

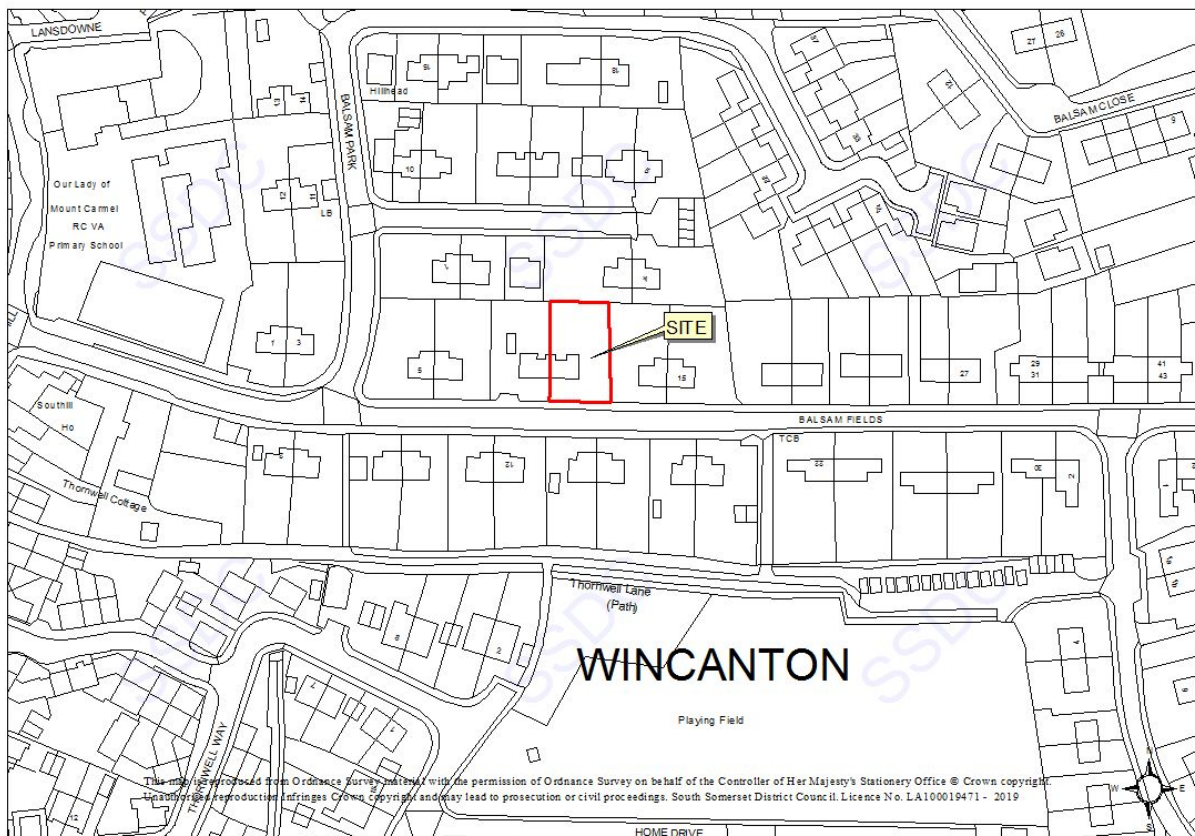
## Officer Report on Planning Application: 19/01462/FUL

