

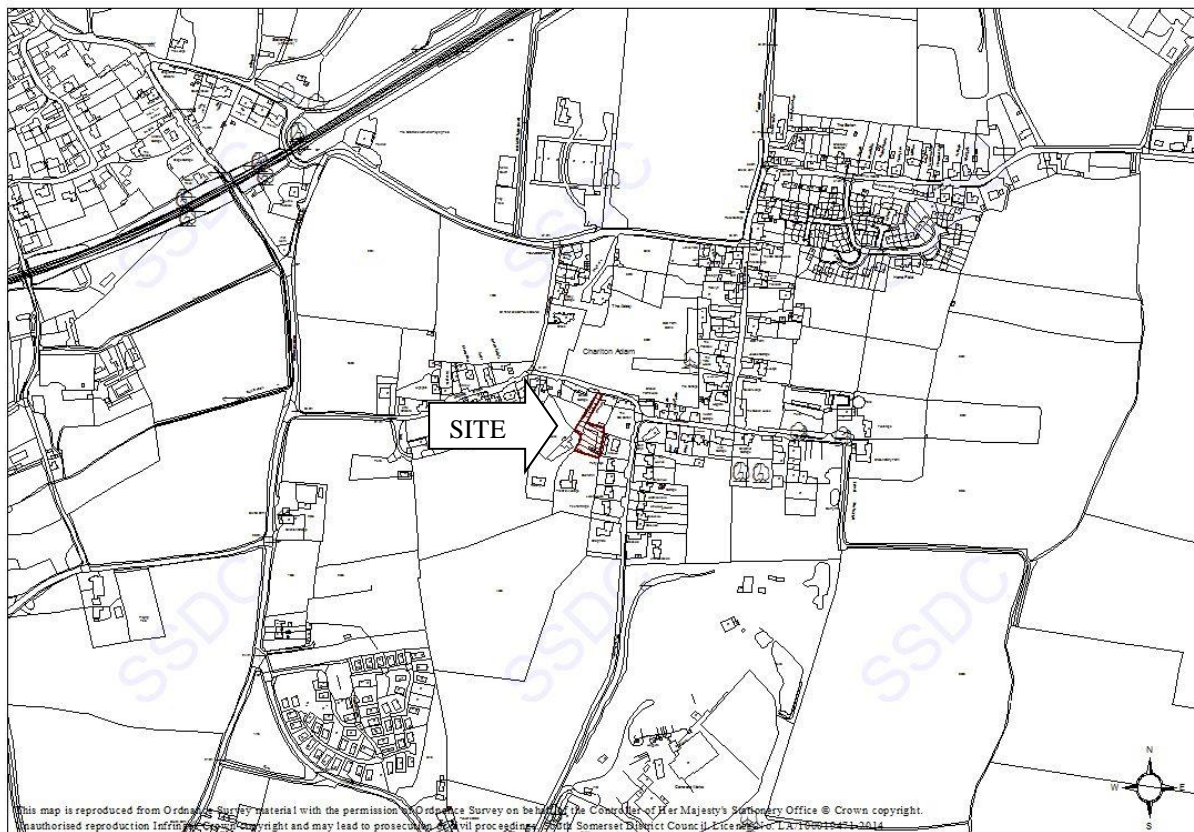
Officer Report on Planning Application: 14/03235/FUL

