

23/2004/051

MR D BRICE & MISS V IVORY

**RESIDENTIAL DEVELOPMENT AND VEHICULAR ACCESS AT LAND ADJACENT  
DAVYS CLOSE, BUTTS WAY, MILVERTON.**

11623/25603

OUTLINE APPLICATION

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**PROPOSAL**

The proposal seeks outline permission for residential development on an area of agricultural land. Matters relating to siting, design, external appearance, means of access and landscaping are reserved for future consideration. The application includes an indicative drawing showing the possible location of 4 dwellings on the site. The application site is located adjacent Butts Way, a classified road and has 48 m of frontage with the highway and is 37 m deep with dwellings at each end of the site.

**CONSULTATIONS AND REPRESENTATIONS**

COUNTY HIGHWAY AUTHORITY the indicative plan shows inadequate parking and turning arrangements, however these matter could be dealt with as reserved Matters. Visibility splays set back 2 m and 45 m in each direction would be required. It is unclear at present whether the appropriate splays could be accommodated on the applicants land together with Highway land along the frontage. WESSEX WATER no objections.

LANDSCAPE OFFICER objections raised as the proposal would involve the removal of a hedge to the detriment of the rural character of the lane. PLANNING POLICY objections raised due to location outside defined settlement limits and low density. DRAINAGE OFFICER no observations. HOUSING OFFICER the scheme will be above Rural Threshold and we will be seeking Affordable housing at this point where a housing need exists.

PARISH COUNCIL views awaited.

FOUR LETTERS OF SUPPORT have been received on the following grounds:- the development would it would improve Milverton as it stands; the land is currently of no use; new dwellings and affordable housing is needed; the improvement to the hedgerow will rectify current traffic problems; the dwellings would infill the gap between Daveys Close Bungalow and Newfield and the development would be within walking distance of the local amenities bringing income to local business.

**POLICY CONTEXT**

Policy 49 (transport requirements) of the Somerset and Exmoor National Park Joint Structure Plan Review.

Policies S1 (general requirements), S2 (design), S8 (outside settlement limits), EN5 (trees and hedges) and H1 (housing) of the Taunton Deane Local Plan Revised Deposit are relevant to this application.

## **ASSESSMENT**

The site lies outside the defined settlement limits of Milverton and therefore there is a presumption against the principle of developing this plot for residential purposes. There is therefore no justification (agricultural, benefit to the rural economy, tourism or otherwise) for allowing a dwelling on the site. The site would appear acceptable in principle for affordable housing as the site is located adjacent to the settlement limit boundary, however open market housing does not meet the requirements of planning policy. The plot is not considered an "infill" plot as the frontage is too wide, i.e. the development would not complete a small gap in an otherwise built up area.

The proposal would also require visibility splays set back 2 m from the highway and splayed 45 m in each direction. The site frontage is insufficient in length to provide the appropriate visibility however it remains to be seen if the visibility splays can be incorporated within adjacent Highway land. Visibility splays across the whole frontage of the site however would lead to the complete removal of the hedgerow and bank that currently fronts Butts Way. The existing hedge is an important feature to the rural character of the lane/street scene that epitomises the semi-rural, edge of village surroundings.

## **RECOMMENDATION**

Permission be REFUSED for the following reasons that the site lies beyond the recognised limits of a designated settlement in open countryside where it is the policy of the Local Planning Authority to resist new housing development unless it is demonstrated that the proposal serves a genuine agricultural or other appropriate need. In the opinion of the Local Planning Authority the proposal does not constitute a genuine agricultural or other appropriate need and would therefore be contrary to Taunton Deane Local Plan Policies H1 and S8. The proposed development would adversely affect the flows and safety of traffic as the site frontage is inadequate for the provision of adequate visibility splays in accordance with the requirements of the Highway Authority. Furthermore the required visibility splays would result in the loss of a hedgerow and bank to the detriment of the visual amenity of the area and street scene at this point. As such the proposal is contrary to Somerset and Exmoor National Park Joint Structure Plan Review Policy 49 and Taunton Deane Local Plan Policies S1, S2 and EN5.

**In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1998.**

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