

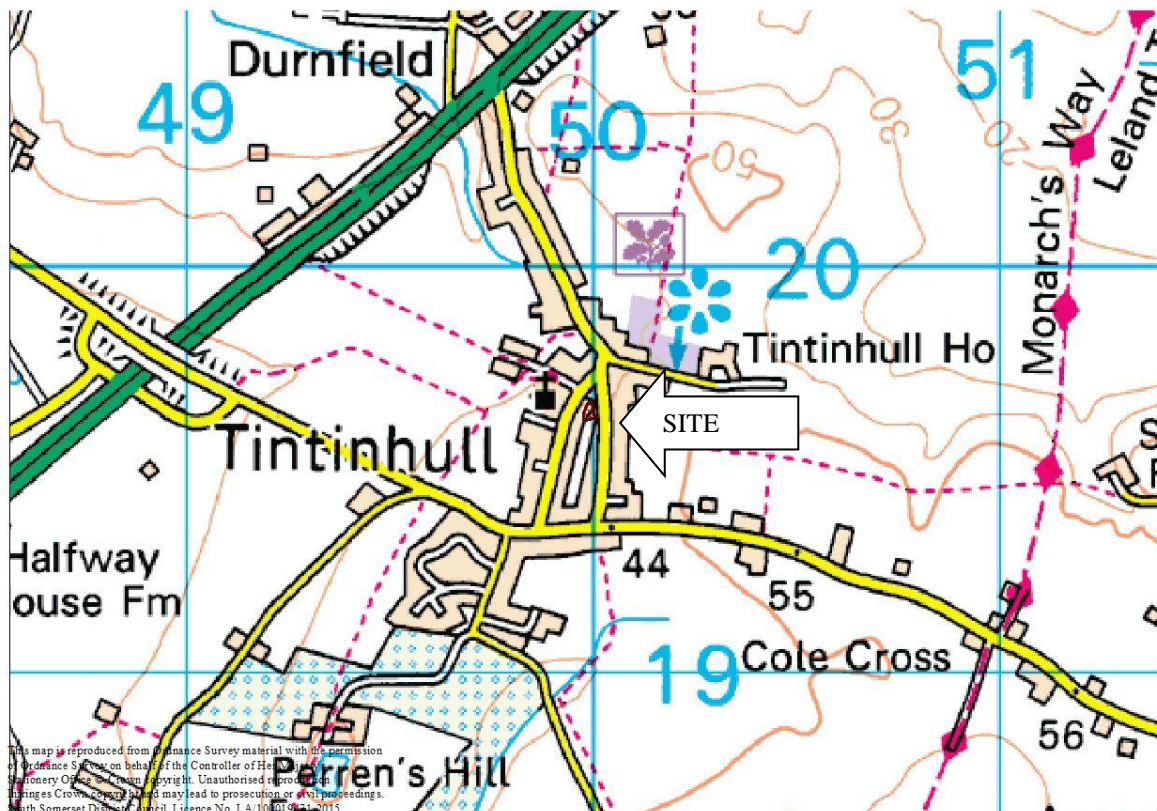
Officer Report On Planning Application: 15/02685/FUL

