

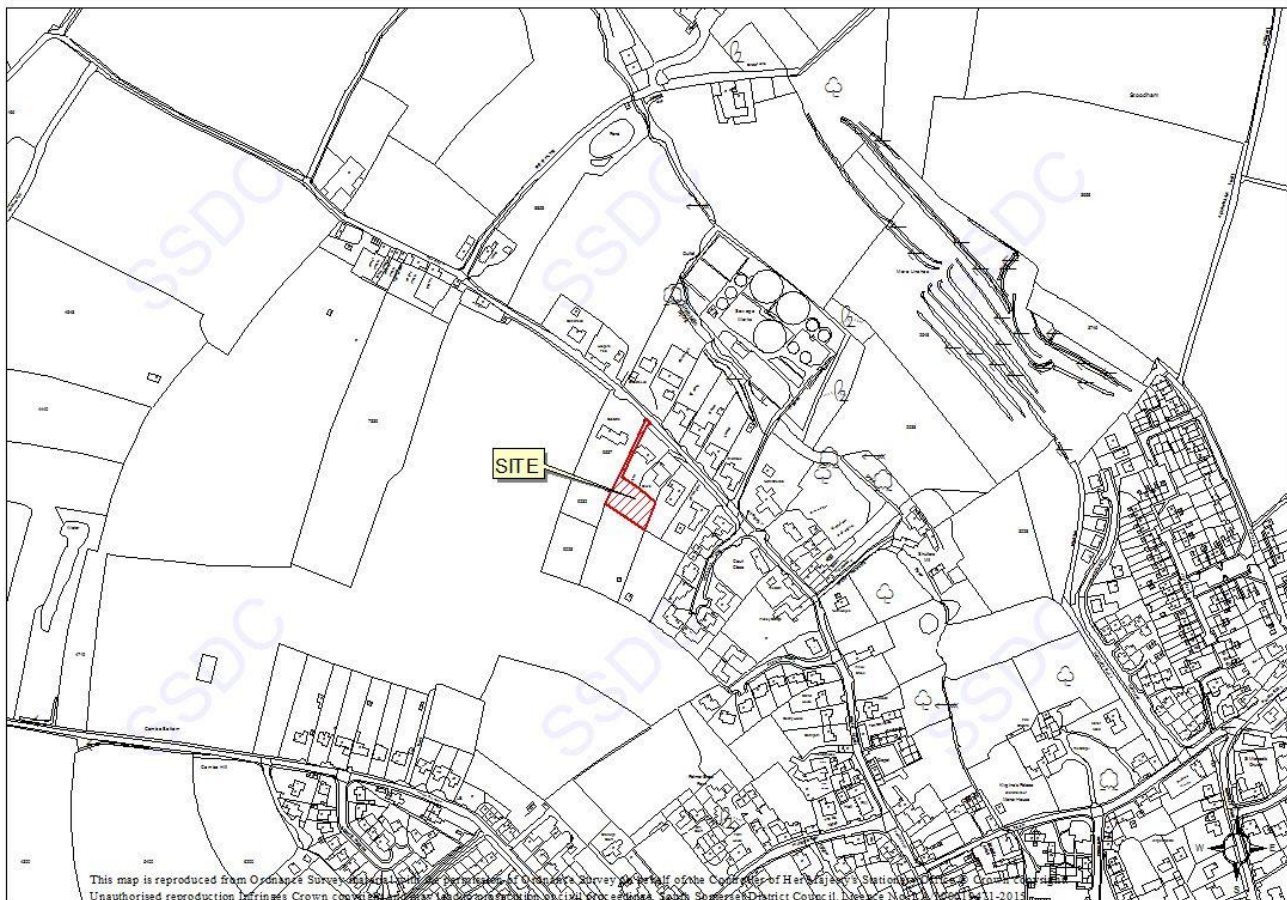
Officer Report On Planning Application: 17/00265/OUT

