

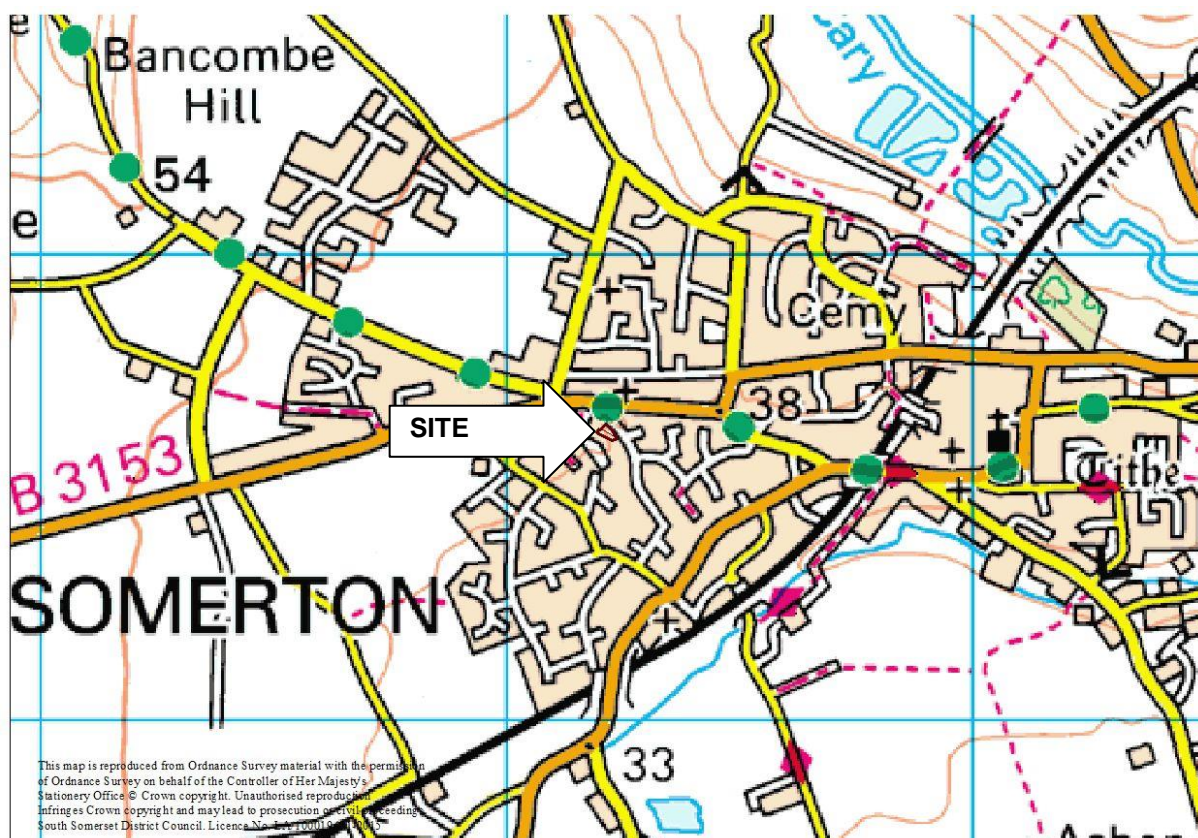
Officer Report On Planning Application: 15/03374/FUL