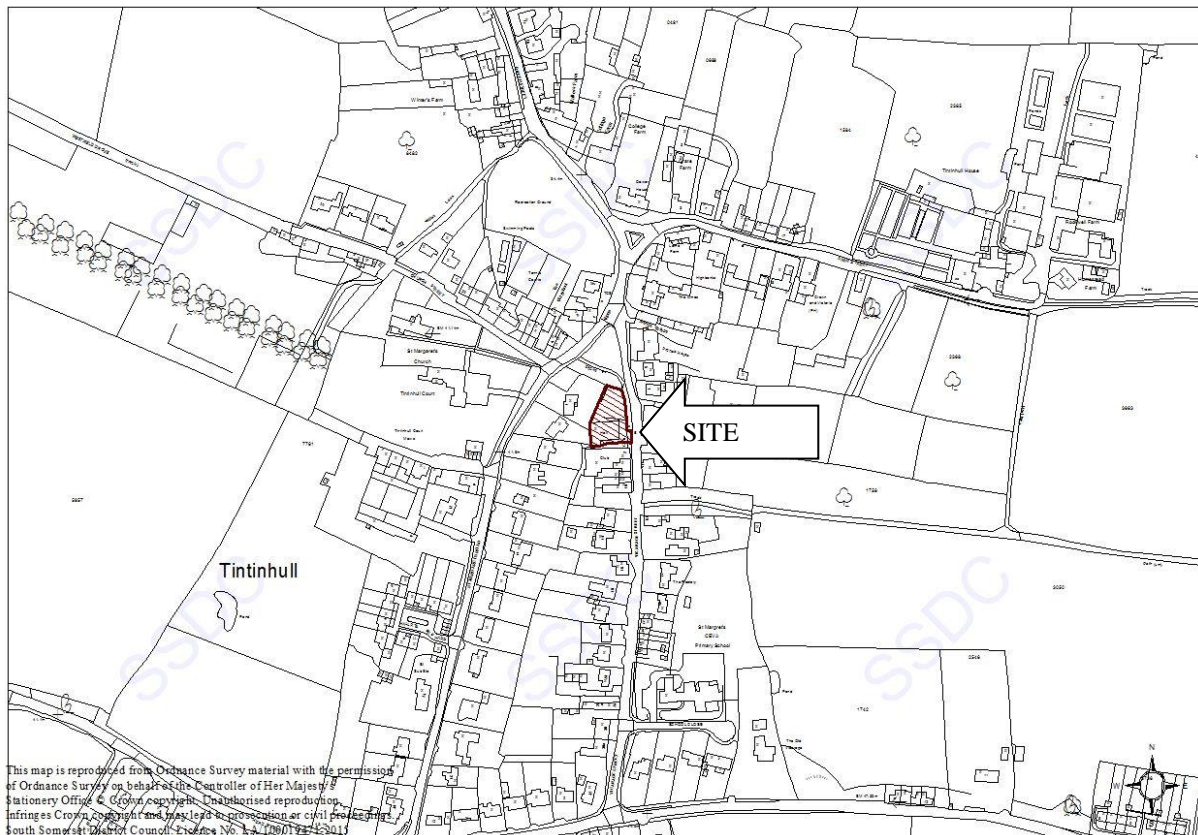
Proposal :	Demolition of existing building and the erection of a replacement village hall, new vehicular access, car parking and associated works. (GR 349989/119629)
Site Address:	Village Hall, Vicarage Street, Tintinhull.
Parish:	Tintinhull
ST MICHAELS Ward (SSDC Member)	Cllr Jo Roundell Greene
Recommending Case Officer:	Nicholas Head Tel: (01935) 462167 Email: nick.head@southsomerset.gov.uk
Target date :	5th August 2015
Applicant :	Tintinhull Community Hall
Agent: (no agent if blank)	Boon Brown Architects, Motivo, Alvington, Yeovil BA20 2FG
Application Type :	Minor Other less than 1,000 sq.m or 1ha

REASON FOR REFERRAL TO COMMITTEE

The report is referred to the Ward Member as the recommendation does not accord with the views of local residents and the exact visibility splay requirements of the Highways Standing Advice cannot be met.

SITE DESCRIPTION AND PROPOSAL





The site is located centrally within the village, on the north side of Vicarage Street. To the north of the site is the village green; there are dwellinghouses to the west, with the Working Men's Club to the south. The site is within the Conservation Area. The site currently accommodates a village hall within its southern half, with a parking lot to the north.

Permission is sought for the demolition of the existing hall and the erection of a new multi-purpose replacement village hall.

HISTORY

The erection of the existing village hall was approved in 1953. Various small alterations and extensions have taken place, most recently in the 1990s. There is no relevant recent history.

POLICY

The South Somerset Local Plan (2006 - 2028) was adopted on the 5th March 2015. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) and Section 70(2) of the Town and Country Planning Act 1990 (as amended), the adopted local plan now forms part of the development plan. As such, decisions on the award of planning permission should be made in accordance with this development plan, unless material considerations indicate otherwise. Legislation and national policy are clear that the starting point for decision-making is the development plan, where development that accords with an up-to-date local plan should be approved, and proposed development that conflicts should be refused, unless other material considerations indicate otherwise.

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

SD1	Sustainable Development
SS1	Settlement Strategy
SS2	Development in Rural Settlements
EP15	Protection and Provision of Local Shops, Community Facilities and Services
TA5	Transport Impact of New Development
TA6	Parking Standards
EQ2	General Development
EQ3	Historic Environment

National Planning Policy Framework (March 2012):

3. Supporting a prosperous rural economy
4. Promoting sustainable transport
7. Requiring good design
8. Promoting healthy communities
12. Conserving and enhancing the historic environment

National Planning Practice Guidance - Department of Communities and Local Government, 2014.

