

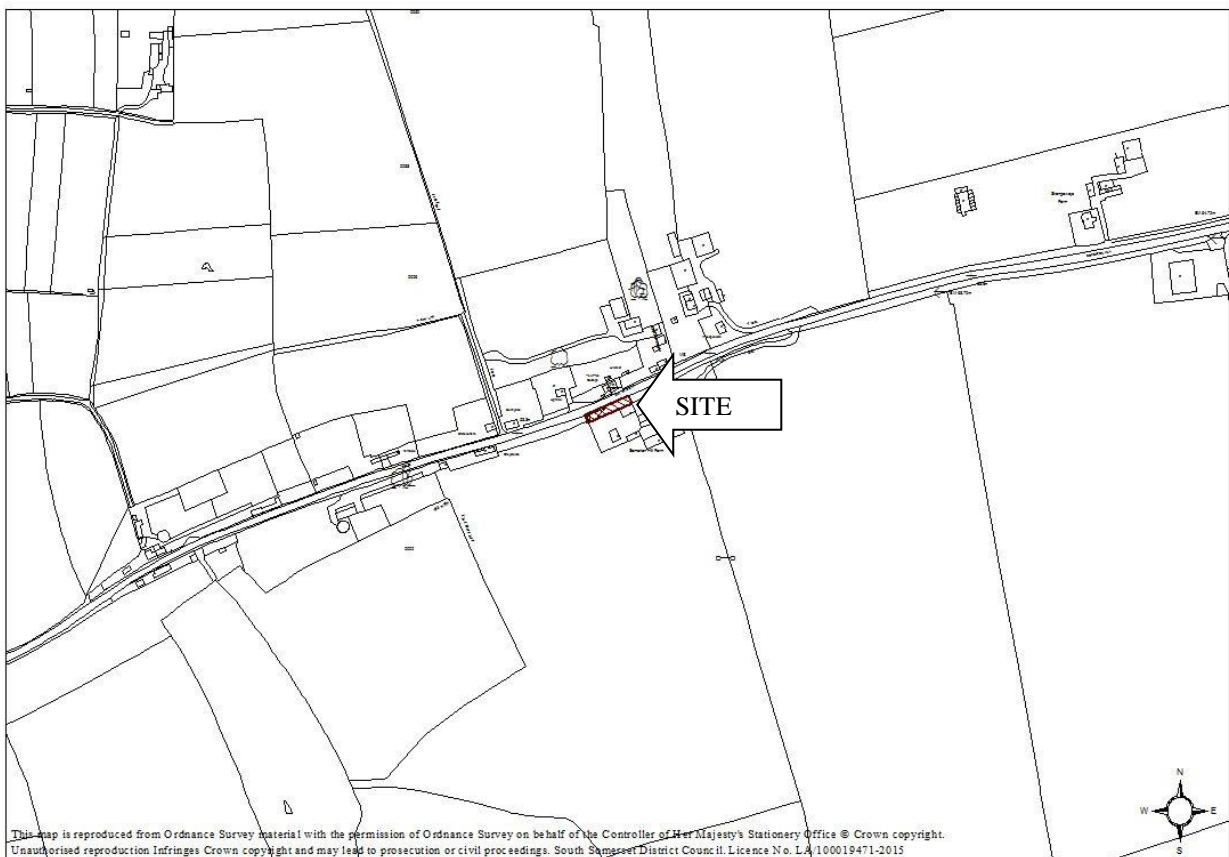
Officer Report On Planning Application: 14/05427/FUL

