

Officer Report On Planning Application: 14/04354/REM

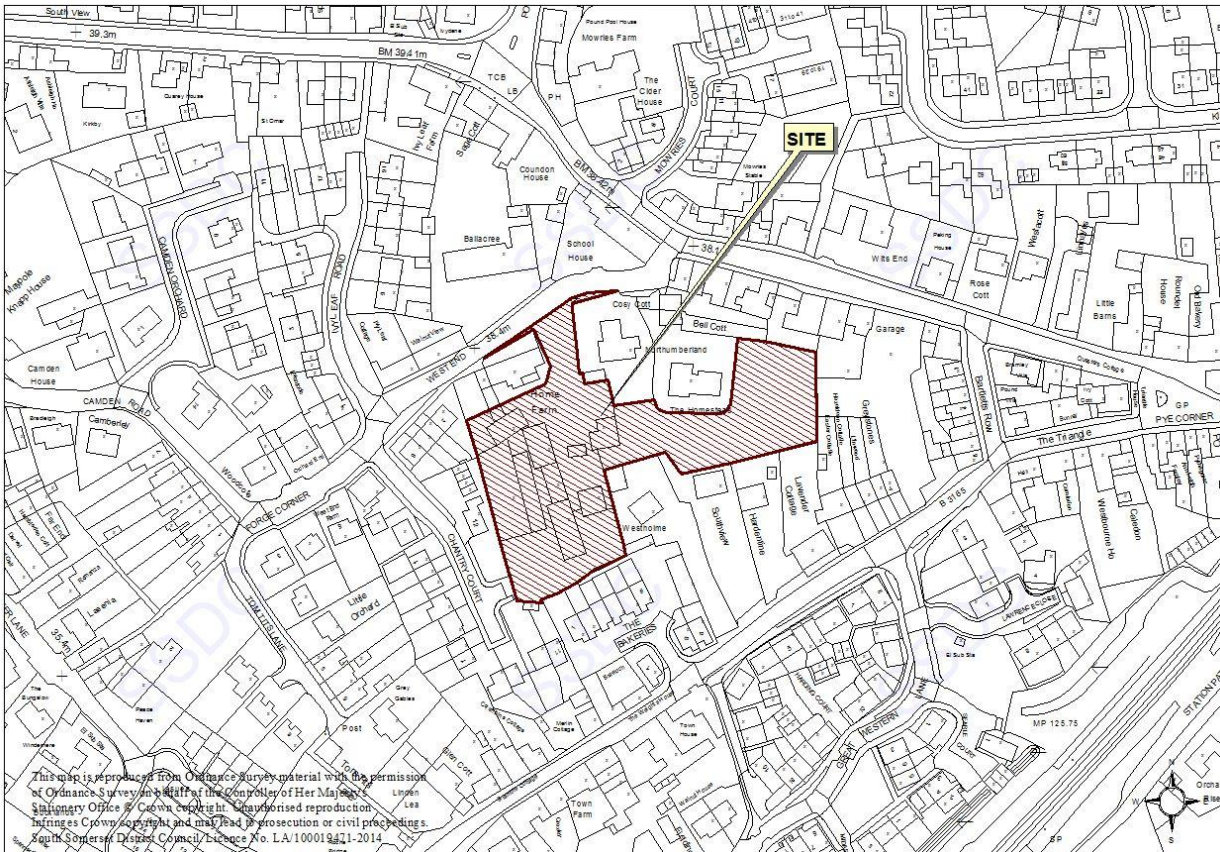
Proposal :	Approval of reserved matters for the erection of 11 dwellinghouses (Details of appearance, landscaping, layout and scale (including boundary treatment, materials, external ground levels and internal floor levels) as required by Conditions 2, 3 and 11 of planning approval 12/01501/OUT) (GR:348478/128540)
Site Address:	Home Farm, West End, Somerton.
Parish:	Somerton
WESSEX Ward (SSDC Members)	Cllr P Clarke Cllr D J Norris
Recommending Case Officer:	Tel: 01935 462370 Email: adrian.noon@southsomerset.gov.uk
Target date :	25th December 2014
Applicant :	H & S Developments Ltd
Agent: (no agent if blank)	Mr Matt Frost, Motivo, Alvington, Yeovil BA20 2FG
Application Type :	Major Dwlg's 10 or more or site 0.5ha+

REASON FOR REFERRAL

This application is referred to Committee at the request of the Ward Members, with the agreement of the Chairman to enable the issues raised to be fully debated.