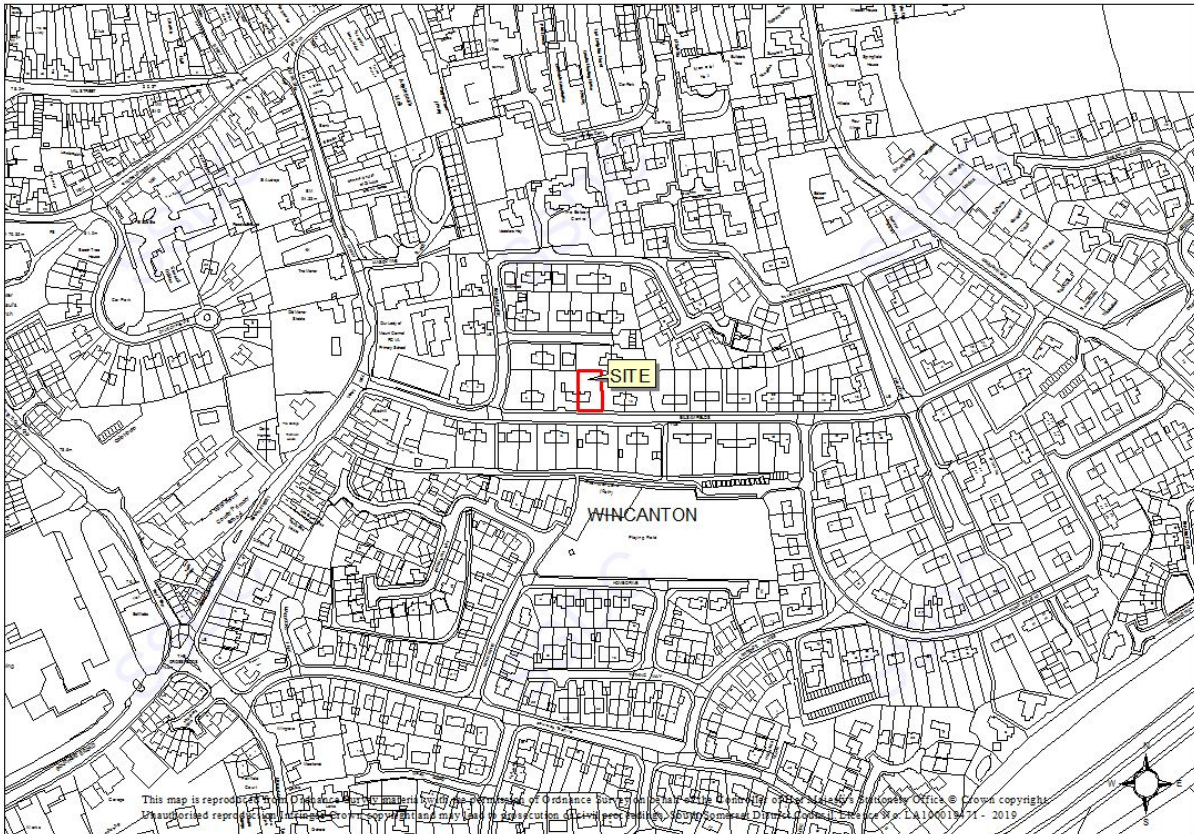
<b>Proposal:</b>	The erection of an attached dwelling and formation of associated parking.
<b>Site Address:</b>	11 Balsam Fields, Wincanton BA9 9HF
<b>Parish:</b>	Wincanton
<b>WINCANTON Ward (SSDC Member)</b>	Cllr N Colbert and Cllr C Winder
<b>Recommending Case Officer:</b>	David Kenyon Tel: 01935 462091 Email: david.kenyon@southsomerset.gov.uk
<b>Target date:</b>	15th August 2019
<b>Applicant:</b>	Mr & Mrs J Boulter
<b>Agent: (no agent if blank)</b>	Mr Daniel Foster 5 Stirling Way FROME BA11 2XQ
<b>Application Type :</b>	Minor Dwellings 1-9 site less than 1ha

### REASON FOR REFERRAL TO COMMITTEE

This application is referred for Committee consideration at the request of one of the Ward Members, with the agreement of the Area Chair, in order to allow the planning issues to be debated. It should be noted that the other ward member agrees with the officer's recommendation.

### SITE DESCRIPTION AND PROPOSAL





This is a detailed application seeking full planning permission for the erection of an attached dwelling and associated parking.

The site comprises a 2 storey semi-detached dwelling, no. 11 Balsam Fields, and its side and rear garden areas, situated within the heart of a residential area with dwellings on all sides.

The proposal seeks to erect a 3-bedroomed attached dwelling with parking for two vehicles, plus three new parking spaces for No. 11. The proposed dwelling would have the same ridge and eaves heights as no. 11 and would be constructed of brick and rendered walls and clay roof tiles all to match the existing dwelling.

## **HISTORY**

None

## **POLICY**

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and paragraphs 2, 11 and 12 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
- TA1 - Low Carbon Travel
- TA5 - Transport Impact of New Development
- TA6 - Parking Standards

EQ1 - Addressing Climate Change in South Somerset  
EQ2 - General development

### **Wincanton Neighbourhood Plan 2018-2028**

Policy 7 - Housing Types

### **National Planning Policy Framework - February 2019**

Chapter 5 - Delivering a sufficient supply of homes

Chapter 9 - Promoting sustainable transport

Chapter 12 - Achieving well - designed places

Chapter 14 - Meeting the challenge of climate change, flooding and coastal change

### **National Planning Practise Guidance**

#### **Other material considerations**

Somerset County Council Parking Strategy (SPS) (September 2013) and Standing Advice (June 2017)

### **CONSULTATIONS**

#### **Wincanton Town Council**

Application recommended for refusal due to the lack of amenity to neighbouring properties. The Town Council raises concerns about the traffic problems in that area and are satisfied the housing requirements in the town have been met.

