

Officer Report On Planning Application: 17/04588/REM

Proposal:	Application for reserved matters following approval of 15/00288/OUT to include details of accesses, appearance, landscaping, layout and scale
Site Address:	Vedelers Hey Balsam Park Wincanton
Parish:	Wincanton
WINCANTON Ward (SSDC Member)	Cllr Nick Colbert Cllr Colin Winder
Recommending Case Officer:	Lee Walton Tel: (01935) 462324 Email: lee.walton@southsomerset.gov.uk
Target date:	26th February 2018
Applicant:	Mr Simon Jenvey
Agent: (no agent if blank)	Mr Colin Powell Suite 10, Corum 2 Corum Office Park, Crown Way Warmley Bristol BS30 8FJ
Application Type:	Major DwlgS 10 or more or site 0.5ha+

Members will recall that this application was deferred at their March meeting to:

- enable negotiations with the applicant and the County Highway Authority as to the adoptability of the road and
- to assess the legality of proposed condition 11.

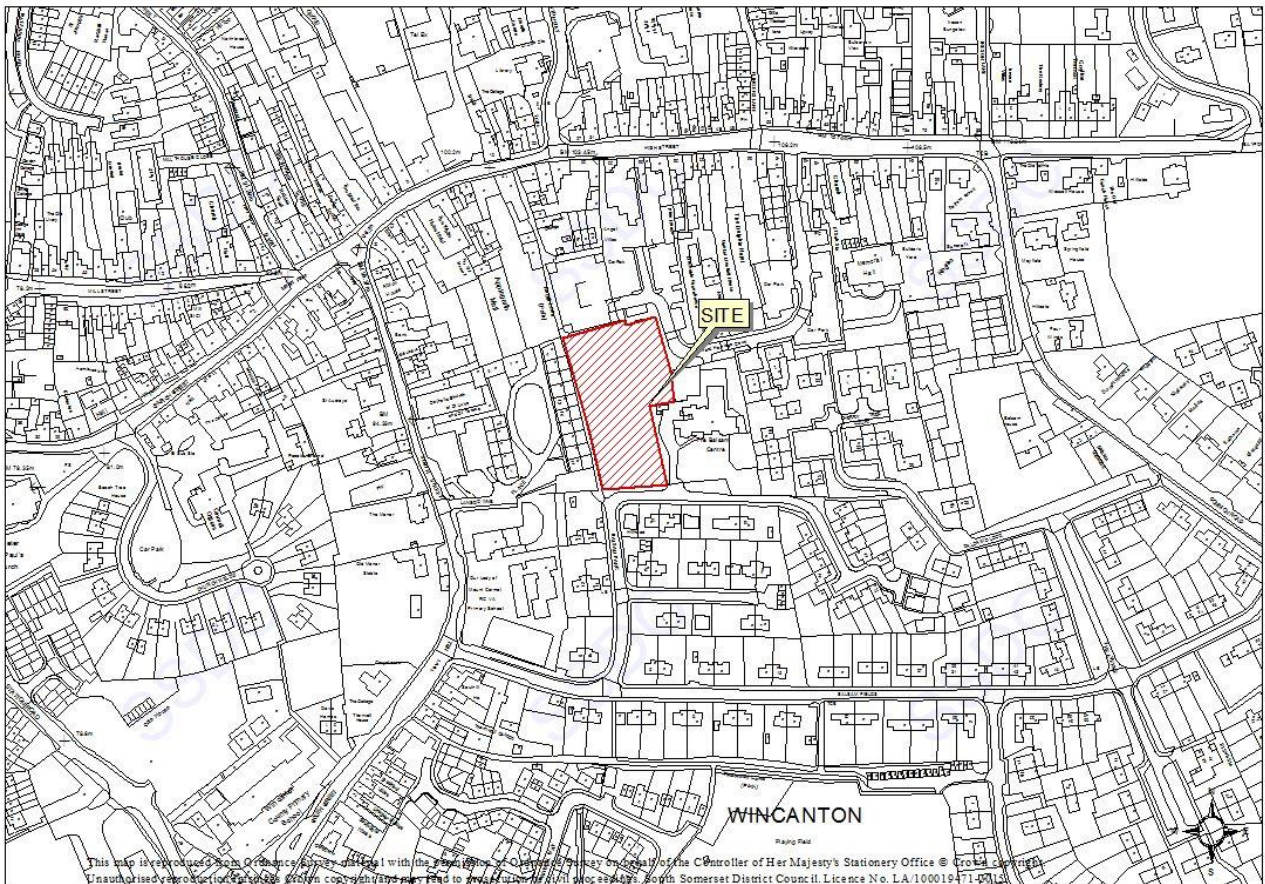
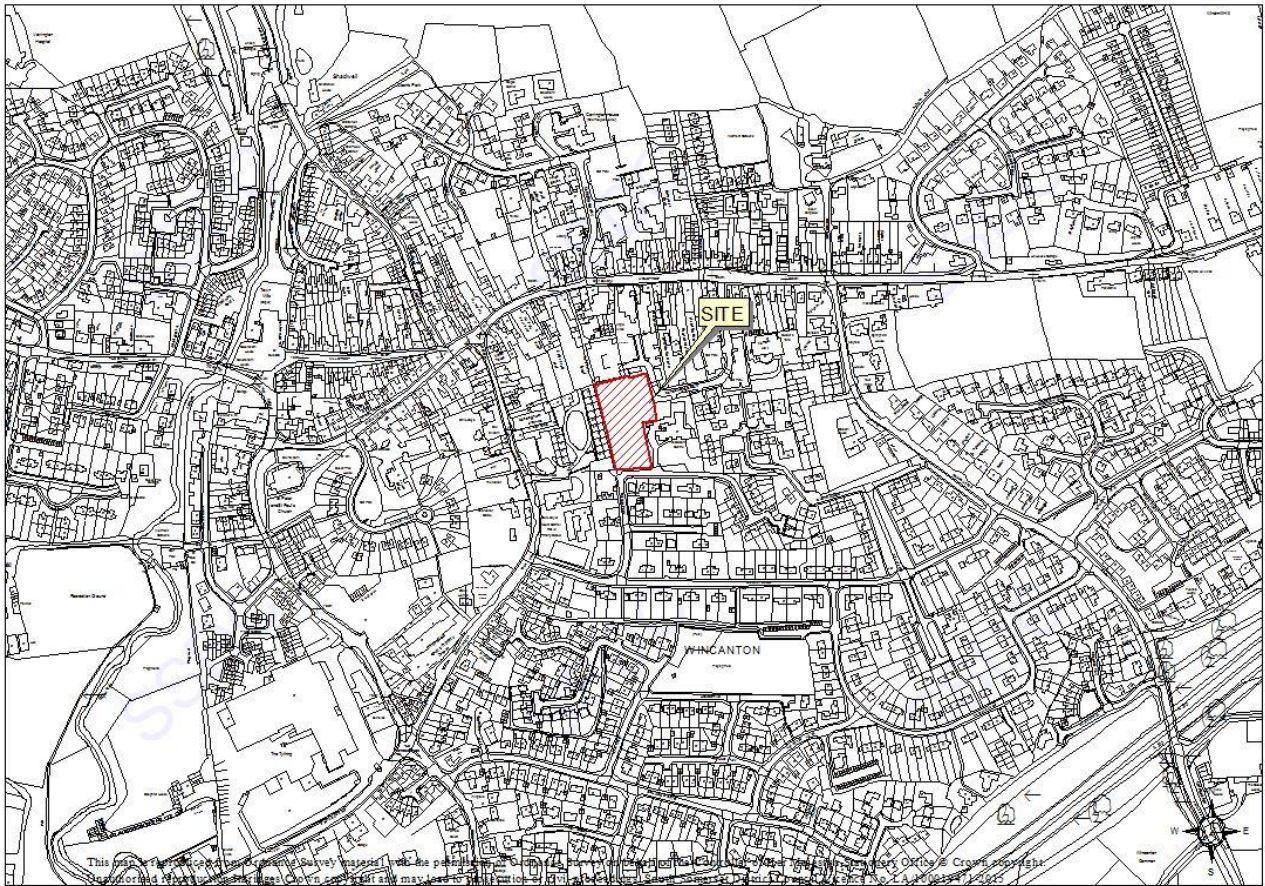
In terms of the 2nd point the Council's Legal Officer advises that it is possible to impose conditions at reserved matters stage where the outline permission contains a condition reserving those matters. The Outline permission reserved all matters and therefore the condition is appropriately attached.

With regard to the 1st point at the time of drafting the report the outcome of negotiations are still to be undertaken and a verbal up-date reported to committee. I re-attach the report previously considered by Members

REASON FOR REFERRAL

This application is before the committee, at the request of a ward member and with the agreement of the area chair, to allow public debate of the local concerns regarding traffic and access arrangements to the site.

SITE DESCRIPTION AND PROPOSAL



The 0.41 hectare site is located centrally within Wincanton, south of the High Street. It is bounded to the west by Angel Lane; to the north by the public car park (in the ownership of the District Council); to the south Balsam Park, and to the east The Balsam Centre. The previously vacant dwelling within the site's southern area has been removed due to safety concerns.

This Reserved Matters application seeks consent for the erection of 15 dwellings and include details of Access, Appearance, Landscaping, Layout and Scale.