SITE DESCRIPTION AND PROPOSAL





This 0.477 hectare site is within development limits to the west of the town centre, surrounded by residential development – a mix of single and two storey properties. The western part of the site (to the rear of Home Farm) is allocated for residential development in the 2006 local plan (HG/SOME/3) and as a whole the site comprises the former agricultural yard to Home Farm which has now been cleared of the more recent structures, retaining a one that supports the high stone wall that forms the western boundary. Home Farm is grade II listed building that is in a perilous state and is on the council's 'Heritage at Risk Register', however it is in separate ownership.

The proposal originally sought reserved matters approval for residential development comprising 12 dwellings. After lengthy negotiations, and following concerns about the potential impact on existing properties, the application has been amended (14/11/14) to omit one dwelling, originally no. 8 to the rear of Westholme and Southview and to change plots 3,4 and 5 from detached houses to a terrace of 3. The amended drawings also provide greater detail on proposed boundary treatments and have been subject to consultations.

PLANNING HISTORY

- 12/01501/OUT Outline permission, with access agreed, granted for residential development.
- 13/001466/LBC Consent granted for reduction in boundary wall to Home Farm to facilitate access.
- 2/18 Outline planning permission granted for residential development of site covered by discontinuance order (25/10/2000). Not implemented

27/09/2000 Area North Committee resolved to serve a discontinuance order in relation to “agricultural/industrial/business use of the land to the rear of Home farm, Somerton”. This was subsequently made on 19/01/01 and confirmed by the Secretary of State on 09/01/02.

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.

Sections 16 and 66 of the Planning (Listed Building and Conservation Areas) Act 1990 require authorities considering applications for planning permission or listed building consent for works that affect a listed building to have special regard to certain matters, including the desirability of preserving the setting of the building.

For the purposes of determining current applications the local planning authority accords significant weight to the saved policies of the South Somerset Local Plan where these accord with the National Planning Policy Framework.

South Somerset Local Plan 2006

Proposal HG/SOME/3 states:-

“Land amounting to 0.39 ha (0.96 acres), Home Farm, West End, Somerton is allocated for housing development to provide about 14 dwellings.”

The following saved policies are considered relevant:

Policy ST1 – Rural Centres

Policy ST5 - General Principles of Development

Policy ST6 - The Quality of Development

Policy EH5 - Setting of Listed Buildings

Policy EH12 - Area of High Archaeological Potential

EC8 – Ecology

EU4 – Drainage

EP5 – Contaminated Land

EP6 – Construction Sites

CR2 – Provision for Outdoor Playing Space and Amenity Space in New Development

CR4 – Amenity Open Space

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 12 - Conserving and enhancing the historic environment.

CONSULTATIONS

Somerton Town Council – initially did not support due to proximity to neighbouring properties. In relation to amended proposal recommend:-

...[deferral] until the developer has put proposal forward to alleviate boundary and level treatment to adjoining properties.

Level difference:

- *effect to privacy on adjoining properties.*

Boundary Wall:

- *Erection of Fence will block out light to adjoining property.*
- *Concerns when erecting Fence on the Wall the wall may not be able to support the fence.*
- *Concerns that excavation of Earth through plant machinery on site will disturb the wall as it has no foundations and will fall down.*

County Highway Authority –no objections.

Conservation Officer – In relation to the revised scheme observes raises no objection to layout and provides the following comments on detail:-

1. Plot 7 – the gable ‘focal point’ not appropriate. This needs to be a flat-fronted ‘Somerton’ vernacular design in my view – it will be read with Home Farmhouse from street.
2. Plot 1 – In close proximity to the listed building so should be stone
3. Plot 11 – The site of the unauthorised demolition of a trad stone farmyard barn so design and materials need to reintroduce this character – suggest design is all stone
4. Enclosure of retained open space should ideally be a stone wall but realise possible conflict with immediate use and management but would need this enclosure when/if it goes to Home Farmhouse.
5. Rear boundary of Home Farmhouse needs full enclosure now – close -board fence perhaps
6. East side boundary to Home Farm rear garden requires stone wall along roadside.