Policy-related Material Considerations

Somerset County Council Parking Strategy, March 2012 and September 2013.
Somerset County Council Highways Standing Advice, June 2013.

South Somerset Sustainable Community Strategy (2008-2026)

CONSULTATIONS

Parish Council: Noted: The Parish Council is the applicant.

Highways Authority: No express objection is raised. The Local Authority is referred to Standing Advice.

Highways Consultant: *With regards to parking, I consider the proposed level of car parking is sufficient and is generally in line with the optimum standards set out in the SPS. Some of the car parking spaces are a little constrained in terms of manoeuvring in and out of those spaces, but given the available space, I do not believe this to be an over-riding factor in this case. The motorcycle and cycle parking provision are welcomed.*

At the access point, it would appear possible to achieve a 2.4m x 43m visibility splay to the south (in addition to 2.0m x 43m). In the opposite direction, the proposed 2.0m x 43m to a point 2.0m off the carriageway should not create any significant issues - a 2.0m X distance is deemed acceptable in this case as Vicarage Street is considered to be lightly-trafficked and relatively slow-moving, and in addition, as the carriageway width is some 6.5m at the point of access, vehicles nosing out into the carriageway should not create any significant highways issues. The highway authority normally require visibility splays to be taken to the nearside carriageway edge or the vehicle track line. Taking the northerly splay to a point 2.0m off the carriageway edge may only become a problem if southbound vehicles have to overtake any vehicles parked on the opposite side of the road at that point; however, in my opinion, any such

overtaking is likely to be undertaken more cautiously (at a lower speed), and in any event vehicles would still be able to be seen by motorists emerging from the site access.

In light of the above, I believe the proposed arrangements are acceptable.

SSDC Conservation Manager: *This site in the centre of the village is in a key location within the Conservation Area.*

While not immediately adjacent to any listed buildings, development on the site will be visible from Francis House, grade 2, Tintinhull Court grade 1 and at least the approach to St Margaret's Church also grade 1 and further to the north Dower House grade 2 should be considered therefore to fall within their setting. This is not of course a presumption against but must, in accordance with EQ3,

- Safeguard or where appropriate enhance the significance, character, setting and local distinctiveness of heritage assets*
- Make a positive contribution to character through high standards of design which reflect and complement it and through the use of appropriate materials and techniques.*

In terms of the impact upon the settings, I would describe it as having slight to moderate impact. The impact on Francis House is from its front curtilage and is of the north, village green-facing side of the site where the hall gable would appear substantial although somewhat concealed by the existing tree. An additional tree on the green could help to further reduce impact. The view southwards from Dower House towards the Green and the site is a key one for this building but the angle and tree presence means that the proposal would be slight. The impact upon the setting the other assets would be largely of roof form occupying a presently a largely open line of sight across the site to the Lamb Inn.

I consider that the design is successful in the way that a large volume (the hall) is mitigated by the subservient forms that succeed in breaking up the mass of the whole. This together with suitable materials and colours would result in a generally positive contribution to the conservation area. Materials will be very important. A clay tile roof will be essential to blend into the surrounding built form and timber panelling particularly on the north gable should be muted in colour. The materials indicated, stone, buff brick etc, I regard as appropriate for this setting.

The building would be close to the boundary with 1 St Margaret's Rd although shading should not be significant and the bulk of the building reduced by the change of level.

If this is seen as a possible problem a shadow projection drawing could be sought.

In summary I consider the proposal to conform to the aims of the policy.

SSDC Environmental Protection Officer: *No comment.*

SSDC Area Development Manager: *As you will see from the Statement of Community Involvement submitted by the applicant, there has been significant local consultation over the past eight or nine years. This has been varied and has included open days and surveys. Consultation since 2011 focussed on the community's requirements from their village hall, culminating in the production of the 2012 Tintinhull Community Plan (endorsed by SSDC Area North Committee) and the decision to rebuild rather than refurbish the existing building. The village hall committee has been committed to keeping the residents informed of progress and has provided updates via the parish magazine. The subject has been a regular agenda item at Parish Council meetings and parishioners have also been invited to receive updates via email.*

Area Development (North) been supporting discussions and consultation about the future of the existing hall in Tintinhull over many years. The principle of a replacement community facility is a priority in the Area North Development Plan.

