

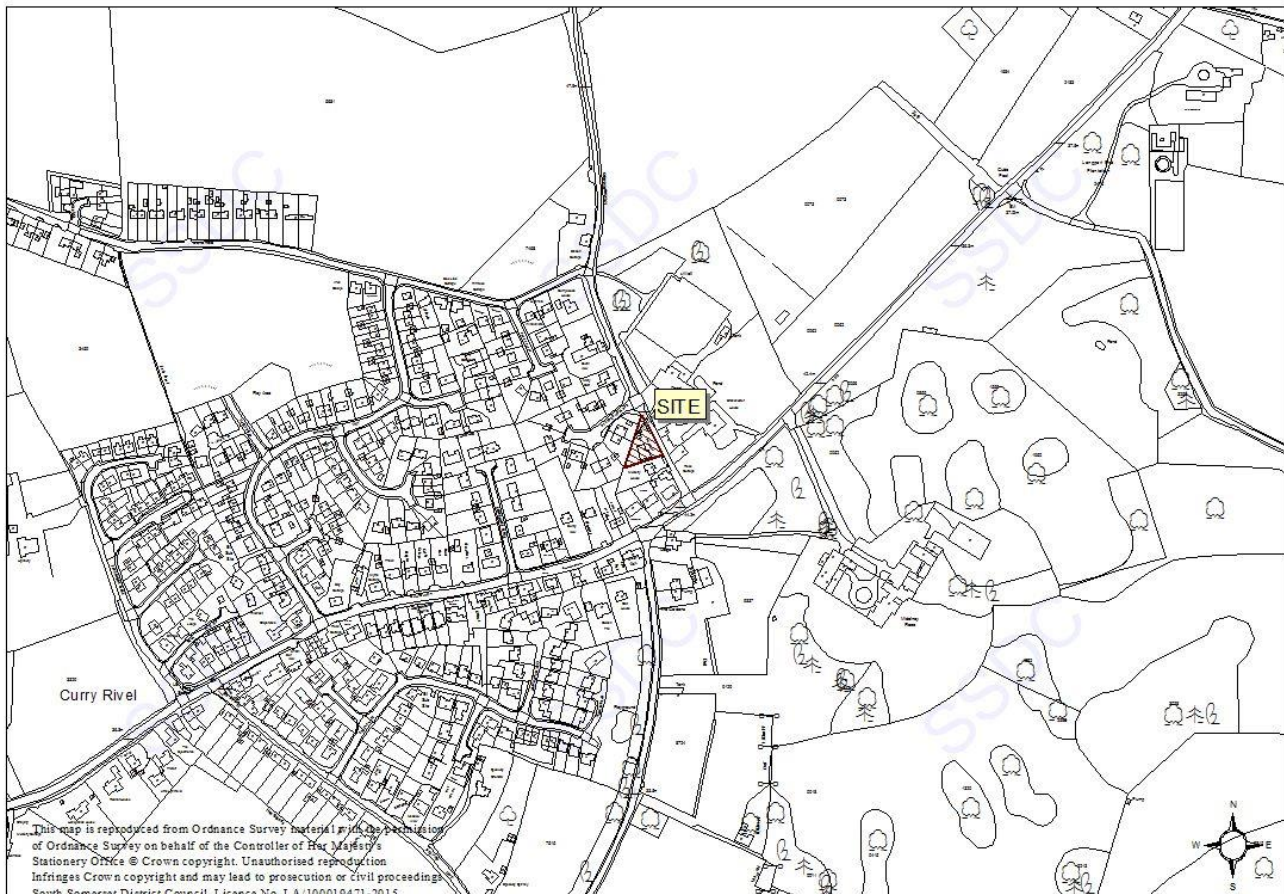
Officer Report On Planning Application: 17/03388/FUL

