

Officer Report On Planning Application: 17/02438/REM

Proposal :	Application for reserved matters following approval of 14/01514/OUT to include details of access, appearance, landscaping, layout and scale.
Site Address:	The Old Mill House Lower Kingsbury Milborne Port
Parish:	Milborne Port
MILBORNE PORT Ward (SSDC Member)	Cllr Sarah Dyke
Recommending Case Officer:	Lee Walton Tel: (01935) 462324 Email: lee.walton@southsomerset.gov.uk
Target date :	2nd August 2017
Applicant :	Mr Paul Rewrie
Agent: (no agent if blank)	Greenslade Taylor Hunt Winchester House Deane Gate Avenue TAUNTON TA1 2UH
Application Type :	Minor Dwellings 1-9 site less than 1ha

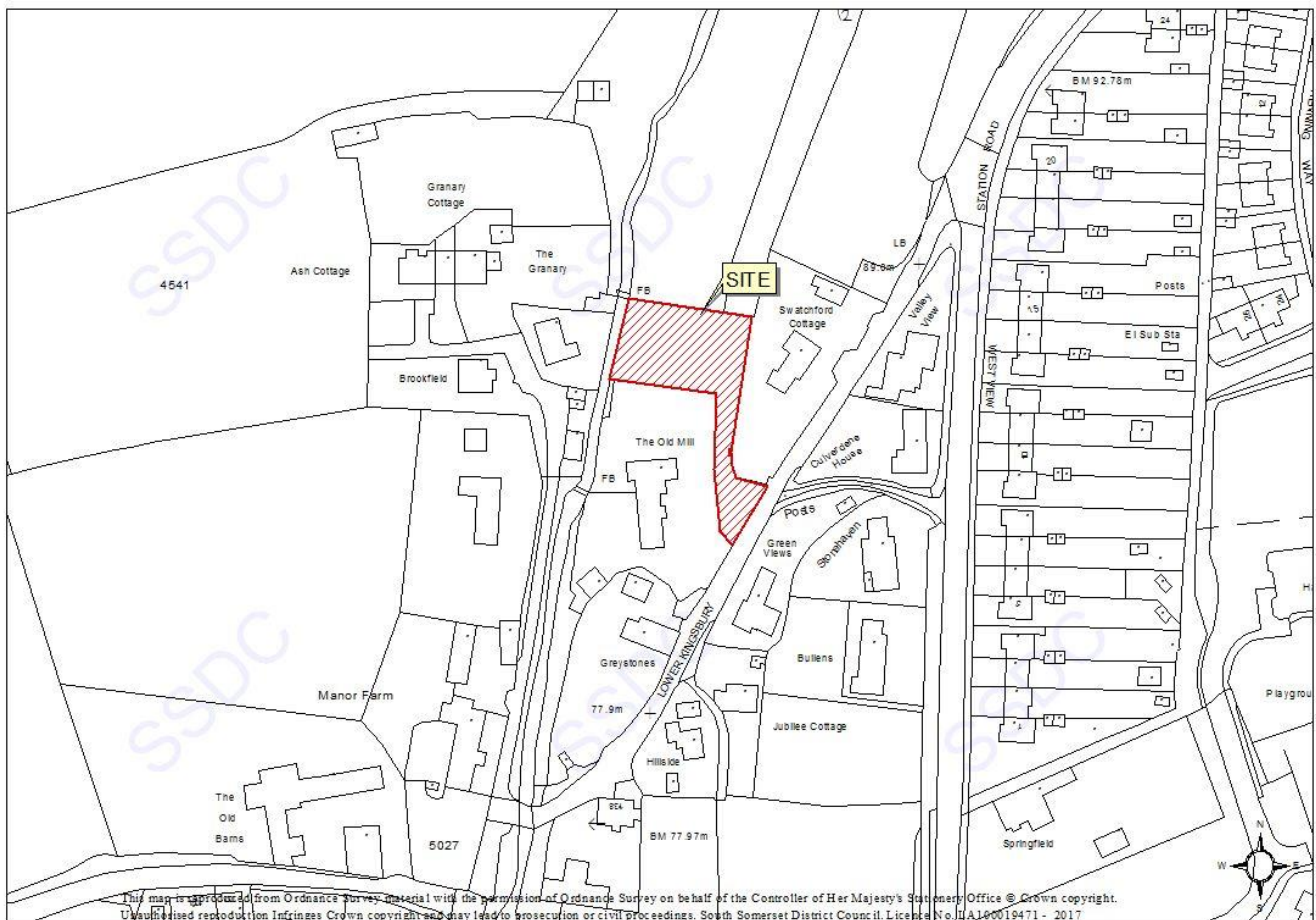
BACKGROUND AND THE REASON FOR REFERRAL

Committee in considering ref: 17/01636/OUT when they deferred their decision for a Members site visit was aware that the council was also in receipt of the Reserved Matters application associated with ref: 14/01514/OUT. Committee required that the reserved matters application be brought to committee at the same time as the deferred outline application was brought back following the site visit.

SITE DESCRIPTION AND PROPOSAL



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The site is located at the northern end of Milborne Port, within the defined development area. The land slopes gently from north to south and the application site previously formed part of the large garden area to the Old Mill House that has since been detached and that property sold off. The site is bounded to the North by an open field; to the West by the stream, beyond which are the gardens of the dwelling houses 'The Granary' and 'Narrow Corner'; and to the East, raised up on the adjacent land, by Swatchford Cottage. A Tree Preservation Order applies to trees that form part of access drive.

The proposal comprises an application for reserved matters and follows the outline planning permission 14/01514/OUT for the erection of a detached 4 bedroom house and double garage. All matters were reserved that are to be considered in detail at this stage, namely Access, Appearance, Landscaping, Layout and Scale.

The application is submitted with a Design and Access Statement, and Arboricultural Statement, and in response to the Tree Officer's original response a revised Arboricultural Method Statement.

HISTORY

17/01636/OUT - Outline application for the erection of a four bedroom dwelling and garage (resubmission of 14/01514/OUT), Pending.

14/01514/OUT - Outline application for the erection of a detached 4 bedroom house and double garage, Approved.

13/01931/OUT - Outline application for the erection of a detached 4 bedroom house and double garage, Refused 9.07.2013. Access was an issue.