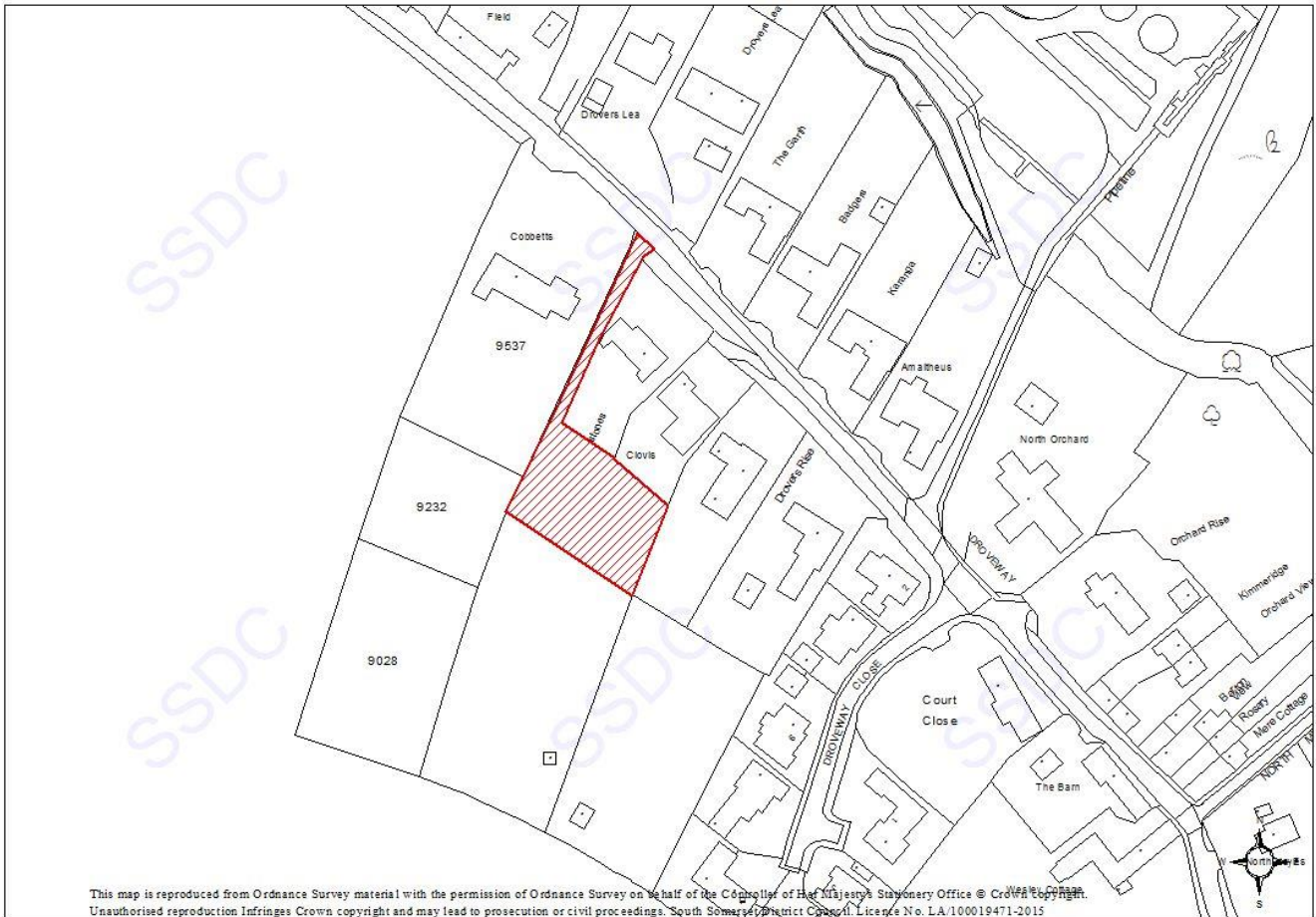
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| Proposal: | Erection of 1 No. dwelling within the garden of Bradstones (outline) |
| Site Address: | Bradstones, North Street, South Petherton. |
| Parish: | South Petherton |
| SOUTH PETHERTON Ward (SSDC Member) | Cllr A Dance Cllr C Raikes |
| Recommending Case Officer: | Mike Hicks Tel: 01935 462015 Email: mike.hicks@southsomerset.gov.uk. |
| Target date: | 23rd March 2017 |
| Applicant: | Mr & Mrs Summers |
| Agent: (no agent if blank) | Orme Ltd, 2 Farm Road, Street BA16 0BJ |
| Application Type: | Minor Dwellings 1-9 site less than 1ha |

REASON FOR REFERRAL TO COMMITTEE

At the request of both ward members and with the agreement of the Area Chair to allow the landscape/design issues to be considered by the committee.