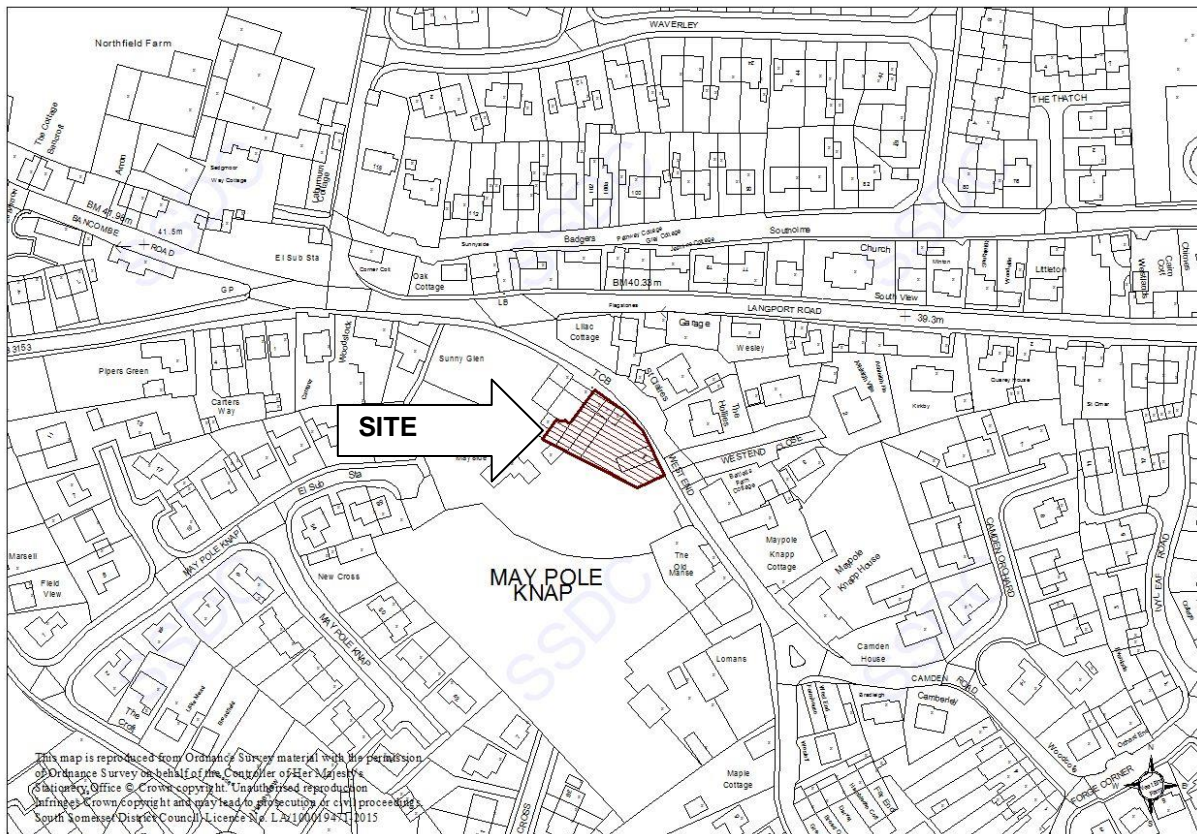
Proposal :	Erection of 3 dwellings and associated parking (revised scheme to withdrawn application 14/03026/FUL) (GR348224/128611).
Site Address:	Lawrences Farm, West End, Somerton.
Parish:	Somerton
WESSEX Ward (SSDC Members)	Cllr Stephen Page Cllr Dean Ruddle
Recommending Case Officer:	Nicholas Head Tel: (01935) 462167 Email: nick.head@southsomerset.gov.uk
Target date :	16th September 2015
Applicant :	Mr John McNulty
Agent: (no agent if blank)	Mr Simon Hill, The Priory, Draycott Road, Shepton Mallet, Somerset BA4 5HS
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

The report is referred to Committee at the request of a Ward Member in order to enable a full discussion of the issues raised by the Town Council and local residents.

SITE DESCRIPTION AND PROPOSAL





The site is located on the south-west side of West End, just before the junction with Langport Road. It is the remainder of a larger site, formerly Lawrence's Farm, which has largely been redeveloped with a group of 6 terraced and semi-detached houses. The site was part of, and is at the southern end of the original redevelopment site for Lawrence's Farm, which was originally to comprise 8 dwellings. In a revised application, the designs of the 6 dwellings were amended, and the southernmost portion of the site left undeveloped.

Permission is now sought for the erection of 3 houses (one detached, and two semi-detached) together with garaging.

HISTORY

15/02474/S73A - Section 73A application to amend Condition 1of approved application 12/02936/REM to allow the substitution of drawings - permitted with conditions
 14/03026/FUL - Demolition of existing buildings and the erection of 9(no.) dwellings, including parking and landscaping and enhanced access to the highway (revised scheme), Withdrawn.
 12/02936/REM - Demolition of existing buildings and the erection of 8 no dwellinghouses - permitted with conditions
 09/01771/OUT - Demolition of buildings and the erection of 8(no.) dwellings. Approved.

