

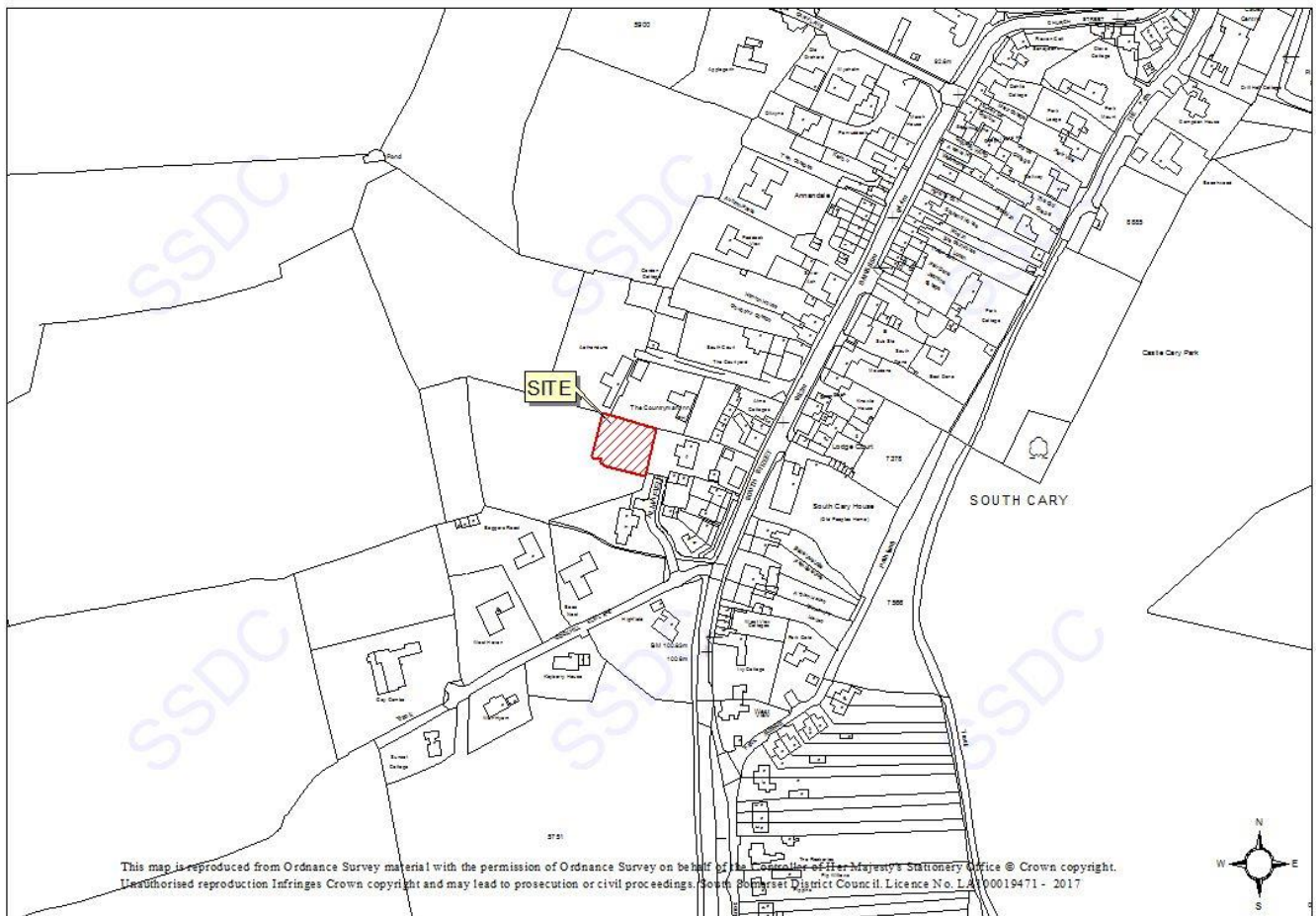
Officer Report On Planning Application: 17/01646/FUL