The most recent open days, at which residents were presented with two designs, were well attended and resulted in largely positive comments. Changes were made to the final design as a result, including lowering of the roofline. Although there remain concerns about the number of car parking spaces available, the committee has attempted to address these, e.g. in the way the parish council owned car park will be marked out. Local concerns about the position of the Millennium Tree in relation to the new building have also been taken into account.

We are currently assessing an application for financial support to this project, which includes a detailed business / operating plan. The project has made excellent progress towards achieving a grant from the Big Lottery, which involves considerable testing of local community needs and benefits.

We support this application, subject to your technical assessment of design and access etc.

Historic England: No comments offered: recommends that the application should be determined in accordance with national and local policy guidance, and on the basis of the Council's specialist conservation advice.

REPRESENTATIONS

Thirteen letters have been received in response to the application, eight raising objections and concerns, with the following main issues having been raised:

- the building will block existing views (particularly from neighbouring dwellings)
- there is concern about boundary walls being undermined
- impact on trees on adjoining land
- the building is too large and too tall, and would be over dominant
- boundary treatments are unclear, raising security concerns
- there is an existing well in the adjacent property next to the boundary
- the building is too close to the boundary of the nearest dwellinghouse
- the building will reduce light to dwellinghouses
- there will be increased noise from functions, which will cause a disturbance
- parking is inadequate, and would lead to unacceptable parking in the highway; it is pointed out that this is partially due to the larger size of the hall compared to the existing hall, accommodating more people and taking up existing parking space
- the proposal would cause traffic congestion
- property values will be affected
- the proposal represents overdevelopment of the site
- construction work will be disruptive and cause noise, dust and other nuisance

Five letters of support have been received, making the following main points:

- the proposal is in line with local community aspirations and wishes, after long processes of public involvement
- the proposal makes best use of the land to meet these aspirations
- the proposal will improve the poor facilities currently available, in terms of function, sound-proofing and appearance

- the proposal is of an appropriate design that respects the setting within the conservation area

CONSIDERATIONS

Principle of Development

The application seeks to replace the existing village hall, an important local facility for the village. Policy SS2 of the Local Plan is supportive of development which would create or enhance community facilities and services. The principle of the development is accepted.

Visual Impact

The replacement hall is significantly larger than the existing hall, using more of the available land. The height of the roof ridge is similar to the heights of existing buildings to south, east and west. The main roof ridge has been kept back from the road edge, and the massing of roofspace has been broken up, with subsidiary roofs to south and east. Visual interest has been provided in the street elevation by the creation of these subsidiary sections, with gable ends onto the road. The larger gable end fronts onto the village green, partly screened by the existing large memorial tree.

The building is to be finished in a mixture of natural stone and other materials, aimed at respecting the existing visual character of the setting in terms of materials, textures and colours.

The setting is sensitive, in the conservation area. The Conservation Manager has provided a detailed assessment of the impact (above) and raises no objection to the proposal.

It is considered that the proposal adequately respects the existing character and appearance of the setting within the conservation area (and within the setting of various listed buildings), and accords with the aims of the NPPF and the Local Plan in this regard.

Impact on Residential Amenity

Concern has been raised locally at the impact of the building on nearby residents. The larger part of the building has been placed midway between the residential properties to east (the former 'Lamb' building, across the road) and Nos 1 and 3 St Margaret's Road. The ridge height is similar in height to the roof heights of existing dwellings. A distance of approx 14m separates the nearest dwelling from the building - the ridge being approx 19m distant. The former Lamb in, across the road is 25m away from the main ridge of the building.

Although the building will be clearly visible, it is not considered that there would be any demonstrable and unacceptable loss of light. In response to comments made by the Conservation Manager, and at the request of the case officer, the applicant has prepared shadow diagrams indicating loss of direction sun across the neighbouring properties at different times of the year. It is not considered that these diagrams indicate a harmful loss of direct light.

The question of the size of the building has been raised as being likely to lead to an unacceptably dominant feature. Whilst it will be very evident viewed from the west side, it is considered that there is sufficient gap between the building and the nearest dwelling to mitigate the impact, which is not considered so severe as to warrant a refusal on amenity grounds.

No overlooking concern is raised by the proposal. There are windows in the main hall facing towards the west, but there are few and high level and would not result in any overlooking.

The issue of possible noise disturbance has been raised. This is a replacement building (not introducing a new use) for an existing local hall, subject to licensing control, which has functioned satisfactorily without causing amenity harm. Although larger than the original, the use of the hall is not considered likely to result in unacceptable noise nuisance. The Environmental Protection Unit has been consulted and raises no objection on this basis.