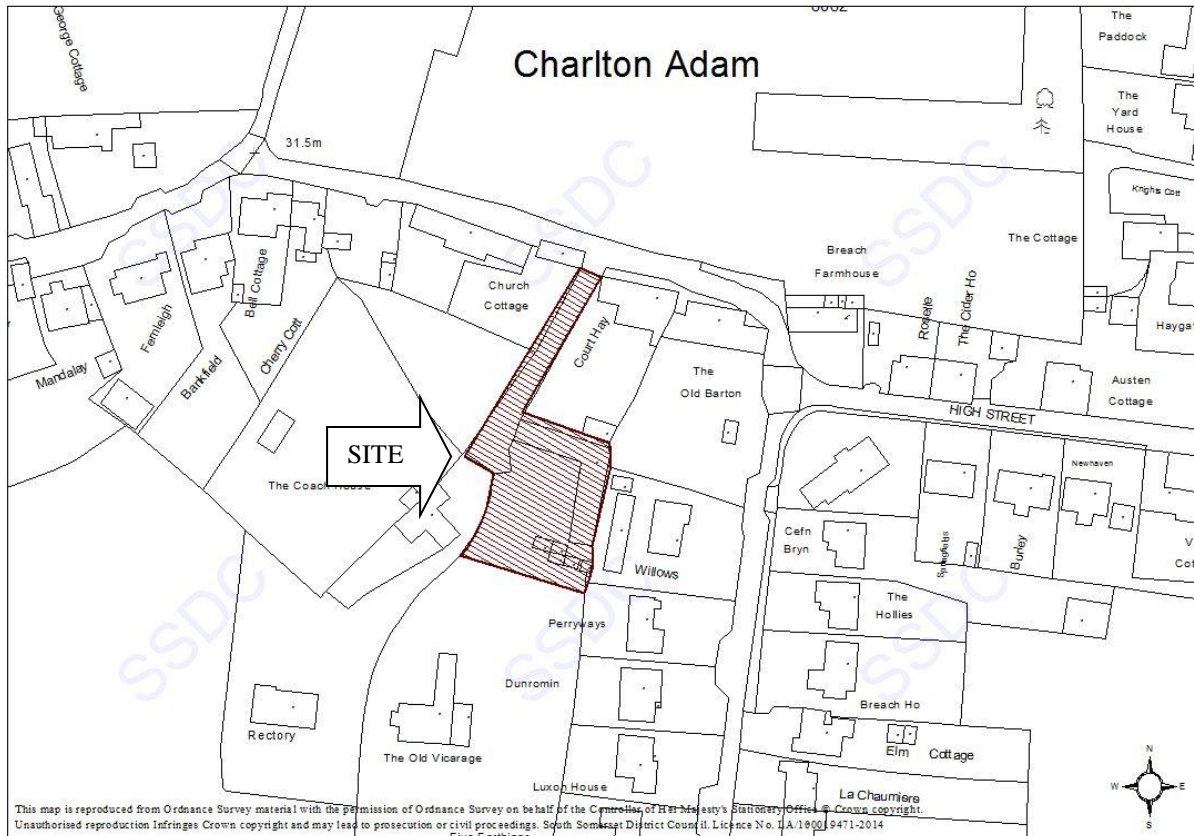
Proposal :	Demolition of existing outbuildings and the erection of a dwelling (GR:353517/128468)
Site Address:	The Old Rectory George Street Charlton Adam
Parish:	Charlton Mackrell
NORTHSTONE Ward (SSDC Member)	Cllr J Calvert
Recommending Case Officer:	John Millar Tel: (01935) 462465 Email: john.millar@southsomerset.gov.uk
Target date :	26th September 2014
Applicant :	Ms Fiona Britten
Agent:	Mr Clive Miller Sanderley Studio, Kennel Lane, Langport TA10 9SB
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

The application is for the provision of a new dwelling outside defined settlement limits and is therefore referred to Area East Committee, in accordance with the Council's adopted scheme of delegation, as it represents a departure from the saved policies of the local plan.

SITE DESCRIPTION AND PROPOSAL





The site comprises a group of redundant stables and outbuildings, currently within the residential curtilage of The Old Rectory, which lies approximately 40m to the south, within an extensive garden area. The site lies just outside of but adjacent to the local defined development area, which follows the linear development pattern along George Street and Chessels Lane. It is also within the local conservation area. The site lies behind properties fronting both of these streets and there are further two detached dwellings to the west and south west, beyond which is open countryside. One of the properties to the north, Court Hay, is a grade II listed building. The site is accessed via an existing access track off George Street, which serves four dwellings, The Old Rectory, Court Hay, The Coach House and The Rectory, the latter two being the two detached dwelling as referred to above.

The application is made to demolish the existing outbuildings and replace with a new dwelling on the footprint of these buildings. The replacement building is proposed to retain the L-shaped form of the existing buildings and is to be finished with a mix of natural stone, and timber cladding, with a natural slate roof. The dwelling is proposed to comprise of two two-storey parts, linked by a single storey element. It is also proposed to subdivide the existing Old Rectory garden and prevent vehicular access to this property from the north, via the application site. It is intended to make use of an existing access to the south of The Old Rectory, which comes of Chessels Lane.

History

04/01403/FUL: The erection of a detached double garage and the carrying out of minor alterations to existing vehicular access - Permitted with conditions.

Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed

under S54A of the Town and Country Planning Act 1990 and requires that decision must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise,

Relevant Development Plan Documents

South Somerset Local Plan 2006:

ST2 - Villages

ST3 - Development Areas

ST5 - General Principles of Development

ST6 - The Quality of Development

EC8 - Protected Species

EH1 - Conservation Areas

EH5 - Development Proposals Affecting the Setting of Listed Buildings

Policy-related Material Considerations

National Planning Policy Framework (March 2012):

Core Planning Principles - Paragraph 17

Chapter 4 - Promoting Sustainable Transport

Chapter 6 - Delivering a Wide Choice of High Quality Homes

Chapter 7 - Requiring Good Design

Chapter 11 - Conserving and Enhancing the Natural Environment

Chapter 12 - Conserving and Enhancing the Historic Environment

Somerset County Council Parking Strategy (September 2013)

Somerset County Council Highways Development Control - Standing Advice (June 2013)

Consultations

Parish Council: Do not object to the principle of developing the site but wish to see the roof line reduced in height and footprint altered to reduce the proximity to adjoining walls to the north and east.

County Highway Authority: Standing Advice applies. Specifically County Council Standing Advice requires provision of appropriate visibility splays, properly consolidated access, positive drainage arrangements to ensure no surface water runoff onto the public highway and appropriate parking and turning provision on-site.

County Archaeology: No objections on archaeological grounds.

SSDC Ecologist: The construction of the outbuildings is such that they don't offer any significant potential to be used regularly by roosting bats, and I don't consider there is sufficient potential or risk of bat presence to justify a survey by a consultant. (ODPM Circular 06/2005 advises surveys should only be requested when there is a 'reasonable likelihood' of a protected species being present).

Representations

The application has been advertised by press and site notice for the requisite period. Eight letters have been received from the five local residents, either objecting or raising general concerns about the proposed development. The main points of concern are listed below:

- The buildings to be demolished are likely to contain various bats species. It is

requested that a bat survey is required to establish whether there are any bats present and to recommend appropriate mitigation.

- The roof lights on the west facing gable end will overlook Church Cottage and its garden. The roof lights should be raised to 1.8m above floor level, as required elsewhere.
- The height difference of the new roof over existing (along east boundary) will be 2.6m, which cannot be considered as 'marginally higher', as stated in the supporting information. This will not only be visible from the drive of the adjoining property, Willows, it will also block out light.
- The windows proposed on the east facing elevation will overlook the vegetable patch to the rear of the garden of Willows. It is suggested that a stone wall should be built along this boundary instead of the proposed provision of close board fencing, as this could deteriorate over time. The additional cost would be minimal compared with the overall cost of restoring the site, yet would have long term benefits and suit the character of the area.
- Clarification is requested as to what will happen to redundant on the Rectory land, currently attached to outbuildings within the garden of adjoining property, Willows.
- Concern that current planting on site comprises trees that have grown to a height that greatly affect the enjoyment of neighbouring gardens and homes, and may cause damage were they to fall. New trees of a type that would screen without growing to unacceptable heights, while being easily maintained, would be welcomed.

The letter received in support of the scheme states that the proposal will enhance the visual impact of the site. It is also felt that the property has been carefully designed to ensure the privacy of all local residents.

CONSIDERATIONS

Principle of Development

The application relates to the demolition of a group of L-shaped redundant domestic outbuildings and replacement with a new dwelling built on an enlarged footprint but retaining a similar shape.

The site is located on the south west edge of the village; however it is just beyond the defined development limits. Local and national planning policy considerations have changed substantially in recent times, particularly in respect to the approach taken when considering development outside of development limits.

Charlton Adam is defined as a 'Village' by saved policy ST2 and is therefore a generally sustainable location, where development is acceptable in principle. Therefore development of land adjoining the development area may be able to be supported where it responds to local circumstances, such as affordable housing requirements or in the case of open market housing, where it can be demonstrated that it will enhance or maintain the vitality of the rural community. In this particular case, the site is previously used land and as a result of the condition of the existing structures, it is considered that a well-designed high quality residential development would be likely to bring about an improvement in the built environment. Furthermore, it is felt that a residential development would assist in maintaining the vitality of the village and its services.

After careful consideration, the proposed development is deemed to accord with the objectives of sustainable development, as set out within the emerging local plan and the NPPF and to be, in principle acceptable, subject to the following considerations.

Scale, Appearance and Historic Context

The proposed dwelling is designed to retain the L-shaped layout of the existing buildings, albeit on a slightly larger footprint. It is considered that this arrangement will make best use of the site, while reducing the potential impact on the occupiers of neighbouring properties.