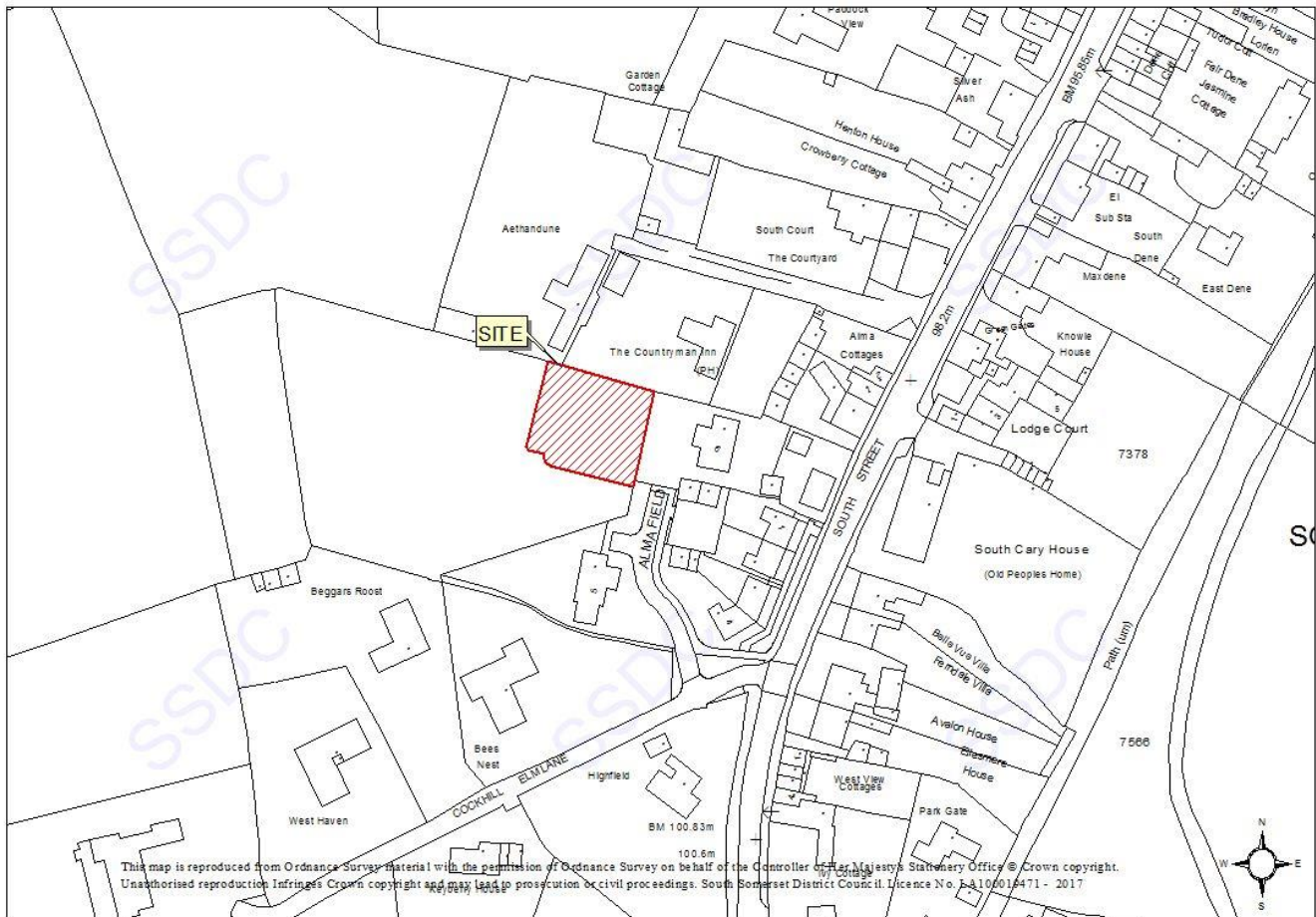
Proposal:	Erection of a dwelling and garage (revised design to that approved 15/04460/FUL).
Site Address:	Plot 2 Alma Field Castle Cary Somerset
Parish:	Castle Cary
CARY Ward (SSDC Member)	Cllr Nick Weeks Cllr Henry Hobhouse
Recommending Case Officer:	Lee Walton Tel: (01935) 462324 Email: lee.walton@southsomerset.gov.uk
Target date:	21st June 2017
Applicant:	Mr Stephen Cooper
Agent: (no agent if blank)	
Application Type:	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

This application is before the committee at the request of the ward member, and with the agreement of the area vice chair, in order to allow local objections to be publicly debated.