#### **County Highways**

Refers to Standing Advice.

#### **SSDC Highway Consultant**

No significant highways issues with this scheme provided the proposed parking spaces have minimum dimensions of 4.8m x 2.4m per space. If this is the case, I recommend the following conditions are imposed if permission is granted: (a) a 2.4m back and parallel visibility splay across the whole site frontage with no obstruction greater than 600mm within the splay, (b) the proper consolidation and surfacing of the parking spaces (not loose stone or gravel), (c) the installation of drainage measures to the rear of the pavement (such as an ACO drain leading to a private soakaway) to ensure that surface water from the parking spaces does not discharge onto the highway, (d) a maximum gradient of 1:10 for the parking spaces, and (e) a Note to Applicant informing of the need to apply for a S.184 license from SCC for the dropping of the kerb-line and the re-profiling of the pavement.

### **REPRESENTATIONS**

Six neighbouring properties and other third parties have been notified and a site notice displayed.

Two objections have been received which are on the website in full for information. The objections can be summarised as follows in no particular order:

- The proposed new dwelling would be a complete eyesore and invasion of space.
- Overdevelopment. Character of semi-detached properties would be changed to an unacceptable degree.
- The new build would impinge on views and result in unacceptable overshadowing of neighbouring gardens and houses.
- The road is very busy as it is popular for the school run and regularly used as a cut

through for lots of road users. Increased congestion and detrimental impact on pedestrian and road users.

- Reduction in on-street parking for those properties that do not have driveways.
  - Inadequate proposed parking.
  - Detriment to residential amenity, congestion and inconvenience during the construction period.
  - Devaluation of neighbouring properties.
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- One representation of support has been received which is also on the website for consideration.
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- Reference has been made to similar proposals for attached dwellings having been granted planning permission in the vicinity of the site so a precedent has been set.
  - The proposal would be sympathetic to the character of the area.
  - It is an infill plot and will add to the housing supply.
  - It will take existing vehicles off the road from the existing house and will have off road parking for the new one.
  - The road already has houses in front and behind so there would be no problem with any overlooking.
  - The position in the town is convenient as the shops are a short walk and the schools are just along the road so a family home would be ideal.

## **CONSIDERATIONS**

### **Principle of Development**

The site lies within the Development Area of Wincanton in a sustainable location where new residential development is acceptable in principle subject to compliance with other adopted planning policies and lack of demonstrable harm. On this basis it is considered to be in keeping with the surrounding area.

Other dwellings have been erected within Balsam Fields / Balsam Park area in recent years and the proposed site is comparable to those. For example:

#### *Balsam Fields*

05/03230/FUL. Erect single two storey dwelling. 9 Balsam Fields.  
Approved 23.03.2006.

13/01236/FUL. Erection of an attached dwellinghouse and provision of off street parking for both existing and new dwelling. 5 Balsam Fields.  
Approved 15.05.2013.

#### *Balsam Park*

02/03089/FUL. The erection of an attached dwelling. 10 Balsam Park.  
Approved 09.01.2003.

04/02490/FUL. The erection of a dwelling with internal garage and a separate single garage to serve 16 Balsam Park.  
Approved 19.10.2004.

07/00831/FUL. Erection of 1 no. dwelling with vehicular access and provision of separate access for existing dwelling. 2 Balsam Park.  
Approved 17.05.2007.

10/00195/FUL. The erection of a dwellinghouse. 15 Balsam Park.

Approved 04.06.2010.

10/01426/FUL. The erection of a detached dwellinghouse. 18 Balsam Park.  
Appeal allowed 02.02.2011.

11/00409/FUL. The erection of a 3 bedroom dwellinghouse with associated parking and access. 3 Balsam Park.  
Approved 22.03.2011.

Whilst each application must be considered on its merits, nevertheless there is a requirement for consistency in decision-making. The principle of 'infill' development has been established by virtue of these various grants of planning permission for new dwellings in the general vicinity of the application site. Thus it is considered that the principle of the current proposal must also be considered to be acceptable.