The design incorporates a traditional barn form, with pitched roof to provide first floor living accommodation. Overall, the design is considered to appropriately respect and relate to the character of the area. It is proposed to finish the dwelling with natural stone and timber cladding, with slate roof, which is also considered to be acceptable.

The site is located within the local conservation and adjoining a listed building, Court Hay to the north, so consideration does also need to be given to the impact the proposal may have on the setting of these heritage assets. The site is set back from both George Street and Chessels Lane, where it is not readily visible from public vantage points at present. The proposal includes the provision of a pitched roof, which will lead to an overall increase in roof height, over the existing structures, by just over 3m. As such, the resulting dwelling will be more visible, with glimpses possible between the dwellings fronting the aforementioned roads. Despite this, it is not considered that the proposed building will look out of place or have any adverse impact on its setting or character the nearby listed building or the conservation area. It is also noted that the dwelling will be separated by two lines of hedge planting, a garage and parking area for Court Hay, which offer a degree of separation between the new dwelling and the listed building itself.

Overall, the scheme is considered to be sensitively designed to respect the local pattern of development and the setting of the heritage assets. It is further considered to enhance a dilapidated site, which will improve the appearance of the area, particularly as seen from adjoining properties.

Residential Amenity

Some concerns have been raised in regard to impact on the residential amenity of neighbouring residents as a result of the height of the proposed dwelling, the position of windows and roof lights and the proposed materials for the boundary treatments along the eastern boundary. The Parish Council, while not objecting to the redevelopment of this site have also requested that the ridge height of the dwelling is lowered and the building moved further from the north and east boundaries.

Firstly, objections were received to the position of the roof lights in the west gable end of the dwelling, which will serve bedroom 3. The occupiers of Church House, which is located to the north west, were concerned with possible overlooking of their property and secluded garden area. Amended plans have since been received moving these roof lights to a position 1.7m above the finished floor level of the room, which is considered to be an appropriate height to avoid overlooking. It is considered that this appropriately addresses this concern.

In all other respects, the first floor openings have been designed to look into the application site and avoid any direct overlooking of adjoining properties and gardens. There are some ground floor openings proposed in the east elevation, which look towards the garden of the adjoining property, Willows, however it is proposed to finish this boundary with 1.8m high close board fencing on top of an existing stone wall. This will provide adequate screening between the two sites, preventing overlooking of the neighbouring garden and views into the windows of the proposed dwelling. The occupier of this neighbouring property is concerned that fencing will deteriorate over time and may not be the best long-term solution to preventing overlooking. It is suggested that a stone wall should be required instead. While this would be a better

option, fencing is a regularly used domestic boundary treatment and is considered appropriate on this occasion. A condition will however be imposed to ensure that the fencing is put in place prior to occupation of the new dwelling, in the event of consent being granted. It should also be noted that the adjoining neighbours do have the option to provide their own boundary treatment under permitted development rights, if they feel that this may further improve the situation from their point of view.

In terms of scale and height, the proposed building is located well away from the adjoining properties and at an adequate distance from the boundaries to avoid any unacceptable harm to residential amenity by way of overshadowing or overbearing impact. The occupiers of the Willows have raised concern that the height will lead to the roof being visible from both first floor and ground floor windows and will also lead to light being blocked out from the property and garden. While it is acknowledged that there will be an increase in the overall roof height of over 3m, the eaves height on this eastern boundary will actually reduce by almost 1m. Despite the increased height, it is not considered that there will be any unacceptable loss of light as the new building is set well away from the neighbouring house private amenity space, which is further separated by outbuildings within the garden of Willows. Also while the new dwelling will be significantly more prominent and visible, it is not felt that there will be any adverse impact through general overbearing impact.

Highway Safety

The site is currently served by a track leading from George Street, which also provides access to three other dwellings. It is proposed to retain this existing access for the proposed dwelling, blocking off access to the existing dwelling The Old Rectory. This property also benefits from another access onto Chessels Lane, to the south, which has good visibility, a properly consolidated surface and drainage provision. This access will be brought into use permanently as the main access for The Old Rectory.

The County Highway Authority have considered the proposal and advised that Standing Advice should apply, in this case that would necessitate a visibility splay onto George Street of 43m in each direction, as well as provision of appropriate parking and turning space, properly consolidated surfaces and appropriate drainage provision to prevent discharge of surface water runoff onto the public highway. In this case all the requirements can be met other than the visibility splay. At present there is good visibility to the east but the views to the west are obscured by a neighbouring building. Despite this, the relocation of the access for The Old Rectory will mean that there is no increase in usage of this access and therefore the situation will remain as at present. As such, it is not considered that there are any improvements required and that the proposal will have no detrimental impact on highway safety. A condition will be imposed however to ensure that there is no access to The Old Rectory from the north.

