

## ***BINEGAR PARISH COUNCIL***

Application: **2015/1830/OTS**  
Proposal: Outline permission for access and layout for erection of a 2-bed dwelling with parking and revised parking for No. 5 Dalleston.  
Location: Land at No. 5 Dalleston, Turner's Court Lane, BA3 4UD  
Applicants: Mr A Thatcher  
Type: Outline – some matters reserved

The Council considered this application at its 1 September 2015 meeting and reached the following decision:

### **Binegar Parish Council vigorously recommends refusal of permission**

This application technically falls to Emborough Parish. The site of the proposed development, however, is just 10m away from Binegar Parish boundary and Dalleston is, for all practical purposes, part of Binegar. That is the basis of Binegar Parish Council's response.

The Council has received strong representations from Dalleston residents and other parishioners who regard this proposal as intrusive and inappropriate.

The Council notes that this application is a scaled-down version of application 2015/0500/OTS. The current application tells us that 2015/0500/OTS was withdrawn following advice from planning officers that it was:

- out of character with the dominant form of the area;
- offered poor living conditions because of lack of amenity space for the existing and proposed dwelling;
- overbearing in its impact on the character of the area (currently with open large gardens) with its proposed cramped and small gardens.

The Council considers that the current application still exhibits all of these features and should be refused.

The Council rejects the claim that this application is consistent with Mendip's Spatial Strategy. The proposal is not for use of previously developed land as the application claims. It is an attempt to build a house in a back garden. The common term for this is "*garden grabbing*", a speculative abuse of the planning system deprecated by National planning policy. Indeed, the *National Planning Policy Framework* specifically excludes gardens from the definition of "previously developed" land. This is reason enough for refusal.

The Council rejects the claim that this proposal is consistent with Mendip's policy on new housing provision. Policies on housing supply are subject to the Local Planning Authority's ability to show a five-year supply. The current level of approved proposals and commitments fulfils this. The applicant's claim is therefore, irrelevant. Further, the applicant's claim that this development is "infill" is not true. There is no vacant plot to infill.

The Council also rejects the claim that the proposal will contribute positively to the maintenance and enhancement of local identity and distinctiveness.

Clement Dalley, owner of Dalley's Quarry, built Dalleston in 1927. No. 5 Dalleston represents one of two architectural styles having high-pitched roofs sweeping to low eaves. It is both attractive and very characteristic of its time, influenced by the Arts and Crafts Movement and the architecture of Sir Edwin Lutyens.

Along with Salisbury Terrace in Gurney Slade and Flowerstone in Binegar, Dalleston represents the architectural legacy of quarrying in the village. It is, therefore, an important and historic aspect of the local built environment. Driving north on the A37, it is seen on the horizon as a fine, bright, white line of houses.

Dalleston presents a singular, harmonious street scene. The prevailing layout is a spacious one with dwellings set apart in a linear fashion along Turner's Court Lane and Dalleston (the road). Each has a good size garden.

A modern house, built in a back garden will be intrusive and inconsistent. It will destroy and not enhance the local identity and distinctiveness. This is reason enough to warrant refusal.

Within the garden site, the house will be hard against its rear boundary. With no first-floor windows on side and rear elevations, it will present a prison-like, two-storey blank wall to neighbours. It is inconceivable that a family home can be built to the standards of DP7 with no windows on three sides. The garden remains small and cramped, out of character with the local context. An 1800mm (6 foot) fence will bound the garden to the South, making much of it shady. All of this will be readily visible from the public domain. Future occupants, by virtue of all these constraints, will not be afforded a reasonable living environment. This is reason enough to warrant refusal.

This new proposal continues to take away two thirds of the garden of No. 5 Dalleston. The private garden to the rear of No. 5 Dalleston shrinks from an average of 19m length to 5m. It will be in the shade of the house for most of the day. Future occupants, by virtue of the modest, shaded gardens, will not be afforded a reasonable living environment. This is reason enough to warrant refusal.

Dalleston (the road) opens off Turner's Court Lane into a narrow chicane. It is very narrow for the length of the back gardens of No. 5 Dalleston (to the right). It is effectively single track. The Council is concerned that the development will double vehicle parking and movements at this narrow neck of Dalleston. The proposal jeopardises safe and satisfactory provision for emergency vehicles, servicing and other users contrary to policy DP9 (transport impact of new development). This is reason enough to warrant refusal.

Richard Higgins  
Chair  
Binegar Parish Council

2 September 2015