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
SS4	District Wide Housing Provision
SS5	Delivering New Housing Growth
SS6	Infrastructure Delivery
HG3	Provision of Affordable Housing
HG4	Provision of Affordable Housing - Sites of 1-5 Dwellings
TA5	Transport Impact of New Development
TA6	Parking Standards
EQ2	General Development
EQ3	Historic Environment

National Planning Policy Framework (March 2012):

4. Promoting sustainable transport
6. Delivering a wide choice of high quality homes
7. Requiring good design
8. Promoting healthy communities

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

Somerton Town Council: The application is not supported, on the basis that it is overdevelopment and there would be inadequate parking. It is recommended that the area be landscaped.

Highways Authority: It is noted that the development complies with the NPPF and SCC Parking Strategy, and that the traffic impact is likely to be minimal. The access is acceptable. Minor issues are raised in relation to site drainage and parking layout. No objection, subject to conditions.

County Archaeologist: *The site lies within the Area of High Archaeological Potential and in the medieval town area. The development is likely to impact on archaeological remains relating to medieval occupation.*

For this reason I recommend that the applicant be required to provide archaeological monitoring of the development and a report on any discoveries made as indicated in the

National Planning Policy Framework (Paragraph 141). This should be secured by the use of model condition 55 attached to any permission granted.

REPRESENTATIONS

Eight letters have been received in response to the application. Six of these are letters of objection. The following main issues are raised:

- the proposal represents over-development
- the proposal is different from the approved earlier scheme and does not respect the character of the area
- there will be amenity harm to neighbouring properties, particularly overlooking, reduction of light and privacy
- the buildings are too large, tall and overbearing
- traffic will increase and problems will be exacerbated
- there will be inadequate parking
- a tall stone wall is suggested between the development and adjacent dwellinghouse to the west
- the existing new development has not complied with approved plans, and has sought retrospective permission

The scheme is also supported by one resident:

- the completion of this development is welcomed and the proposals are in keeping with the existing development

CONSIDERATIONS

Background and Principle of Development

The site is within the development area as identified in the Local Plan. In principle, housing development is acceptable, subject to consideration of other relevant material considerations. The site forms part of the larger site considered for redevelopment, on which 8 dwellinghouses were permitted. As set out above, the original site has been partially developed, with 6 of the houses. In consideration of the original application, all details relating to drainage, access, etc., were satisfactorily covered. The current application replaces the one single dwelling at the south-easternmost part of the site with a pair of semi-detached dwellings. The design and exact layout of the buildings have also been amended to reflect the detailed design of the 6 dwellings already constructed.

Visual Impact

The proposed dwellings are of similar design and appearance to those already erected. The elevations fronting onto West End are to be of stone, with other walls painted render, as with the existing houses. The houses are of a similar scale and appearance to the existing, and are not considered to be unacceptably out of character with the setting. The proposal represents the completion of a larger scheme already approved and substantially complete (and occupied). Although an additional dwelling is proposed over and above the original 8, it is not considered that the configuration, layout and design are incongruous in the setting, or out of character with existing development along the street.

Impact on Residential Amenity

The proposed dwellings are in a similar position to those approved under the original scheme (12/02936/REM). The dwellings beyond the site to south and west are sufficiently distant to avoid any unacceptable direct overlooking or overbearing issues. The proposed development is approx. 10m from the new houses to the north-west. Although there is some possibility of overlooking ground floor windows, there is no direct window-to-window overlooking and the arrangement is considered acceptable in this regard. Whilst the objection of residents across the other side of West End are noted, it is not considered that concern about overlooking across a public street can be sustained as a refusal reason on amenity grounds, this being a normal relationship with the public environment. Notwithstanding the concerns of local residents, it is not considered that there is any demonstrable amenity harm that would warrant refusal of the application.

Affordable Housing

Policy HG4 of the Local Plan requires a contribution towards affordable housing. This takes the form of a commuted sum equivalent to 5% of the floor area of the development, at rates identified in the Local Plan. The total relevant floor area of the development is 291 sq m, and the contribution would be £5,820. The contribution is to be secured by Agreement, which would need to be signed prior to grant of permission. The applicant is agreeable to this requirement.

