural landscape setting to the CA.

Character and appearance – the setting of The Grange

17. The site is also within the setting of the dwelling The Grange, and I am mindful of my duty in respect of this listed building. However, the site is to the rear of the property, beyond its substantial rear garden wall, which limits intervisibility between the site and the dwelling and its grounds. The significance of The Grange site is overwhelmingly drawn from the architectural form of the standing building, which is principally orientated towards its entrance drive, not the site. As such, the proposal would not harm the setting of The Grange.

Conclusions on main issue

18. Drawing my findings on this issue together, whilst the proposal would not harm the setting of The Grange, it would have an unacceptable effect on the character and appearance of the area with regard to the settings of the Church and the CA. It would conflict with the landscape and heritage aims of Policies EQ2 and EQ3 of the SSLP.

Heritage Balance

19. The level of harm to the Church and the CA would be less than substantial in either case. Even so, any such harm merits great weight in accordance with

Paragraph 193 of the Framework and falls to be weighed in the balance with the public benefits of the development. As heritage assets are irreplaceable, any harm requires clear and convincing justification.

20. The government is seeking to significantly boost the supply of housing and the scheme would provide three homes with adequate access to services, thereby contributing to addressing the shortfall in housing supply in South Somerset. However, Paragraph 77 of the Framework also states that in rural areas decisions should be responsive to local circumstances and support housing that reflects local needs. In the absence of evidence of an identified local need for this housing type, and given the small quantum proposed, the housing would be a public benefit of modest weight. There would also be a modest, time limited economic benefit during construction and a small, enduring benefit through increased footfall to services.
21. These public benefits do not amount to clear and convincing justification for the less than substantial harm to the Church and to the CA respectively, which together and individually attract considerable weight and importance.

Planning Balance

22. I have found that the site would not be a suitable location for the proposal having regard to local policy for the supply of housing and would cause less than substantial harm to the settings of the Church and the CA. These findings draw the scheme into conflict with the development plan when read as a whole.
23. Paragraph 11 d) of the Framework states that in the circumstances where a Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites, permission should be granted unless the application of policies in the Framework that protect assets of particular importance provide a clear reason for refusing the development. Pursuant to footnote 6, this includes designated heritage assets. Given my findings above, the Framework provides a clear reason to refuse the proposal, and the presumption in favour of sustainable development within Paragraph 11 d) does not apply.
24. As such, and taking all matters raised into account, there are no other material considerations, including the Framework, that outweigh the conflict I have identified with the development plan.

Conclusion

25. For the reasons outlined above I conclude that the appeal should be dismissed.

Matthew Jones

INSPECTOR