The application is supported by:

- a Tree Condition Report
- A Design and Access Statement (November 2017)

Amended plans were received during consideration of the application in response to comments made by the Conservation Officer.

HISTORY

15/00288/OUT - Proposed demolition of existing dwelling and erection of up to 15 dwellings, Approved.

10/00935/OUT - Demolition of existing dwelling and residential redevelopment of site with new access - Refused 4.01.2011 on the basis of a lack of parking for family sized accommodation, with pressures on the town's car parking that would be to the detriment of local services and shops.

10/03349/FUL - Erection of 8(no.) two storey dwellings and the formation of pedestrian access into Angel Lane and the public car park to replace extant permission 04/00114/FUL to extend the time limit for implementation - Refused 5.10.2010 on the basis of a lack of parking for family sized accommodation, with pressures on the town's car parking that would be to the detriment of local services and shops.

08/02539/FUL - Demolition of existing dwelling and erection of 14(no.) dwellings with new access, Refused on the basis of the removal of a substantial tree acknowledged to be of high public visual amenity value and the subject of a Tree Preservation Order.

07/05602/FUL - Demolition of existing dwelling and erection of 14(no.) dwellings with new access, refused.

04/00114/FUL - The erection of 8 no. two storey dwellings and the formation of pedestrian access onto Angel Lane and the public car park - refused by committee and considered on appeal - refused, but appeal allowed 11.10.2005.

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
SS6 - Infrastructure Delivery
HG3 - Affordable Housing
TA5 - Transport Impact
TA6 - Parking Standards
HW1 - Provision of open space...
EQ1 - Addressing Climate Change
EQ2 - General Development
EQ3 - Historic Environment
EQ4 - Biodiversity
EQ5 - Green Infrastructure

National Planning Policy Framework - March 2012
Chapter 1 - Building a strong competitive economy
Chapter 3 - Supporting a Prosperous Rural Economy
Chapter 4 - Promoting sustainable transport
Chapter 5 - Supporting high quality communications infrastructure
Chapter 6 - Delivering a 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

National Planning Practice Guidance

Other Relevant Documents

Somerset County Council Parking Strategy, adopted March 2012 and re-adopted September 2012, following corrections made.

Wincanton Neighbourhood Plan 2018

CONSULTATIONS

Wincanton Town Council - recommends approval.

County Highways Authority - Further to my email of the 8th February 2018 I now have the following Estate Road comments to make with regards to amended layout drawing 17004/02 Revision B. No highway safety concerns were raised but there will be implications on the Section 28 process and adoption. The current layout would not be adoptable, the Highway Authority does not wish to raise any objections to the proposal on highway safety grounds subject to conditions to cover visibility, surface water, estate road details, gradients, and lighting.

SSDC Conservation Officer - following revised drawings supports the proposal following their earlier concerns.

SSDC Tree Officer - subject to ensuring tree planting scheme, I am satisfied that the removal of the Pine (TPO) is reasonable and justified.

REPRESENTATIONS

There have been three householder responses received following neighbour notification. These object. Their objections include:

- Traffic congestion, dangerous and disruptive

- School pick up
- Construction traffic

CONSIDERATIONS

Principle of Development

Outline planning permission has been granted for up to 15 dwellings on this site and therefore the principle of the development has been established. All Matters were previously reserved and as such the details of Access, Appearance, Landscaping, Layout and Scale are considered at this stage.

Access

The development will gain access from Balsam Park, an unclassified road that currently serves a residential area of Wincanton. The Highway Authority has raised no objection in terms of highway safety.

Appearance, Landscaping, Layout and Scale

The revised details react to the Conservation Officer's concerns to show a slightly more angular layout considered more in character with the adjacent conservation area. The large Monterey Pine Tree is to be removed due to structural difficulty following recent weather damage. The council's Tree Officer is supportive of its loss with a semi mature replacement sought to add some immediate presence to the locality. A condition to this effect would be attached to any planning permission.

Permeability within the town centre is encouraged by the pedestrian access between the site and public car park. A condition that secures this is proposed as part of any permission. Overall the proposal is considered to be acceptable without detriment to character and appearance of the locality including the setting of the Conservation Area.

Neighbour Amenity

The revised layout has turned some of the houses although their positions remain roughly the same distances between adjacent elevations and are currently measured between 23 and 27m apart from the Lansdowne Place dwellings. It is considered that the proposal would not unacceptably harm the residential amenity of occupiers of adjacent properties by disturbing, interfering with or overlooking such properties.

RECOMMENDATION

Approve

01. The proposal, by reason of its location, represents appropriate residential development within a recognised settlement and does not foster growth in the need to travel and is therefore sustainable in accordance with the aims of objectives of Policy SS1, EQ2, EQ3, of the South Somerset Local Plan 2006- 2028, and the NPPF.