### **Amenity**

The design of the proposed dwelling as an 'extension' to No.11 is acceptable as it incorporates the same key features and replicates the same form and materials. All windows and doors are to be installed in the front and rear elevations. No windows or doors would be installed in the side (east) elevation.

It is not considered that demonstrable harm would result from the blocking of light to neighbouring properties or significant overlooking would be created. Nor would the proposed dwelling have an unacceptable dominant impact. Nevertheless, in order to safeguard the future residential amenities of neighbouring properties, certain 'permitted development' rights will be removed.

The proposal would retain a decent sized useable amenity space for the host property.

### **Highways**

5 car parking spaces are proposed on site, with 3 being allocated to the existing dwelling and 2 to the proposed dwelling. SSDC Highway Consultant has not raised any concerns over the provision of these parking spaces on this site and has recommended the imposition of various conditions.

### **Planning obligations and CIL**

As this proposal is for less than 10 units the LPA will not be seeking any contributions towards leisure and recreational facilities or other local or district wide obligations, in accordance with the High Court of Appeal decision (SoS CLG vs West Berks/Reading) made in May 2016, which clarifies that Local Authorities should not be seeking contributions from schemes of 10 units or less. For the same reason the LPA does not seek any affordable housing obligation.

The scheme will be liable for the Community Infrastructure Levy (CIL) at £40 per m<sup>2</sup> and it is noted that the applicant has submitted a completed Form. It must be for the developer to establish, at the appropriate juncture, whether any exemptions or relief applies.

### **Conclusion**

The proposal reflects the character of the area and does not cause any demonstrable harm to residential amenity. Parking for both dwellings, existing and proposed, has been detailed. The proposal therefore complies with Policies SD1, SS1, EQ2, TA5 and TA6 of the South Somerset Local Plan and the aims and objectives of the National Planning Policy Framework.

### **RECOMMENDATION**

Permission be granted for the following reason:

01. The proposal, by reason of its design and layout, represents appropriate infill that is responsive to the established built form and character of the area, and does not cause demonstrable harm to visual amenity or residential amenity and is therefore in accordance with Policies SD1, SS1, EQ2, TA5 and TA6 of the South Somerset Local Plan and the aims and objectives of the National Planning Policy Framework.

**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 drawings:

- Drawing no. PL4109/1 - Location Plan.
- Drawing no. PL4109/2 - Existing Block Plan.
- Drawing no. PL4109/3 - Existing Plans.
- Drawing no. PL4109/4A - Existing Elevations.
- Drawing no. PL4109/5 - Proposed Block Plan.
- Drawing no. PL4109/6 - Modifications in Existing Dwelling.
- Drawing no. PL4109/7 - Proposed New Dwelling Plans
- Drawing no. PL4109/8A - Proposed Elevations.
- Drawing no. PL4109/9A - Proposed Section.

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

03. Notwithstanding the details indicated on the submitted drawings, prior to construction/progression of any part of the development hereby permitted above slab level/ground floor level, particulars of the materials (including the provision of samples where appropriate) to be used for external walls and roofs shall be submitted to and approved in writing by the Local Planning Authority.

The development shall be constructed in accordance with the approved details and completed before the development is first occupied (or completed to a stage previously agreed in writing by the Local Planning Authority) and thereafter shall be retained and maintained in that form, unless the Local Planning Authority gives prior written approval to any subsequent variation.

Reason: In the interests of visual amenity to accord with Policy EQ2 of the South Somerset Local Plan and relevant guidance in the NPPF.

04. Prior to construction/progression of any part of the development hereby permitted above slab level/ground floor level, a scheme of hard and soft landscaping, as well as details of any changes proposed in existing ground levels, shall be submitted to and approved in writing by the Local Planning Authority.

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 to accord with Policy EQ2 of the South Somerset Local Plan and relevant guidance within the NPPF.

05. Prior to occupation of the dwelling hereby permitted, a scheme of foul drainage and effluent disposal shall be implemented in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be retained and maintained thereafter.

Reason: in order to safeguard against pollution, having regard to Policies EQ2 and EQ7 of the South Somerset Local Plan and relevant guidance within the NPPF.

06. Prior to occupation of the dwelling hereby permitted, a scheme of surface water disposal from the new dwelling and all hardened areas shall be implemented in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be retained and maintained thereafter.