SITE DESCRIPTION AND PROPOSAL





The site consists of a plot of land located adjacent to the built limits of South Petherton. The site is located to the rear of properties fronting North Street and would be to the rear of a property known as Bradstones. Ground levels rise approximately 11 metres from North Street to the rear of the site. North Street is an unclassified highway. The area is characterised by bungalows fronting North Street. There is a public right of way to the west of the site. There is an existing access located to the western side of Bradstones which is proposed as a vehicular access to the site.

The application seeks outline consent with means of access, layout and scale to be considered at this stage and with landscaping and appearance reserved for later approval at reserved matters stage.

The proposed dwelling would indicatively accommodate three bedrooms. The proposed footprint would be a horse shoe shape with an attached garage. The maximum width (east-west) would be 19 metres, the maximum depth (north- south) 20.5 metres (including double garage). Amended plans have been received lowering the taller section of roof so that the entire roof would have a maximum height of 4.8 metres. It is proposed that the floor level would be at the '38.25' contour as shown on the topographical survey so that the dwelling would be cut into the slope.

HISTORY

No history of relevance.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF indicate it is a matter of law that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

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.

South Somerset Local Plan (2006-2028)

Policy SD1 - Sustainable Development

Policy SS1 - Settlement Strategy

Policy SS4 - District Wide housing Provision

Policy SS5 - Delivering New housing Growth

Policy HG5 - Achieving a mix of market housing

Policy TA5 - Transport impact of new development

Policy TA6 - Parking standards

Policy EQ2 - General Development

National Planning Policy Framework

Core Planning Principles

Chapter 6: Delivering a wide choice of high quality homes

Chapter 11: Conserving and enhancing the natural environment

Chapter 12: Conserving and enhancing the historic environment

ENVIRONMENTAL IMPACT ASSESSMENT

None required

CONSULTATIONS

Parish Council:

Recommend approval.

Landscape Officer:

Second response (in response to amended plans)

I previously commented upon the dominant position of the dwelling relative to the roadside properties to the north/north-east, which will impact upon the residential amenity of those properties, and I acknowledge that this is lessened (but not negated) by the reduction in the roof height. My other concerns remain as earlier expressed, and I also question the potential impact of the drive's construction upon the bounding vegetation to the west. I consider the landscape impact to be minor-moderate adverse, but localised.

First response:

Mike, I recollect that the last government pronounced against what is popularly referred to as 'garden-grabbing' and whilst para 53 of the NPPF is not specific in its resistance to garden development, the inference is that such a mode of development is not particularly favoured. I am also aware that private residential gardens within a settlement are not regarded as previously developed land (NPPF annex 2).

Much of this plot is a large garden, at the rural edge of South Petherton, with a similarly large residential garden to either side, whilst agricultural plots lay to the south and west, to aid a transition to the open countryside. I note that adjacent residential form directly addresses the Drove way, and the linear thread of development along the Drove way is a strong characteristic of this quarter of town, once north of Drove Close. This linear characteristic is accentuated by the valley setting of the Drove way's residences, whilst the rising land to the southwest within which this plot sits, provides an undeveloped surround, which is rural in expression.

The proposal intends a new dwelling to the rear of, and within the garden of the existing dwelling. The layout is tight, and the proposal steps up the hillside, above the general elevation of the adjacent linear thread of dwellings, to be both at variance with local character, and in a dominant position relative to those roadside dwellings, which is exacerbated by the 1.5 storey element. The proposal will also have a greater visual profile than the adjacent dwellings, as perceived from the adjacent public footpath, hence the adverse character impact is readily discernible. Consequently, I am not convinced that the proposal meets the objectives of LP policy EQ2, to provide a landscape case for refusal.

SCC Highway Authority:

Standing advice applies

SDDC Highway Consultant:

Refer to SDDC comments

Wessex Water:

No objections subject to standard informatives relating to connections to existing infrastructure.

REPRESENTATIONS

Following consultation, comments have been received from 6 nearby occupiers, 3 objecting and 3 making representations. The following comments are made:

Character and appearance:

- Cramped form of development, out of character with the area.