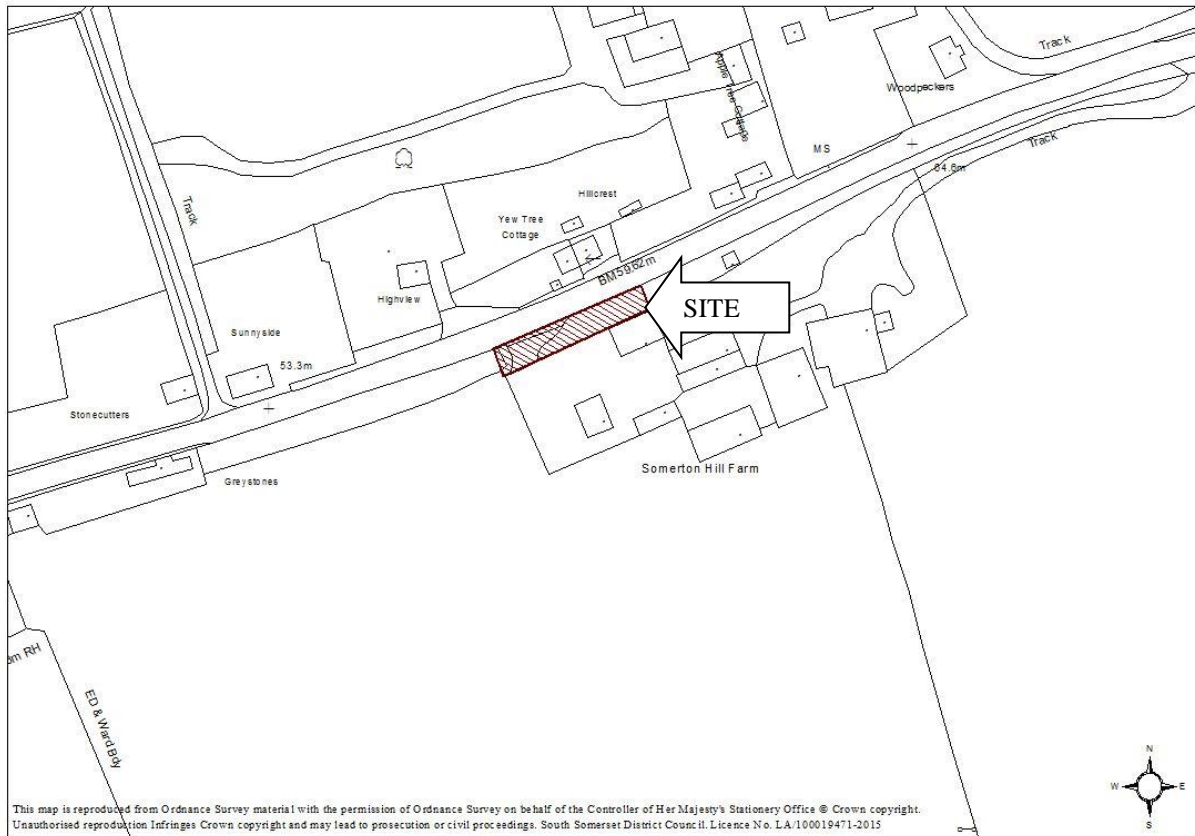
Proposal :	Erection of a natural stone retaining wall to front of property with entrance wall and pillars (GR:346208/128119)
Site Address:	Somerton Hill Farm, Somerton Hill, Pitney.
Parish:	Somerton
WESSEX Ward (SSDC Member)	Cllr P Clarke Cllr D J Norris
Recommending Case Officer:	Stephen Baimbridge Tel: 01935 462321 Email: stephen.baimbridge@southsomerset.gov.uk
Target date :	12th February 2015
Applicant :	Mr Michael Gillingham
Agent: (no agent if blank)	
Application Type :	Other Householder - not a Change of Use

REASON FOR REFERRAL TO COMMITTEE

This application is referred to the Area North Committee as the officer's recommendation is contrary to the comments of the Highways Authority and Town Council.

SITE DESCRIPTION AND PROPOSAL





The site is located on Somerton Hill, Pitney, to the east of the Grade II listed property, Greystones.

The property is a detached, two-storey farmhouse which faces Somerton Hill, and is otherwise surrounded by agricultural land.

This application seeks permission for the erection of a natural stone retaining wall to the front of the property, with an entrance wall and pillars.

RELEVANT HISTORY

13/00079/FUL: Internal and external alterations and extensions to existing dwelling, conversion of outbuilding to annexe with the addition of a link extension to main dwelling, and extension and alterations to existing barn to form garage and recreation room

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF indicate that it is a matter of law that applications are 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 saved policies of the South Somerset Local Plan 2006. On the 8th January 2015, South Somerset District Council received the Inspector's Report into the emerging South Somerset Local Plan (2006 – 2028). The conclusion of the report is that the local plan is 'sound', subject to a number of agreed modifications.

Under the terms of Paragraph 216 of the National Planning Policy Framework (NPPF) weight should be given to relevant policies in emerging plans according to “the stage of preparation” and therefore the emerging local plan must be given substantial weight in decision-taking and it is therefore essential that the development is considered against all relevant policies.

On this basis the following policies are considered relevant:-

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

Policy SD1: Sustainable Development

Policy EQ2 - General Development

Policy EQ3 - Historic Environments

Saved policies of the South Somerset Local Plan (Adopted April 2006):

Policy ST5 - General Principles of Development

Policy ST6 - The Quality of Development

Policy EH5 – Setting of Listed Buildings

National Planning Policy Framework

Chapter 7 – Requiring Good Design

Chapter 12 – Conserving and Enhancing the Historic Environment

CONSULTATIONS

Somerton Town Council: - To support this application subject to Highways Officers recommendation.

County Highway Authority - I refer to the above planning application, received in my Department on 7th January 14 and visited on the 8th January 15, to which I have the following observations on the highway and transportation aspects of this proposal:-

The site is located fronting the B3153, with access from Somerton Hill Farm directly joining the B3153. The proposal consists of: The erection of natural stone retaining wall to front property with entrance and wall pillars. The B3153 designated as a Class 2 B road and is subject to a 50mph speed limit.