10/00042/OUT - The erection of a detached dwelling with double garage and construction of rear access. (Revised application) - refused

09/01932/OUT - The erection of a detached dwelling with double garage and construction of rear access - withdrawn

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

TA5 - Transport Impact of New Development

TA6 - Parking Standards

EQ1 - Addressing Climate Change in South Somerset

EQ2 - General development

EQ4 - Biodiversity

EQ5 - Green Infrastructure

National Planning Policy Framework (March 2012):

7. Requiring good design

Somerset County Council Parking Strategy, September 2012.

County Highways standing advice 2013

CONSULTATIONS

Milborne Port Parish Council - (responding to the Tree Officer's original response) agrees with the comments of the Tree Officer. There appears to be a risk of the largest tree to the south of the access being unstable. The PC's original response raised no objections.

Highway Authority - standing advice to consider parking standards, turning on site and visibility offering safe access with the highway.

SSDC Landscape Officer - Whilst the span of the new build across the axis of the valley is not the most sympathetic configuration, the scale is as anticipated. I note that the house lays very close to the rear of the domestic plot, and bounds agricultural land to the north. Demarcation of this boundary should be clearly defined, to ensure no residential 'creep' into the adjoining field.

Lead Local Flood Authority - have no comments to make.

SSDC Tree Officer (Following receipt of the revised Arboricultural Method Statement received 30 August 2017) - Just to confirm that the amended tree protection measures are satisfactory. He seeks conditions that include the opportunity of reviewing the retaining wall construction details.

REPRESENTATIONS

Three householder letters of objection have been received, making the following main points:

- Loss of character and appearance to the historic area
- Scale and massing is inappropriate for the plot
- Loss of amenity to neighbours, overlooking and loss of privacy and overbearing
- Flooding is a present threat and development may tip the balance
- Access is not suitable to safely accommodate the proposed development

CONSIDERATIONS

Principle of Development

The principle of development is established by the outline permission 14/01514/OUT. That application sought the principle of development with all matters reserved namely, Access, Appearance, Landscaping, Layout and Scale, to include consideration of neighbour amenity and the impact on trees.