Reason: in order to safeguard against pollution and flooding, having regard to Policies EQ1, EQ2 and EQ7 of the South Somerset Local Plan and relevant guidance within the NPPF.

07. Prior to any vehicular use of the new parking spaces hereby permitted, the parking spaces and vehicular accesses thereto shall be constructed and completed in accordance with details previously submitted to and approved in writing by the Local Planning Authority. Such details shall include and confirm the following:

- a) Each parking space to measure 4.8 metres x 2.4 metres;
- b) Each parking space to be properly consolidated and surfaced (not loose stone or gravel) and delineated, the details of such hardsurfacing materials and methods of delineation to be submitted to and approved in writing by the Local Planning Authority;
- c) The installation of drainage measures to the rear of the pavement (such as an ACO drain leading to a private soakaway) to ensure that surface water from the parking spaces does not discharge onto the highway;
- d) The gradients of the proposed parking spaces shall not be steeper than 1 in 10 and shall be permanently retained at that gradient thereafter at all times;
- e) The provision of a 2.4m back and parallel visibility splay across the whole site frontage with no obstruction greater than 600mm within the splay; and
- f) The creation of dropped kerbs installed at the carriageway edge and a vehicle crossover constructed across the footway fronting the site for the width of the parking spaces as a whole.

Thereafter such approved details shall be retained and maintained in perpetuity.

Reason: In the interests of highway safety further to Policies TA5 and EQ2 of the South Somerset Local Plan and relevant guidance within the NPPF.

08. The parking spaces hereby permitted shall be maintained and retained for such purposes of parking and turning of vehicles (including motorcycles and bicycles) incidental to the occupation and enjoyment of the particular dwelling to which they serve, and kept permanently free from any other forms of obstruction.

Reason: To protect the visual and residential amenities of the site and surrounds and to ensure that adequate on-site parking and turning spaces are provided and thereafter retained, in the interests of and for the safety of persons and vehicles using the development

and the adjoining road, having regard to Policies EQ2 and TA5 of the South Somerset Local Plan and relevant guidance within the NPPF.

09. The dwelling hereby permitted shall not be occupied until electric vehicle charging points (EVCP) rated at a minimum of 16 amps have been provided for within one of its associated parking spaces and within one of the parking spaces to be used by no. 11 Balsam Fields. Such provision shall be in accordance with details indicating the siting, design, rating and appearance of the EVCP's which shall be previously submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure provision of EVCP's for low emission vehicles as part of the transition to a low carbon economy, having regard to Policy TA1 of the South Somerset Local Plan and relevant guidance within the NPPF.

10. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking, re-enacting or modifying that Order), no development of the types described in the following Classes of Schedule 2 shall be undertaken without the express grant of planning permission, other than that expressly authorised by this permission:

- (a) Part 1, Class A (enlargements, improvements or other alterations);
- (b) Part 1, Class B (additions etc to the roof of a dwellinghouse);
- (c) Part 1, Class C (other roof alterations);
- (d) Part 2, Class A (gates, fences, walls or other means of enclosure);
- (e) Part 2, Class B (means of access to a highway).

Reason: To enable the Local Planning Authority to exercise control over development in order to safeguard the character and appearance of the development itself and the locality in general, by ensuring there are no inappropriate extensions or roof alterations to the dwelling that would cause unacceptable detriment to the residential amenities of neighbouring properties, and to safeguard on-site parking and circulation areas; having regard to Policies EQ2, TA5 and TA6 of the South Somerset Local Plan and relevant guidance within the NPPF.

### **Informatives:**

#### **01. CIL**

Please be advised that approval of this application by South Somerset District Council will attract a liability payment under the Community Infrastructure Levy. CIL is a mandatory financial charge on development and you will be notified of the amount of CIL being charged on this development in a CIL Liability Notice.

You are required to complete and return Form 1 Assumption of Liability as soon as possible and to avoid additional financial penalties it is important that you notify us of the date you plan to commence development before any work takes place. Please complete and return Form 6 Commencement Notice.

You are advised to visit our website for further details <https://www.southsomerset.gov.uk/cil> or email [cil@southsomerset.gov.uk](mailto:cil@southsomerset.gov.uk)

#### **02. Highway Works**

The applicant will be required to secure a licence from the Highway Authority for works on or adjacent to the highway necessary as part of this development, and the applicant is advised to contact Somerset County Council at least four weeks before starting such works.