Amenity:

- Concern over the 1.5 storey element and associated amenity issues- outlook and light.
- General amenity concerns due to elevated site levels/ proximity to shared boundary with adjoining dwellings, additional traffic.
- Adjoining extension to Applefield not shown on site plan.
- Significant number of tractors use North Street.

Highways:

- The road is in a poor state of repair and cannot accommodate additional traffic.

- There are limited passing places.
- Safety concerns for young and elderly pedestrians who frequently use the road.

Other matters:

- The development will overload the local broadband network.

CONSIDERATIONS

Principle of development:

The site is within a location that is contiguous with the built limit of South Petherton. The settlement is classed as a Rural Centre within the Local Plan and therefore is considered to be a sustainable location for new housing. The proposal is therefore acceptable in terms of the principle of residential development, however the acceptability of such development is dependant on compliance with the relevant development plan policies relating to matters such as visual and residential amenity and highway safety.

Landscape impact/visual amenity:

The principal consideration relates to whether the development would satisfactorily respect and reinforce local landscape character and distinctiveness. The Councils Landscape Officer has been consulted and has objected to the application. In terms of established character he notes that:

"the linear thread of development along the Drove way is a strong characteristic of this quarter of town, once north of Drove Close. This linear characteristic is accentuated by the valley setting of the Drove way's residences, whilst the rising land to the southwest within which this plot sits, provides an undeveloped surround, which is rural in expression".

The Landscape Officer further notes that the elevated position, relatively tight nature of the plot in relation to the dwelling proposed, the backland positioning and visibility from the public right of way to the west would result in a development that is at variance with the established character and distinctiveness of the area. In particular the roof height would be significantly elevated above the existing linear development and being positioned within the foreground when viewed from the public footpath would appear incongruous, resulting in harm to these public views of the settlement edge. As such it is considered that the proposal would be contrary to policy EQ2 of the South Somerset Local Plan (2006-2028).

Highway Safety:

The proposal is considered to be acceptable in relation to highway safety and parking. The proposed access could achieve visibility splays of 43 metres to the east and 35 metres to the west to the centre point of the highway if adjacent vegetation to the west is trimmed. This vegetation is outside the control of the applicant so the existing situation is below this desired level. However, given the presence of numerous other similar accesses within the vicinity and the slow speeds of traffic in this location it is considered that a lower splay would be acceptable in this instance. The proposed site would accommodate sufficient space for parking spaces to be compliant with the County Council Parking Strategy. As such it is considered that the proposal would accord with Policies TA5 and TA6 of the South Somerset Local Plan (2006-2028).

Residential Amenity:

Objections have been received on the basis of the impact upon adjoining dwellings, in particular Quantock and Applefield. Concerns relate to overshadowing, loss of outlook and general noise and disturbance both from building works and post occupation.

As amended the dwelling would be entirely single storey with a maximum height of 4.8 metres. At its closest point (the double garage) would be 20 metres from Applefield and Quantock. This distance coupled with the height of the proposal is such that there would be no undue impact in terms of loss of

light or sense of enclosure for these adjoining occupiers. As amended there would be no undue impact on amenity from overlooking as the building would be single storey and although set on higher ground, the potential windows in the north elevation would be between 18.-22 metres from the shared boundary with Bradstones, thereby negating any harm from potential inter-visibility between windows. There would be some vehicular movements along the proposed access adjacent to Bradstones and the dwelling to the west Cobbetts. However it is considered that the level of movements would be relatively minimal to serve a single dwelling and therefore such that there would be no undue impact on the amenities of these occupiers in relation to general noise and disturbance. The proposal would therefore accord with Policy EQ2 of the South Somerset Local Plan (2006-2028).

CONCLUSION

Having regard to the above, it is considered that whilst the proposal would be acceptable in relation to highway safety and residential amenity, it would be at a variance with the established layout of development in the area and local distinctiveness. As such the proposal would not comply with policy EQ2 of the South Somerset Local Plan (2006-2028).

RECOMMENDATION

Refuse.

For the following reason:

01. The proposal by reason of its siting to the south of the established linear form of development fronting North Street, its scale and elevated position, would be contrary to the established pattern and layout of development in the area at variance to local distinctiveness, resulting in harm to the landscape character of the area. As such the proposal would not accord with policy EQ2 of the South Somerset Local Plan (2006-2028) and the aims and the objectives of Chapter 12 of the National Planning Policy Framework (2012).
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