SUBJECT TO THE FOLLOWING:

01. All trees are to be sourced as having UK provenance and shall be container-grown (preferably specified with "fully-feathered" forms or even "half-standards" as opposed to "standards"), sized as "12-14's" with a minimum root-volume of 45 litres. Each tree to be planted within a grass/lawned environment is to have a minimum radius of 500 millimetres around each trunk, to be stripped of all competing vegetation and a 100 millimetre depth of wood-chip or chipped bark is to be applied as a mulch-layer to a minimum radius of 500 millimetres around each trunk. Each tree will be supported by being securely gate-staked and firmly tied with rubber spacing blocks and rubber belting. Each tree planted within a lawned/turfed environment is to have an 'Arbortech Standard Strimmer-Guard' installed around the base of the trunk.

The replacement tree following removal of the protected pine tree shall be a semi-mature specimen, details of which shall be submitted to and agreed in writing by the Local Planning Authority prior to its planting. Any tree 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: A landscape scheme is a working document - such details are required to provide the appointed landscape contractor with clear instruction to ensure the successful establishment of the new trees that is in the interests of character and appearance further to Policy EQ5, EQ6, EQ2 and EQ3 of the South Somerset Local Plan 2006- 2028.

02. The development hereby permitted shall be carried out in accordance with the following approved plan: 17004/00, /02B, /03B, /04D, /05B and /06B.

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

03. There shall be no obstruction to visibility greater than 300 millimetres above adjoining road level in advance of lines drawn 2.4 metres back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 25 metres either side of the access. Such visibility shall be fully provided before the development hereby permitted is occupied and shall thereafter be maintained at all times.

Reason: In the interests of highway safety further to Policy TA5 and EQ2 of the South Somerset Local Plan 2006- 2028.

04. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority. Such provision shall be installed before occupation and thereafter maintained at all times.

Reason: In the interests of highway safety further to Policy TA5 and EQ2 of the South Somerset Local Plan 2006- 2028.

05. The proposed roads, including footpaths and turning spaces where applicable, shall be constructed in such a manner as to ensure that each dwelling before it is occupied shall be served by a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway.

Reason: In the interests of highway safety further to Policy TA5 and EQ2 of the South Somerset Local Plan 2006- 2028.

06. The gradients of the proposed drives to the dwellings hereby permitted shall not be steeper than 1 in 10 and shall be permanently retained at that gradient thereafter at all times.

Reason: In the interests of highway safety further to Policy TA5 and EQ2 of the South Somerset Local Plan 2006- 2028.

07. None of the dwellings hereby permitted shall be occupied until a scheme of street lighting has been installed in accordance with a design and specification to be approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety further to Policy TA5 and EQ2 of the South Somerset Local Plan 2006- 2028.

08. Within 3 months of the permission a drainage scheme for the site showing details of gullies, connections, soakaways and means of attenuation on site shall be submitted to and approved in writing by the Local Planning Authority. The drainage works shall be carried out in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety further to Policy TA5 and EQ2 of the South Somerset Local Plan 2006- 2028.

09. The walls either side of the access as shown on the drawing marked 'annotated drawing' with a drawing no. ref: 17004/02 shall be extended (west side), as indicated, with both sides of the access wall to be tapered from the points marked with an 'X', to fall to a height of 1m or thereabout where the walls terminate, as shown on the above drawing. The roadside wall shall remain its current height and infilled, repaired and made good with the available stone taken from the extant wall that is accepted by the applicant's email dated 21 February 2018.

Reason: In the interests of character and appearance further to Policy EQ2 and EQ3 of the South Somerset Local Plan 2006- 2028.

10. Within 3 months of the permission a soft and hard landscaping scheme shall be submitted to and agreed in writing by the Local Planning Authority. Full particulars shall include details that differentiate the parking spaces, foot way and vehicular surface from one another. A mix of materials including pavements for parking spaces should be envisaged.

Reason: In the interests of character and appearance further to Policy EQ2 and EQ3 of the South Somerset Local Plan 2006- 2028.

11. In accordance with the applicant's email of 26 February 2016 there shall be no obstruction of the pedestrian access annotated 'Gateway to maintain existing access to town centre' on drawing no. 17004/04 RevD. There shall continue to be free and unobstructed access at all times connecting Balsam Park with the public car park.

Reason: To encourage pedestrian permeability within the town centre, further to Policy EQ2 of the South Somerset Local Plan 2006- 2028.

Informatives:

01. The applicant/ developer is reminded of the County Highways Authority's response that the current estate road layout is considered would not be adoptable.