It is not considered that any amenity concern has been raised that would warrant refusal of the application.

Impact on Highway Safety

Standing Advice is referred to. In strict terms, the full prescribed visibility splays cannot be achieved as measured to the nearside carriageway edge in a northerly direction, as set out by the Highways Consultant. However, he further points out that the visibility which can be achieved is considered adequate to assure highway safety under the particular circumstances in this part of the village. It is not considered that there would be any highway safety harm raised by the proposal that would warrant a refusal of the application. As the proposal does not strictly accord with the County's Standing Advice, the report is referred to the Ward Member, under the Council's Scheme of Delegation.

Parking

The County Parking Strategy suggests 'optimal' ratios for non-residential parking (i.e. no minimum is prescribed). The Strategy suggest a ratio of 1 bay per 20 sq m, which in this instance would equate to 27 parking bays. Provision is made for 30 bays, plus parking for cycles and motorcycles. The proposal accords with the provisions of the Parking Strategy.

Concerns and Objections of Local Residents

The letters of representation have been carefully considered and evaluated. A site visit was made to the immediate neighbouring property (No 1 St Margaret's Road) to consider concerns raised. Issues of loss of light have been expressly considered as set out above. Most of the issues raised have been dealt with in the body of the report. However, the following additional comments are made:

- loss of views is not considered a material consideration for planning purposes
- boundary walls are matters protected in other legislation, although it is proposed to include a condition requiring detailing of boundary walls
- it is proposed to protect the oak tree on the green during construction; planting on adjacent dwellings is at a different ground level and will not be affected by development, although an informative note is proposed for the applicant drawing attention to the concern;
- control of noise and other future nuisance is subject to other legislation (licensing, environmental protection);
- perceived impact on property values is not a material consideration for planning purposes;
- nuisance during construction is controlled by other legislation, and is a temporary phenomenon not regarded as a material consideration for purposes of determination; however, it is proposed to include a requirement for a construction management plan to minimise disruption and nuisance during construction.

- parking provision accords with the Somerset Parking Strategy, and it is not considered that a refusal for this reason could be sustained.

EIA Regulations

Not relevant.

Conclusion

The proposal is a development put forward by the Parish Council that has demonstrated local support. It will lead to considerably improved local facilities which would contribute to the inherent sustainability and vitality of the settlement. Whilst this is a large replacement building in a visually and historically sensitive location, it is considered that the design has been well considered and developed, overcoming the obstacles to accommodation its form on the site. It is considered that the proposed building would enhance the sustainability of the village, and maintain the quality of the setting. No amenity, highway safety or parking concerns have been raised that would indicate a refusal of the application. Notwithstanding the concerns raised by local residents, the proposal is recommended for approval.

S.106 AGREEMENT

Not relevant.

RECOMMENDATION

Grant permission.

01. The proposal represents improved community facilities within this rural settlement that will contribute to the sustainability and vitality of the settlement. The development respects the character and appearance of the conservation area, and causes no demonstrable harm to the setting of listed buildings, residential amenity or highway safety. The proposal accords with the aims of the NPPF and Policies SD1, SS2, EQ2, EQ3, TA5 and TA6 of the South Somerset Local Plan.

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: the drawings ref.3547 numbers 101, 102, 103, 104 and 105.

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

03. No development hereby permitted shall be commenced unless particulars of the following have been submitted to and approved in writing by the Local Planning Authority:

- a) materials (including the provision of samples where appropriate) to be used for external walls and roofs; these details shall be supported by a sample panel of natural stone indicating coursing and pointing which shall be made available on site prior to commencement;
- b) full design details and material and external finish to be used for all windows, all external doors, lintels, entrance gates, boarding and openings;
- c) details of all eaves and fascia board detailing, guttering, downpipes and other rainwater goods; and
- d) details of the surface material for the parking and turning area; and
- e) details of all boundary treatments

Reason: To safeguard the character and appearance of the area and to accord with the NPPF and Policies EQ2 and EQ3 of the South Somerset Local Plan.

04. The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, to include proposals for planting on relevant parts of the land shown edged blue on the submitted Location Plan ref. 3547/010. The scheme shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of the development, as well as details of any changes proposed in existing ground levels. 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. Thereafter, the scheme shall be retained and maintained.

Reason: To safeguard the character and appearance of the area and to accord with the NPPF and Policies EQ2 and EQ3 of the South Somerset Local Plan.