REPRESENTATIONS

Original consultation responses (8 local residents have written):

- Possible noise disturbance to future occupiers from kennels at veterinary surgery
- Queries over proposed boundary treatment to The Bakeries to south.
- Impact of garages on properties in The Bakeries
- Concern that the stone wall between the site and Westholme has no foundations and will need rebuilding it would then need protection from subsequent works;
- Overlooking and loss of privacy to Westholme
- Concern over possible light pollution and lack of detail regarding street lights
- Impact of plot 8 on Southview which is no lower ground immediately to south – loss if light, privacy, noise and disturbance from parking area
- Overlooking to plot 8 from Southview
- Lack of levels details
- Plans should the include on third party land which has not been agreed,

5 residents have responded to the amended plans reconsultation raising the following issues:-

- Concern about what may happen in the future to the plot vacated by the removal of the original plot 8.
- Concern that the boundary wall which is shown to be raised to 2m has no foundations and would have to be rebuilt
- Impact of raised boundary on Southview and Westholme in terms of loss of light

- Existing structures at Southview are not shown on the drawings
- Possible overlooking from garden over plot 7 to Southview
- Any planting close to the retained wall could damage it in the future
- Overlooking to Hardentine. Bungalows should be used in this part of the site
- Future maintenance of boundaries.
- The ownership of the boundary at the rear of 1 The Bakeries is not owned by the applicant
- Relationship with kennels at the veterinary surgery

CONSIDERATIONS

Principle

The site is within development limit, is allocated for residential development and benefits from outline permission. Reflecting this position no objections have been received to the principle of the development or to the access arrangements (which were approved at outline stage). Accordingly the key issues are the reserved matters, namely:-

- Layout
- Scale
- Appearance,
- Landscaping

Layout

The submitted scheme show the retention of an area of open space to the rear of Home Farm as agreed at the outline stage. This was considered vital to secure the future of the listed farm house which is on the Council's buildings at risk list. No objection has been raised to the layout from a highways perspective and adequate parking would be provided. It is not considered that the proposed parking areas are so close to existing dwellings as to be objectionable.

In terms of housing layout it has long been considered that the central part of the site is undevelopable for housing due to its narrowness and the proximity of existing dwellings, particularly Southview whose rear porch/conservatory structure is attached to the boundary. Furthermore this property has first and second floor (converted roof space) windows that directly overlook the site. It was considered that the house originally shown at plot 8 to the rear of Southview was objectionable due to its an over dominate impact on Southview in terms of loss of light and outlook. Additionally the upper windows over Southview would have directly overlooked the garden resulting in an unacceptable lack privacy for future occupiers of plot 8.

The applicants have now omitted this contentious house and this is welcomed by the neighbouring residents. This area is now shown as part of the garden to plot 7. Whilst there would remain overlooking issues, plot 7 would benefit from a large garden with a substantial area that would not be overlooked. The use of this area as a garden it not considered to be incompatible with the amenities of the occupiers of Southview.

Concerns about the impact of the houses have been raised by the occupiers of Westholme (a bungalow on lower ground) and The Bakeries. With the removal of the original plot 8 it is considered that, subject the agreement of suitable boundary treatment the development would have a suitable relationship Westholme. The rearrangement of plots 3, 4 and 5 is considered to achieve a satisfactory relationship with The Bakeries, again subject to the agreement of a suitable boundary treatment.

This amended layout now shows satisfactory amenity space for residents of the proposed houses with sufficient separation from existing dwellings so as not to cause undue overlooking or loss of privacy, subject to the agreement of appropriate boundary treatments.

Nevertheless there is considerable local concern about the boundary treatments, especially where alterations are proposed to the existing wall along the south side of the site. The conservation manager has also raised concerns about the detail of the boundary treatments. Notwithstanding concerns about its structural integrity, the suggestion that it could be raised to 2m in height is objectionable because of the levels on the adjoining land which would result in a wall over 3m high in places as measured from the neighbour's land. In particular this would seriously impact on the amenities of the occupiers of Southview through loss of light and over dominance.

The applicant is willing to revisit this issue and an oral update will be necessary. Provided there is agreement on the general principles, the detail of the boundary treatment could be conditioned. On this basis it is considered that the layout complies with saved policies ST5, ST6 and EH5.

Scale

Whilst a local resident has requested bungalows it is not considered that there is any justification in this instance to insist on this. The proposed 2-storey buildings reflect the nature and character of surrounding development and are positioned so as to maintain reasonable separation from existing properties and safeguard the setting of the listed building. The application is supported by details of proposed levels which should that the buildings would be set at an appropriate level and is sufficient to discharge condition 11 of the outline approval. As such the scale of the proposal complies with saved policies ST5, ST6 and EH5.