Access

This was previously given close attention albeit that all matters were reserved by the outline application. The current proposals come forward in accordance with the details previously considered with the new access point requiring infilling and raising of the land immediately behind the proposed entrance. This results in the existing embankment being raised that is located between this point and the Old Mill House and levels the surface within the immediate area to bring ground levels up to a similar level as the adjacent highway and the alignment of what was originally the water feed supplying the mill that is to become the continuation of the driveway to the new dwelling travelling northwards and is bounded to the West by the protected trees (TPOs), and to the East the property boundary with Switchford Cottage.

A 3m wide carriageway is shown giving access to a single dwelling and likewise the details indicate that the access where it adjoins the highway provides motorists with what largely accords with the details previously considered. Rather than visibility taken from 2.4m set back from the highway edge, this is reduced to 2m. The approach accords with the Manual for Streets given the particular circumstances of the lane. The Highway Code is also relevant in considering the impacts arising from the local circumstances of the lane. It is considered that some relaxation is appropriate without this being prejudicial to highway safety.

Appearance, Landscaping, Layout and Scale

The Landscape Architect accepts the overall scale and location of the building. Although large in terms of the plot size this is not unusual for much new building. The previous plans were indicative thereby offering the scope for the current scheme to be brought forward. The proposal is not considered to have a detrimental impact on character and appearance.

The northern curtilage boundary is defined by the presence of the red outline that will be physically defined and enclosed in accordance with the Landscape Officer's comments to avoid domestic sprawl over the adjacent land.

Impact on Residential Amenity

All objections have been considered, as appropriate, within the relevant sections of the officer report. The proposal tends to overlook the Old Mill although distances are more than sufficient not to attract any great weight against the proposal. As such the dwelling's presence is not considered to have engaged any planning amenity concern.

The immediate neighbours at the Old Mill are also clearly concerned about the movement of vehicles along the drive and general overlooking of their home. While the current planting offers much screening,

evidently much of this will be removed. The proposal seeks a fence atop the retaining wall that would help reduce direct penetration of headlights into the adjacent dwelling. While overlooking cannot be discounted, stood back within the surface area of the drive such views are likely to be restricted.

The neighbour draws attention to the fact that the previous owner of their house was also the applicant for the original outline and would have sought to played down any negative impact of having the drive overlooking their home. While this might not be discounted, amenity was ultimately a reserved matter. Such details can now be more fully considered. The reasons for why the amenity concerns do not attract significant weight are stated above.

Trees

A revised Arboricultural Methodology Statement was received 30 August 2017 that replaces drawing ref. TPPOM attached to that document by retaining one of the trees that had previously been shown to be removed. The Tree Officer is supportive of the proposal and seeks the addition of two conditions. These include to need to review the construction detail of the retaining wall that might be improved, rather than the construction shown in drawing ref. TPPOM. The approach that is supported by the applicant's email of the 29 August 2017.

RECOMMENDATION

Approve

01. The proposal, by reason of its location, represents appropriate infill within the defined development area and does not foster growth in the need to travel and is therefore sustainable and can achieve an acceptable highways access and on site highway arrangements in accordance with the aims of objectives of policy EQ2, EQ3, TA5 and TA6 of the South Somerset Local Plan 2006- 2028.

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be carried out in accordance with the following approved plans: 2430-PL-01A, -02A, -03A, -04B, and 05A (omitting retaining wall detail to be agreed under condition 03).

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

02. Notwithstanding the Tree Protection Plan ref: TPPOM (Arboricultural Methodology Statement) detail, in accordance with the applicant's e-mail of 29 August 2017 and prior to commencement of the approved development, full particulars concerning the design and installation of the retaining structures and below-ground services required within the designated Root Protection Areas shall be submitted to the Council for their approval in-writing. Such details shall be undertaken on site and thereafter retained.

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

03. The submitted scheme of tree protection measures (the Arboricultural Method Statement and Tree Protection Plan; Ref: TPPOM "Final Revised" - as prepared by Hellis Arboriculture, Landscape and Design, received 30 August 2017) - specifically the requirement for pre-commencement arboricultural supervision and the installation of the specially engineered access driveway) shall be implemented in their entirety for the duration of the construction of the approved development.

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

04. 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. a sample panel, to be prepared for inspection on site, to show the mortar mix, coursing and pointing of the external walls;
 - c. details of the rainwater goods and eaves and fascia details and treatment.
 - d. full particulars of window, and door details
 - e. details of the boundary enclosing the garden curtilage (red outline) on north side of house
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 saved policies EQ2 of the South Somerset Local Plan 2006- 2028.