05. The development hereby permitted shall not commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include construction vehicle movements, construction operation hours, construction vehicular routes to and from site, construction delivery hours, expected number of construction vehicles per day, car parking for contractors, specific measures to be adopted to mitigate construction impacts such as noise, dust, fumes and vibrations. The development shall be carried out strictly in accordance with the approved Construction Management Plan.

Reason: In the interests of highway safety and residential amenity, and to minimise the impacts of the construction of the development in accordance with the aims of the NPPF and Policies EQ2 and TA5 of the South Somerset Local Plan.

06. Prior to commencement of this planning permission, site vegetation clearance, demolition of existing structures, ground-works, heavy-machinery entering site or the on-site storage of materials, an Arboricultural Method Statement and a Tree and Protection Plan shall be prepared in accordance with British Standard 5837: 2012 -

Trees in relation to design, demolition and construction and these details shall be submitted to the Council. On approval of the tree protection details by the Council in-writing, a site-meeting between the appointed building/groundwork contractors, the Site Manager and the Council's Tree Officer (Phil Poulton: 01935 462670 or 07968 428026) shall be arranged at a mutually convenient time. The locations and suitability of the tree protection measures (specifically the fencing & signage) shall be inspected by the Tree Officer and confirmed in-writing by the Council to be satisfactory prior to commencement of the development. The approved tree protection requirements shall be implemented in their entirety for the duration of the construction of the development and the protective fencing may only be moved or dismantled with the prior consent of the Council in-writing.

Reason: To preserve the health, structure and amenity value of protected trees in accordance with the Council's statutory duties relating to The Town & Country Planning Act, 1990 (as amended)[1] and the following policies as stated within The South Somerset Local Plan (2006 - 2028); EQ2: General Development, EQ4: Bio-Diversity & EQ5: Green Infrastructure.

07. 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 prior to the commencement of development. Such provision shall be made before commencement and maintained thereafter at all times.

Reason: In the interests of highway and to accord with Policy TA5 of the South Somerset Local Plan.

08. There shall be no obstruction to visibility greater than 300mm above adjoining road level in advance of the visibility splays shown on the submitted plan received on 14 July 2015 (as referred to in the additional information submitted by email on 13 July 2015). Such visibility shall be fully provided before works commence on the development hereby permitted and shall thereafter be maintained at all times.

Reason: In the interests of highway and to accord with Policy TA5 of the South Somerset Local Plan.

09. Prior to the building hereby approved being brought into use, the parking and turning areas shown on the submitted plan ref. 3547/101 shall be properly surfaced (not loose stone or gravel) and laid out, including the clear demarcation of parking bays, in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. The agreed details shall thereafter be permanently retained and maintained.

Reason: In the interests of highway and to accord with Policy TA5 of the South Somerset Local Plan.

10. To ensure orderly parking on the sites (including parking shown within the area bordered blue on the submitted Location Plan ref. 3547/010) and thereby decrease the likelihood of parking on the highway, the car parking areas shown on the submitted plan ref. 3547/101 shall be marked out in accordance with a scheme to be agreed in writing by the Local Planning Authority prior to the car park being brought into use. The scheme of marking shall thereafter be permanently retained and maintained.

Reason: In the interests of highway and to accord with Policy TA5 of the South Somerset Local Plan.

11. The access hereby permitted shall not be brought into use until dropped kerbs at the access and full-height kerbing and pedestrian pavement across the site frontage at the carriageway edge have been installed in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority. The details shall include a vehicle cross-over constructed across the footway fronting the site for the width of the access. Once approved and implemented, the agreed details shall be permanently retained and maintained.

Reason: In the interests of highway and to accord with Policy TA5 of the South Somerset Local Plan.

Informatives:

01. The applicant's attention is drawn to the need to obtain the necessary permit (Section 184 licence) from the Highway Authority (Somerset County Council) to undertake works to the access within the highway area.
 02. The applicant's attention is drawn to the advice from the owner of the adjoining property, No 1 St Margaret's Road, that there is an existing well on the boundary of the site (towards the southern end of the shared boundary between the site and the adjoining property to the west), which might have some impact on consideration of foundation details.
 03. The applicant's attention is drawn to the concern for the protection of vegetation (an existing cherry laurel) on the shared boundary between the site and No 1 St Margaret's Road. The applicant is advised to consult the owner of the property in this regard prior to commencement of work.
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