Road Records held by Somerset County Council indicates the two recorded PIA's (Personal Injury Accidents) has occurred within the vicinity of the site within the last five years. One serious accident has occurred at the site access junction, with two vehicles colliding whilst one was turning in to the existing access at Somerton Hill Farm, this is not considered to be caused to the Highway alignment and the proposal is not considered to cause an increased highway safety concern.

Observations within this response have been made after reviewing the supporting information, onsite observations and Drawing Number. 1088/14A.

The proposed access and visibility appears sufficient it should be noted that there shall be no obstruction to visibility greater than 900 millimetres above adjoining road level in advance of lines drawn 2.4metres back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 160m either side of the access. Such visibility shall be fully provided before the development hereby permitted is commenced shall thereafter be maintained at all times.

Access

There is no proposal to alter access into Somerton Hill Farm.

Transport Impact

There is no information regarding associated traffic impact due to the proposal, and neither is any traffic generation expected.

Summary

In summary the Highway Authority have no objection to the above application subject to the following conditions:

- No work shall commence on the development until full details regarding the retaining wall have been carried out in accordance with a design and specification to be approved in writing by the Local Planning Authority and to be fully implemented in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority. [The provision of these works will require a legal agreement and contact should be made with the Highway Authority well in advance of commencing the works so that the agreement is complete prior to starting the highway works.]

NOTE: The applicant will be required to enter into a suitable legal agreement with the Highway Authority to secure the construction of the highway works necessary as part of this development. Please ensure that an advisory note is attached requesting that the developer contact the Highway Authority to progress this agreement well in advance of commencement of development.

- There shall be no obstruction to visibility greater than 900 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 160 m either side of the access. Such visibility shall be fully provided before the development hereby permitted is commenced and shall thereafter be maintained at all times.

Conservation Officer - The Conservation Officer verbally confirmed that he had no objections to the application.

REPRESENTATIONS

None received

CONSIDERATIONS

Visual Amenity and Affecting the Setting of the Adjacent Listed Building

The proposed erection of the retaining walls and pillars are considered to be of appropriate design and detailing that would be respectful to the main dwelling in terms of scale and design. It is proposed to construct the walls and pillars from Blue Lias stone, which is considered appropriate to the character of the area. On this basis it is not considered that the proposal would harm the character of the property or have a detrimental impact on the visual amenity of the area. Additionally, in accordance with the comments of the Conservation Officer, it is not considered to be detrimental to the setting of the adjacent Grade II listed building, Greystones.

Residential Amenity

The proposal result in no harm to residential amenity.

Highways Safety

The current access has poor visibility onto Somerton Hill, due to the grass banks on either side which block visibility, especially to the west. This application intends to improve the visibility splays by the removal of the earth banks which block visibility, and the erection of a retaining wall, and pillars.

The Highways Authority has no objection to the application on the basis that the two conditions proposed are implemented. Of the two conditions, the latter, in respect of maintaining visibility, is considered reasonable to ensure the development does not result in harm to highways safety. This condition is suggested, with minor alterations to the wording. However, the first condition seeks further specifications of the proposal including the engineering specifications to prove the structural soundness of the structure; this is not required to assess the planning merits of the proposal and as such, this condition is considered unreasonable. Should the Highways Authority require further information to determine other non-planning related considerations, under separate legislation, this should be sought independently.

As it is proposed not to impose one of the two conditions, the officer's recommendation is contrary to the advice of the Highways Authority; effectively they object to the proposal. Accordingly, as the Town Council were supportive of the application, subject to the Highways Officers, it is considered that the Town Council objects to the application.

Conclusion

Notwithstanding the views of the Highways Authority and Town Council, the proposal is considered to comply with policies SD1, EQ2, and EQ3 of the emerging Local Plan, policies ST5, ST6, and EH5 of the South Somerset Local Plan (2006), and the NPPF.

RECOMMENDATION

Permission be granted subject to the following conditions:-

01. The proposed walls and pillars are of an appropriate design, detailing, and size that would have no adverse impact on visual or residential amenity, setting of the listed building, or highway safety. As such the proposal complies with policies ST5, ST6, and EH5 of the South Somerset Local Plan, policies SD1, EQ2, and EQ3 of the emerging Local Plan, and the policies contained within the NPPF.

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 (except where directed otherwise by the conditions below):
 - Site Location Plan (1:2500), received 10 December 2014
 - Site Location Plan (1:1250), received 10 December 2014
 - Block Plan (1:500), received 02 December 2014
 - Plan showing proposed wall against building elevation, received 18 December 2014
 - Plan showing proposed wall against grass bank/verge, received 10 December 2014
 - Section of proposed wall, received 02 December 2014

Reason: In the interests of proper planning and for the avoidance of doubt

03. There shall be no obstruction to visibility greater than 900 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 160 m either side of the access. Such visibility shall be fully provided before the development hereby permitted is commenced and shall thereafter be maintained at all times.

Reason: To safeguard highways safety in accordance with policy ST5 of the South Somerset Local Plan (2006) and policy EQ2 of the emerging Local Plan.