SITE DESCRIPTION AND PROPOSAL





There is an extant planning permission ref: 15/04460/FUL granted consent for three dwellings within the wider site. The current application seeks full planning permission to erect one dwelling and garage on one of the three permitted plots and seeks a revised design to the approved scheme.

The application site is agricultural land that is adjacent the development boundary. Castle Cary is designated a local market town in the local plan and is a sustainable settlement (policy SS1).

The application was submitted with a Planning Statement.

RELEVANT HISTORY

16/05497/DPO - Discharge of S106 relating to approval 15/04460/FUL (affordable housing contributions), permitted.

15/04460/FUL - Erection of three dwellings and associated access, garaging and manoeuvring spaces, Approved.

14/01639/OUT - Residential development of land for three dwellings, Approved.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF state that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.

For the purposes of determining current applications the local planning authority considers that the adopted development plan comprises the policies of the South Somerset Local Plan 2006 2028 (adopted March 2015).

Policies of the South Somerset Local Plan (2006-2028):

SD1 - Sustainable Development
SS1 - Settlement Strategy
SS5 - Delivering New Housing Growth
TA5 - Transport Impact of New Development
TA6 - Parking Standards
EQ2 - General development
EC3 - Historic Environment
EQ4 - Bio-diversity
EQ5 - Green Infrastructure

Regard shall also be had to:

National Planning Policy Framework (March 2012):

Chapter 4 - Promoting Sustainable Transport
Chapter 6 - Delivering a wide choice of high quality homes
Chapter 7 - Requiring Good Design
Chapter 8 - Promoting healthy communities
Chapter 11 - Conserving and Enhancing the Natural Environment
Chapter 12 - Conserving and Enhancing the Historic Environment

South Somerset Sustainable Community Strategy

Other Relevant Documents

Somerset County Council Parking Standards (September 2013)
Somerset County Highways Standing Advice

CONSULTATIONS

Castle Cary Parish Council - This greenfield site is not within the Town's direction of growth as designated in the Local Plan. The only reason the Town Council approved the original application was because it was for three Eco Hanse Haus dwellings. The Town Council feels that a mockery is being made of the consultation process if original plans which were supported by the Planning Committee are subsequently completely changed - as in this case. We were happy to have Eco homes. We do not support this change.

The new proposal is for a larger house which will overlook the neighbours, take longer to build and will mean that the site is now being overdeveloped. There is also a discrepancy between the number of neighbours consulted originally (42) and the number contacted this time (8). The Town Council feels there would have been more than the 2 objections from neighbours if more people had been notified and that therefore due process has not been.

SSDC Conservation Officer - No objection.

County Highway Authority - standing advice applies

SSDC Highway Consultant - Ensure sufficient on-site parking in line with the Somerset Parking Strategy standards is provided.

County Archaeologist - No objection.

SSDC Tree Officer - I have noted the early-mature Sycamore adjoining the Northern boundary. A tough, resilient species, its solar orientation to the building is fortunate. Any future concerns regarding encroaching branches could be dealt with from within the site itself. It would seem prudent to impose some basic precautions through conditions to preserve the health of the roots.

REPRESENTATIONS

There have been three neighbour notification responses received. One makes general observations to the effect that they are pleased the proposal sticks with the overall height of the original. There have also been two letters of objection. These include concerns that:

- The first floor north elevation now includes openings
- Loss of privacy, intrusive
- Extended build period and associated disturbance

CONSIDERATIONS

Principle of Development

The principle of residential development is accepted by the extant planning permission ref: 15/04460/FUL. Accordingly the main considerations include character and appearance, highway safety and neighbour amenity.

Character and appearance

The design whilst different and not a 'Hanse Haus' is considered acceptable in terms of character and appearance. Its overall height is comparable to the extant permission.

Highways Safety

It is considered that the proposal generally accords with the County Highways standing advice.

Neighbour amenity

The proposal introduces three small windows at first floor level. A condition requires them to be obscure glazed as they serve bathroom areas. Distances between opposing elevation are considered acceptable without loss of privacy, notwithstanding that the rear fenestration helps mitigate any concerns. The main living space outlook is from the south elevation. On the north side a narrow garden area is shown, with limited effective openings from this side. The presence of the nearby tree is not considered previously to have been an issue in terms of light and its shadowing. It is considered the proposal would not have any detrimental impact on neighbour amenity of occupants adjacent to the site.