Appearance

Subject to agreeing changes to the detail as suggested by the conservation manager the proposed buildings are considered to be of an appropriate design and detailing that would be safeguard the setting of the listed Home Farm and character and appearance of the locality. No objections have been received to the design which is supported by the conservation manager. Accordingly, subject to the agreement of suitable materials by condition, this aspect of the proposal complies with saved policies ST5, ST6 and EH5.

Landscaping

The submitted plans are considered to show suitable planting throughout the site. Whilst there are local concerns about the possible impact of boundary hedged on the retaining wall to the south of the site, the applicant is willing to re-examine this as part of a review of the boundary treatments. Subject to the receipt of satisfactory amended plans it is considered that the landscaping of the site can be acceptably achieved subject to adherence to the agreed scheme.

Other Issues

There is local concern about the responsibilities and maintenance of the boundaries. Subject to agreeing a suitable treatment on-going maintenance is not a planning issue as it is covered by other legislation such as the Party Wall Act. This would also cover any issues arising from the ownership and stability of the wall which would need to be resolved between the occupiers of the affected properties. Clearly this has not occurred under the previous owner, however it is not reasonable to assume that the developer of any houses approved or their future occupiers would continue to ignore this issue.

The owner of Southview is concerned that the submitted drawings do not the full detail of

additions and alterations to their property, photographs have been provided that show the relationship provided and a site visit has established the situation. On this basis an informed assessment has been made.

Finally the application refers to the discharge of condition of the outline permission. Conditions 2 and 3 are discharged automatically by the submission of this comprehensive application for all 4 'reserved matters', as considered above. Condition 11 (levels) can be agreed by the approval of the 'levels' drawing submitted as part of this application.

Conclusion

The proposed dwellings are of an appropriate design and layout that would safeguard the setting of the listed building and the amenities and character of area without detriment to residential amenity. Notwithstanding local concerns the detail of boundary treatment and materials of the houses can be satisfactorily agreed by condition and other matters such as drainage, ecology and archaeology are covered by conditions of the outline permission.

RECOMMENDATION

Grant Permission subject to the following conditions:

Justification

The proposed dwellings are of an appropriate scale and appearance with layout and landscaping that would safeguard the setting of the listed building and the amenities and character of area without detriment to residential amenity. As such the proposal complies with the saved policies of the South Somerset Local Plan and the policies contained within the National planning Policy Framework.

Conditions

01. Prior to the commencement of each dwelling hereby approved particulars of following shall be 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 and coursing of the external walls;
 - c) details of the recessing, materials and finish (including the provision of samples where appropriate) to be used for all new windows (including any rooflights) and doors;
 - d) details of all hardstanding and boundary treatments
 - e) details of the rainwater goods and eaves and fascia details and treatment.

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 and setting of the listed building in accordance with saved policies ST5, ST6 and EH5 of the South Somerset Local Plan.

02. The landscape planting shown on the drawings hereby approved shall be carried out in the first planting season following the commencement of the development hereby

approved. . For a period of five years after the completion of the planting scheme, the trees and shrubs shall be protected and maintained in a healthy weed free condition to the satisfaction of The Local Planning Authority and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of similar size and species, or the appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with saved policies ST5 and ST6 of the South Somerset Local Plan.

03. The development hereby permitted shall be carried out generally in accordance with the following approved plans (except where directed otherwise by the conditions above):

- 3429/010 A – Plot 1 – Plans, Section and Elevations
- 3429/011 A – Plot 2 – Plans, Section and Elevations
- 3429/012 B – Plots 3 & 4 – Plans, Section and Elevations
- 3429/013 B – Plot 5 – Plans, Section and Elevations
- 3429/014 A – Plots 6 & 7 – Plans, Section and Elevations
- 3429/015 A – Plot 8 – Plans, Section and Elevations
- 3429/016 A – Plot 9 – Plans, Section and Elevations
- 3429/017 A – Plot 10 – Plans, Section and Elevations
- 3429/018 A – Plot 11 – Plans, Section and Elevations
- 3429/019 A – Garage Types – Plans and Elevations
- 3429/021 A – Proposed Site Section
- 3429/PL/030 C – Proposed Site Plan
- 3429/PL/031 A – Proposed Boundary Treatment
- 3429/PL/034 A – Proposed Levels
- 6009/1c – Soft Landscaping Scheme

Reason: To clarify the development hereby approved as the proposal has been amended.

Informative

The approval of these reserved matters maybe take as confirmation that condition 11 (levels) of the outline permission dated 29/08/014, ref. 12/01501/OUT has been discharged through the agreement of the above drawings.