Town Council Comments

Whilst it is noted that the Town Council would prefer to see the area landscaped, the proposed development does have to be considered as submitted. As set out above, it is not considered that the proposal would represent over-development or have inadequate parking to the degree that a refusal could be sustained.

Highway Safety and Parking

The Highway Authority raises no objection and confirms that the proposal complies with current policy. It is not considered that there is any highway safety or parking issue that would justify a refusal of the application.

Concerns Expressed by Neighbours

The concerns raised have been considered, and largely dealt with above. Much of the concern focuses on unhappiness with the changes that have occurred since approval of the original scheme, and the developer's wish to amend the scheme. Whilst retrospective permission is not encouraged, it is not unlawful. In this case, the developer has obtained permission for what now exists on site. The assessment of the current application takes this into account, and, although objections have been raised, it is not considered that the proposal raises serious enough design and impact concerns to warrant a refusal of the completion of this scheme. Most of the concerns are dealt with above, but the following additional comments are offered:

- the proposed development can be accommodated on the site with adequate amenity and parking space; it is not therefore considered to be 'over development'
- no neighbouring properties are within close enough proximity to demonstrate amenity harm resulting from overlooking, overshadowing or blocking out light
- the highways authority raises no objection to the proposal, and there is not considered to be a safety or parking concern that would justify a refusal of the scheme
- there are not considered to be any additional high wall requirements to protect amenity - although residents are entitled to erect walls or create hedging to achieve any

screening deemed desirable

EIA Regulations

Not relevant.

Conclusion

The proposal represents the provision of an additional three dwellings within the development area of the town, in a form largely agreed under an earlier application which has been implemented. The design and layout of the buildings is considered to respect the established character of the setting, and causes no harm to residential amenity. No highway safety or other concerns have been raised that would indicate refusal of the application. Notwithstanding the concerns of local residents, the proposal is therefore recommended for approval.

S.106 AGREEMENT

A commuted sum of £5,820 is to be secured by Agreement as a commuted sum towards affordable housing provision, in terms of Policy HG4 of the Local Plan, the Agreement to be signed before grant of permission.

RECOMMENDATION

That application reference 15/03374/FUL be approved subject to:-

- a) The prior completion of a section 106 agreement (in a form acceptable to the Council's solicitor(s)) before the decision notice granting planning permission is issued to ensure that a sum equivalent to 5% of the floor area of the development, as required by Policy HG4 of the South Somerset Local Plan for the provision of affordable housing, is paid to the Council on occupation of the first of the dwellinghouses hereby approved, to the satisfaction of the Council's Strategic Housing Manager.

and

- b) the following conditions

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. 488.05 numbers PL10, PL01A and PL02B.

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

03. No development hereby approved shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological

work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority.

Reason: To safeguard archaeological remains on the site and to accord with the NPPF and Policy EQ3 of the South Somerset Local Plan.

04. Prior to the occupation of the dwellings hereby permitted, the access to the site shall be constructed in accordance with the details approved under the previous permissions 09/01771/OUT, 12/02936/REM and 15/02474/S73A , and the materials details approved under condition 9 below, including the maintenance of clear visibility splays. The access and visibility splays shall thereafter be permanently retained and maintained.

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

05. 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 made before the occupation of the dwellings hereby approved and maintained thereafter at all times.

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

06. The areas allocated for parking and turning on the submitted plan, including the garages, shall be kept clear of obstruction at all times and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests amenity and of highway safety and to accord with Policies EQ2 and TA5 of the South Somerset Local Plan.

07. Before any of the development hereby permitted is commenced details of the internal ground floor levels of the buildings to be erected on the site shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the character and appearance of the area and to protect residential amenity in accordance with Policy EQ2 of the South Somerset Local Plan.

08. Before the dwellings hereby permitted are first occupied, a 1.8m wide footway shall be constructed over the entire frontage of the site in accordance with a specification to be approved in writing by the Local Planning Authority.

Reason: In the interests amenity and of highway safety and to accord with Policies EQ2 and TA5 of the South Somerset Local Plan.

09. 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 materials for the access, parking and turning areas; 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.