Other Matters

The Tree officer advises that the sycamore is tuff and young and a resilient species. The orientation of the house removes some of the concerns regarding over-shadowing. A condition is proposed to be attached to any permission that seeks to protect the tree during the construction phase.

Town Council and Neighbour Comments received

Their responses are noted. Despite not being within the Town's direction of growth it is still necessary to consider the issues more closely. This is a site closely related to the built form and while the original permission was considered by the town council on the basis of their eco credentials the approach is not critical to the permission. We have therefore to consider the impacts of different houses that necessarily comes down to overall, scale, mass, design and other planning matters. Planning permissions need not be set in stone.

The discrepancy between the number of neighbours consulted originally (42) and the number contacted this time (8) reflects several issues including an originally larger site, but also the fact that

the principle of development has been accepted. It is therefore necessary to consult those immediate neighbours in accordance with council policy. Any development necessarily will result in disturbance during the construction phase. The fact that one type of build might be quicker than another is not a planning matter.

Whether CIL liable

A development is CIL liable and form 'O' has been received from the applicant.

RECOMMENDATION

Approve

01. The proposal, by reason of its location, represents appropriate infill adjacent to the development area and is therefore sustainable development in accordance with the aims of objectives of policy SS1 and EQ2 of the South Somerset Local Plan 2006- 2028.

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

02. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, TWP17-CC-003, 001, 002, 004, 005, 008 and 012 received 5 May 2017.

Reason: For the avoidance of doubt and in the interests of proper planning.

03. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows/dormer windows other than those expressly authorised by this permission shall be constructed.

Reason: In the interests of neighbour amenity further to Policy EQ2 of the South Somerset Local Plan 2006- 2028

04. Before the development hereby permitted is commenced, foul and surface water drainage details to serve the development, shall be submitted to and approved in writing by the Local Planning Authority and such approved drainage details shall be completed and become fully operational before the development hereby permitted is first brought into use. Following its installation such approved scheme shall be permanently retained and maintained thereafter.

Reason: In the interests of neighbour amenity further to Policy EQ2 of the South Somerset Local Plan 2006- 2028.

05. Prior to commencement full particulars detailing the layout of the natural stone boundary walls bordering the access road, their appearance, including that of the gate piers, use of materials, including a sample panel to show coursing and pointing, shall be submitted to and agreed in writing by the Local Planning Authority. Such details as shall be agreed shall be undertaken as part of the development and thereafter retained and shall not be removed or otherwise altered.

Reason: In the interests of visual amenity, character and appearance and for the avoidance of doubt further to Policy EQ2 of the South Somerset Local Plan 2006- 2028.

06. No development hereby approved shall be carried out until particulars of following have been submitted to and approved in writing by the Local Planning Authority:-
- a. details of materials (including the provision of samples where appropriate) to be used for the external walls and roofs;
 - b. details of the internal finished ground floor levels
- Once approved such details shall be fully implemented unless agreed otherwise in writing by the Local Planning Authority.

Reason: To safeguard the character and appearance of the area in accordance with Policy EQ2 and EQ3 of the South Somerset Local Plan 2006- 2028.

07. Prior to the development hereby approved being first brought into use the first floor windows in the north elevation shall be fitted with obscure glass (and fixed closed) and shall be permanently retained and maintained in this fashion thereafter.

Reason: In the interests of neighbour amenity, further to policy EQ2 of the South Somerset Local Plan 2006- 2028.

08. Prior to commencement of the approved development, the appointed construction/groundworks contractor shall arrange for the Council's Tree Officer (01935 462670) to attend a pre-commencement site meeting at a mutually convenient time. Tree protection measures - specifically the installation of protective fencing and signage, shall be installed by the appointed construction/groundworks contractor, inspected and approved in writing by the Council prior to any commencement of the development. The approved tree protection fencing shall remain undisturbed and in-situ for the duration of the construction of the approved development and shall only be moved or dismantled with the prior approval of the Council in-writing.

Reason: To preserve existing landscape features (trees) in accordance with the following policies as stated within The South Somerset Local Plan (2006 - 2028); EQ2: General Development, EQ4: Bio-Diversity & EQ5: Green Infrastructure.