

Officer Report On Planning Application: 16/01012/FUL

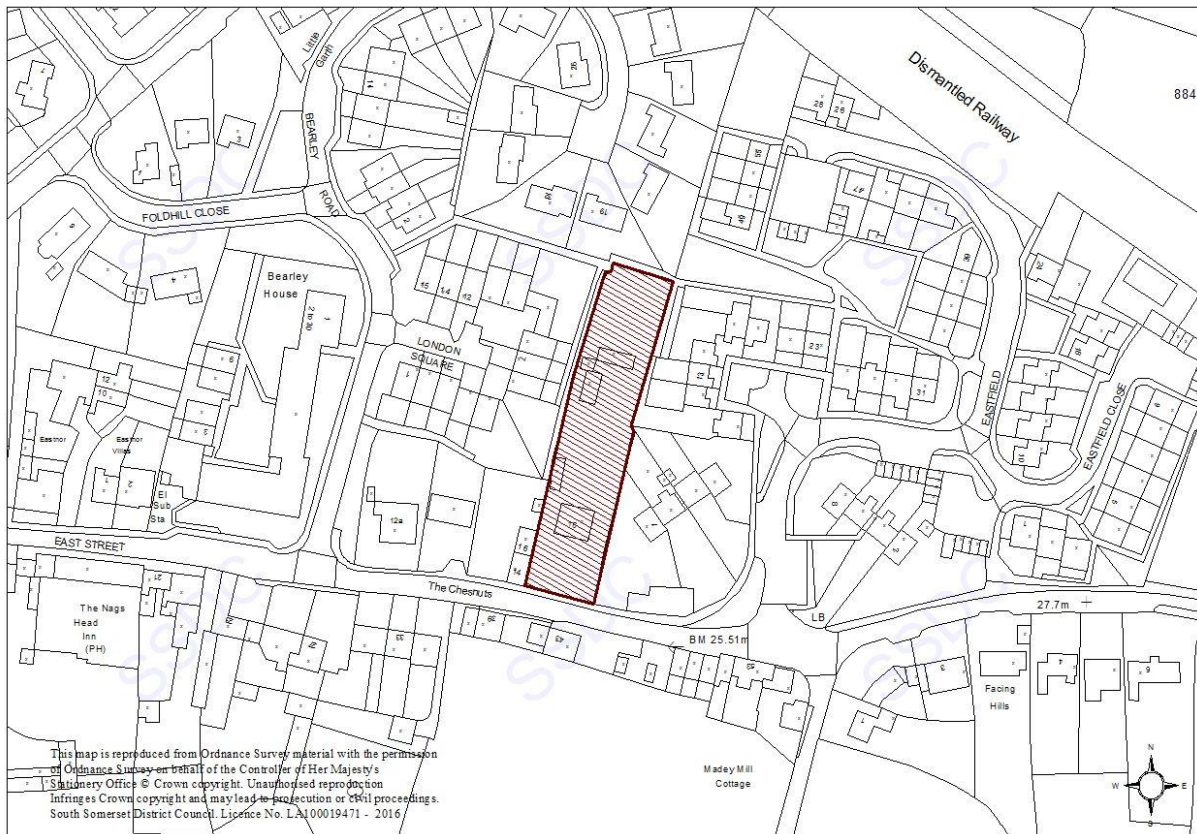
Proposal :	Demolition of attached lean-to on side elevation of dwelling and demolition of all timber buildings at the rear of the site; the erection of two dwellings and the formation of an access driveway, parking and turning.
Site Address:	18 East Street, Martock, Somerset.
Parish:	Martock
MARTOCK Ward (SSDC Members)	Cllr Neil Bloomfield Cllr Graham Middleton
Recommending Case Officer:	Nicholas Head Tel: (01935) 462167 Email: nick.head@southsomerset.gov.uk
Target date :	4th May 2016
Applicant :	Mr M Robertson
Agent: (no agent if blank)	Mr Clive Miller, Sanderley Studio, Kennel Lane, Langport TA10 9SB
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 to enable a full discussion of the issues raised by the application.

SITE DESCRIPTION AND PROPOSAL





The site is located towards the east side of the village, on the north side of East Street. It comprises a long strip of land extending 95m northwards from East Street, with a traditional stone cottage and its garden area fronting onto the road, bordered by a stone wall. This part of the site is within the conservation area, as are the stone dwellings adjoining the front garden of the house to the west.

To the rear of the cottage is an area of land previously used for the raising of poultry, accommodating various disused structures. The side and northern boundaries are defined by mature vegetation. To the west of the site are the single-storey dwellings fronting onto London Square; to the east, various two-storey houses taking access off Eastfield. To the north of the site is a public footpath, beyond which are the houses fronting onto Bearley Road. The site rises in height from south to north.

It is proposed to erect two dwellinghouses on the rear portion of the site, using the same existing access as the existing house at the southern end of the site. The works would include the demolition of a lean-to element of the existing house, and the demolition of the sheds on the northern part of the site.