Other Issues

No bat survey has been provided as the applicant states that the manner of construction of the building and lack of loft areas and wall crevices make it unlikely that any protected species will be present. The Council's Ecologist has considered the proposal and agrees that there is insufficient potential or risk of bat presence to justify a survey. As such, it is not considered that there will be any adverse impact on local ecology.

One neighbour has questioned the lack of bat survey and suggested that even if they are not present within the building it could be enhanced to provide roosting opportunities for local bat populations. This request has been made to the applicant and they have confirmed their agreement to a condition requiring biodiversity enhancements, such as the provision of bat and bird boxes within the site.

The occupiers of The Willows have referred to redundant electric cable that runs from their outbuildings to the site. They are concerned that these are likely to be removed and would like clarification as to how this will be done. No clarification has been received, however this is not strictly a matter for consideration under planning legislation. This is a civil matter that will need to be agreed by both parties and may also require consultation with the appropriate utilities company and compliance with other non-planning legislation.

Conclusion

Overall the proposed redevelopment of this site is considered to be acceptable and to respect the character and appearance of the locality, have no adverse impact on the setting of local heritage assets, highway safety, and ecology and cause no unacceptable harm to residential amenity.

RECOMMENDATION

Grant permission with conditions

01. The proposed development is considered to be acceptable, by reason of its design, scale and materials, and has no adverse impact the character and appearance of the locality, the setting of local heritage assets, highway safety and ecology and causes no unacceptable harm to residential amenity in accordance with the aims and objectives of saved policies ST3, ST5, ST6, EC8, EH1, EH3 and EH5 of the South Somerset Local Plan and the provisions of chapters 4, 6, 7, 11 and 12 and the core planning principles of the National Planning Policy Framework.

SUBJECT TO THE FOLLOWING:

01. The works hereby granted consent shall be begun before the expiration of three years from the date of this consent.

Reason: As required by Section 16(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

02. The development hereby permitted shall not be carried out otherwise than in complete accordance with the following approved plans: '6391/02A', '6391-03A' and '6391-04A', received 19th August 2014.

Reason: For the avoidance of doubt as to the development authorised and in the interests of proper planning.

03. No work shall be carried out on site unless particulars of the materials (including the provision of samples) to be used for the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity, in accordance with saved policies ST5, ST6, EH1 and EH5 of the South Somerset Local Plan 2006 and the provisions of chapters 7 and 12 of the National Planning Policy Framework.

04. The existing means of access serving The Old Rectory, from George Street, shall be stopped up, in accordance with the details that shall be submitted to and agreed in

writing by the Local Planning Authority, and its use permanently abandoned within one month of the development hereby permitted being first being occupied.

Reason: In the interests of highway safety, in accordance with saved policy ST5 of the South Somerset Local Plan and the provisions of Chapter 4 of the National Planning Policy Framework.

05. Details of measures for the enhancement of biodiversity shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancement measures shall be implemented in accordance with the approved details unless otherwise approved in writing by the local planning authority.

Reason: For the enhancement of biodiversity, in accordance with saved policy EC8 of the South Somerset Local Plan and the provisions of chapter 11 of the National Planning Policy Framework.

06. The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping (planting), which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of the development, as well as details of any changes proposed in existing ground levels; all planting, seeding, turfing or earth moulding comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity, in accordance with saved policies ST5, ST6, EH1 and EH5 of the South Somerset Local Plan 2006 and the provisions of chapters 7 and 12 of the National Planning Policy Framework.

07. All new boundary treatments shall be provided in accordance with details as indicated on approved plan '6391-04A'. Such approved details shall be fully provided before the dwelling hereby permitted is first occupied and shall be permanently retained and maintained thereafter.

Reason: In the interests of residential amenity, in accordance with saved policy ST6 of the South Somerset Local Plan 2006 and the core planning principles of the National Planning Policy Framework.

08. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, including dormer windows, or other openings (including doors) shall be formed in the dwelling hereby permitted, without the prior express grant of planning permission.

Reason: In the interests of visual and residential amenity, in accordance with saved policies ST5, ST6, EH1 and EH5 of the South Somerset Local Plan 2006 and the provisions of chapters 7, 12 and the core planning principles of the National Planning Policy Framework.