HISTORY

14/01616/FUL - Widening of existing entrance by 1.4 metres. Demolition and reconstruction of the boundary wall forming the entranceway to be reconstructed using existing stone reclaimed and in the same style and manner to match existing - permitted with conditions

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
TA5	Transport Impact of New Development
TA6	Parking Standards
EQ2	General Development
EQ3	Historic Environment
EQ4	Biodiversity

National Planning Policy Framework (March 2012):

1. Building a strong, competitive economy
2. Ensuring the vitality of town centres
3. Supporting a prosperous rural economy
4. Promoting sustainable transport
5. Supporting high quality communications infrastructure
6. Delivering a wide choice of high quality homes
7. Requiring good design
8. Promoting healthy communities
10. Meeting the challenge of climate change, flooding and coastal change
11. Conserving and enhancing the natural environment
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.

CONSULTATIONS

Parish Council: *It was unanimously AGREED to object to this application on the grounds of: reduction in privacy, difficulties regarding access, overly dense development creating excessive vehicular movement. Any development to include adequate access for emergency vehicles and to retain the hedge.*

In response to amended plans, the Parish responded: *The Council felt that, although the applicant had taken steps to address some of the concerns raised, the suitability of the vehicular access to the site and the dangers presented by additional traffic attempting to join the main highway at this point remained a serious issue with this development. In the light of the accessibility problems the Parish Council feel that this development should be refused on these grounds.*

Highways Authority: Standing Advice applies.

SSDC Conservation Officer: *The front of the site lies within the conservation area, and there are listed buildings across the road from the access. Therefore the statutory duties we have, and the requirements of the NPPF are relevant as is the local plan policy.*

At pre application we commented on the alterations to the access and that they were harmful to the setting of the listed buildings, the conservation area, and the street scene in general.

This application proposes no alterations to the access, and as it stands they have addressed our concerns. I have not seen the Highway Authority comments with what alterations might be required to the access, and I therefore would reserve the right to comment if any alterations are proposed or required. I would be resistant to any changes.

I would like details of the refuse storage area to be conditioned on any consent.

SSDC Ecologist: Slow worms might be present on the site. Permission should be subject to an appropriate condition.

REPRESENTATIONS

9 letters of representation have been received, raising the following main issues:

- the access arrangements, including emergency access, would be harmful to highway safety;
- the proposal will increase traffic and parking problems on the highway;
- there are drainage concerns;
- the proposal is over-development of the site;
- the lean-to section of the cottage should not be demolished;
- the proposal would harm the setting and the setting of the conservation area;
- views will be harmed;
- demolition of the buildings will be hazardous;
- the detail submitted with the application is inaccurate in relation to the previous use of the premises;
- the scheme is poorly designed in relation to local references and detail;
- boundary details cause concern, including the removal of hedges;
- amenity concerns are raised - overlooking; noise; light pollution

CONSIDERATIONS

Principle of Development

The site falls within the defined development area, where the principle of additional dwellinghouses is accepted.

Visual Impact: Impact on Conservation Area

The proposal, as revised, is for two single-storey dwellings of similar scale to those on land towards the west of the site. The dwellings are well separated from the nearest existing houses, and are of a scale and design that respects the existing established character of development. The front portion of the site (i.e. with the existing cottage) is within the conservation area. It is not considered that the massing or placement of the proposed two new dwellings would intrude unreasonably into the visual setting of the conservation area, or harm views into and out of the conservation area in any way that would be incongruous or sufficiently harmful to warrant a refusal. It is considered that the proposed development appropriately respects the established character and appearance of the setting.

Impact on Residential Amenity

The buildings are sited at acceptable distances from existing development to avoid unacceptable overlooking or overshadowing. The design of the dwellings avoids the potential for harmful overlooking of the internal spaces of the new dwellings. The density of the proposal is consistent with development around the site, and the resulting form of development and domestic activity on the site would not be out of keeping with that of surrounding development. It is not considered that the introduction of new residential properties would harmfully impact the residential amenity of occupants of neighbouring development.

Impact on Highway Safety

The proposal makes use of the existing access to give access to the additional two dwellings. The Highway Authority has raised no express concern about the site, referring instead to Standing Advice. Whilst the Standing Advice requirements for visibility splays, etc., cannot be achieved, the applicant has submitted a very detailed professional transport statement setting out the main considerations, which are considered to be broadly pertinent:

- The entrance is located towards the end of East Street which is a cul-de-sac. As a consequence, vehicle speeds in both directions have been observed to be very low and the frequency of traffic movements is light;
- Vehicles exit the site very slowly;
- Regular on-street parking on the north side of East Street to the west of the entrance results in vehicles adopting a driving line away from the carriageway edge;
- Given the minimal volume of traffic that would use the access (post permission), i.e. the existing dwelling and the proposed two dwellings, it is unlikely that two vehicles would meet over the initial short 30m distance of the internal access road;
- Most critically in this case is that the use of the access is unlikely to significantly increase, over and above the previous use of the entrance when the site operated as a poultry farm business.

Adequate on-site parking can be provided in accordance with the Somerset Parking Strategy.

The NPPF advises (Paragraph 32) that 'Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe'. Given that this is not a major through-route carrying fast-moving traffic, it is considered that the increased residential usage of the access would not raise a highway safety concern that amounted to 'severe'. Regular use by local residents (as is seen throughout the District) improves safety at points of access which are generally regarded as 'sub-standard'. It is not considered that this access is so poor that its use for this development would be sufficiently harmful as to recommend a refusal of the

application.

Parish Council Concerns

As discussed above, the highway safety issue is noted, but it is not considered that the impact could be regarded as 'severe', in order to justify a refusal in this case.

The final details of boundaries, etc., can be controlled by condition. The density of development is considered commensurate with the development surrounding the site. Issues of amenity are dealt with above.

Concerns of Local Residents

The detailed concerns of local residents have been carefully considered and the main issues are dealt with in the report above. However, the following additional points can be addressed:

- Drainage of the site is largely a building regulations matter, but the issue of water running onto the highway is a concern, and a condition is proposed requiring full details to be approved prior to commencement.
- The proposal is not considered to be 'garden grabbing' or over-development. The density is commensurate with what exists on either side of the land, which was previously used for agricultural purposes. Although this is therefore a 'greenfield' site, it falls within the development area, and is highly suitable for the provision of additional housing in terms of the local plan and the objectives of the NPPF.
- the section of the cottage to be demolished (lean-to) is not protected by listing or considered to be of any special historical significance. The Conservation Officer raises no objection to its removal, and it is not considered that this would harm the setting.
- Demolition of structures, including the removal of any asbestos, is controlled, for safety purposes, under other legislation, and is not a sustainable reason for refusal of this application.
- Residents' comments about previous use of the land are noted. However, it is clear that it was previously in agricultural use for raising poultry. Regardless of how the site has recently been used, there is no reason why its agricultural use could not be reinstated, and for comparison purposes it is reasonable to consider a worst-case scenario in examining traffic movements for the site.
- The design of the buildings is considered sympathetic to the setting to the rear of the conservation area, where there are various bungalows and modern buildings. The scale, materials and height of the buildings ensure minimal negative impact when viewed from East Street.
- Boundary treatments are proposed to be controlled by condition, bearing in mind the need for appropriate materials, hedging etc., in the context of an infill development within an existing suburban setting.

EIA Regulations

Not relevant.

Conclusion

The proposal makes provision for the creation of two new dwellinghouses within the defined development area of the Rural Centre. The layout is low density, and the form and massing respect the established character and appearance of adjacent development. The site is behind a cottage fronting onto and within the conservation area, and the development has taken this

factor into consideration in the layout and form of development. There is adequate spacing between dwellings to avoid any amenity harm. The scheme would see two dwellinghouses coming forward in the right place at the right time in line with the economic role of sustainable development and the overall aim of increasing the supply of housing. The proposal is recommended for approval.

S.106 AGREEMENT

Not relevant.

RECOMMENDATION

Grant permission.

01. The proposal, by reason of its scale, design and materials, respects the character and appearance of the area and causes no demonstrable harm to residential amenity. The proposed use of the existing access for purposes of the new development is not considered to have a severe impact on highway safety. The proposal is considered to accord with the aims of the NPPF and Policies SD1, SS1, TA5, TA6, EQ2 and EQ3 of the South Somerset Local Plan.

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be carried out in accordance with the following approved plans: the drawings ref. 6515 numbers 02A, 03A and 04A.

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

02. 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;
- d) details of the surface material for the parking and turning area;
- e) details of all boundary treatments; and
- f) details of the design and layout of the area demarcated on the submitted site plan for a refuse collection area.

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.

03. The area allocated for parking and turning, including garages, on the submitted plan ref. 6515-02A 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 of highway safety and to accord with the NPPF and Policy TA5 and TA6 of the South Somerset Local Plan.

04. 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 development hereby permitted is occupied and maintained thereafter at all times.

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

05. The area demarcated on the submitted plan ref. 6515-02A as a 'refuse collection area' shall be laid out and established prior to the occupation of the development hereby permitted, and shall be permanently maintained and retained for the purposes of refuse storage thereafter in perpetuity.

Reason: In the interests of amenity, and to accord with Policy EQ2 of the South Somerset Local Plan.

06. The development hereby permitted shall not be commenced (including any ground works or site clearance) until a survey to determine presence/absence of slow worms, plus if present, a mitigation plan or method statement detailing measures to avoid harm to slow worms, has been submitted to and approved in writing by the local planning authority. The works shall be implemented in accordance with the approved details and timing of the mitigation plan / method statement, unless otherwise approved in writing by the local planning authority.

Reason: For the protection and conservation of priority species in accordance with policy EQ4 of the South Somerset Local Plan, NPPF and to ensure compliance with the Wildlife and Countryside Act 1981 (as amended).

Informatives:

01. The Wildlife and Countryside Act 1981 makes it an offence to disturb a nest of any wild bird whilst it is in use or in the process of being built. Clearance of trees, scrub, ivy, bramble or other dense vegetation, and demolition of, or works to buildings, could cause disturbance to nesting birds, and it is advisable to carry out such works outside of the main nesting season of 1st March to 31st August inclusive, unless a prior check by a competent person has confirmed the absence of nesting birds
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