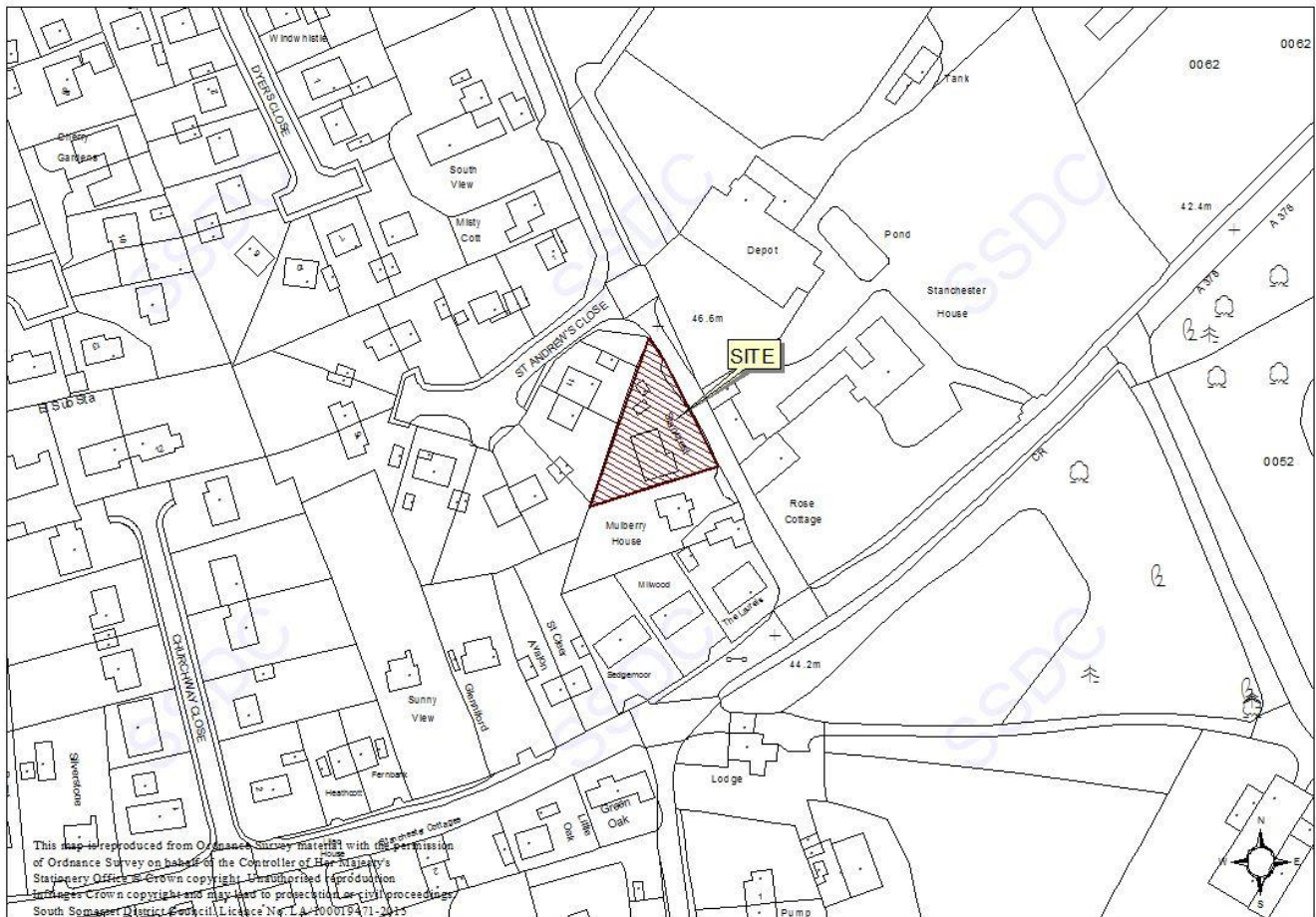
Proposal :	Proposed new single storey dwelling on land associated with Stancrest including works to an existing access.
Site Address:	Stancrest, Currywoods Way, Curry River.
Parish:	Curry River
CURRY RIVEL Ward (SSDC Member)	Cllr Tiffany Osborne
Recommending Case Officer:	John Millar Tel: (01935) 462465 Email: john.millar@southsomerset.gov.uk
Target date :	16th October 2017
Applicant :	Mr D Davis
Agent: (no agent if blank)	Mr Richard Rowntree, Della Valle Architects, Lake View, Charlton Estate, Shepton Mallet BA4 5QE
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

This application is referred to committee at request of the Ward Member with the agreement of the Area Chair to enable the issues raised to be fully debated by Members.

SITE DESCRIPTION AND PROPOSAL





The site comprises part of the garden area of an existing property on the west side of Currywoods Way, close to the junction with the A378 Langport Road. It is at the eastern edge of Curry Rivel, within existing built form. There are residential properties to the north, south and west, and a commercial premises to the east, on the opposite side of the road.

Planning permission is sought for the demolition of a garage serving the existing property, Stancrest, and the erection of a detached bungalow. The proposal also includes works to the existing access to increase its width and provide improved visibility.

HISTORY

No relevant 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
SS4 - District Wide Housing Provision
SS5 - Delivering New Housing Growth
SS6 - Infrastructure Delivery
HG4 - Affordable Housing Provision
TA5 - Transport Impact of New Development
TA6 - Parking Standards
EQ2 - General Development

National Planning Policy Framework

Core Planning Principles - Paragraph 17
Chapter 4 - Promoting Sustainable Transport
Chapter 6 - Delivering a Wide Choice of High Quality Homes
Chapter 7 - Requiring Good Design

National Planning Practice Guidance

Design
Rural Housing
Planning Obligations

Policy-related Material Considerations

Somerset County Council Parking Strategy (September 2013)
Somerset County Council Highways Development Control - Standing Advice (June 2015)

CONSULTATIONS

Parish Council: No objections.

Highways Authority: Standing Advice applies.

SSDC Highways Consultant: Initially raised concerns about the ability to achieve the proposed visibility, and an under provision of parking space. These matters have been resolved by the submission of amended plans showing full visibility, reducing the footprint of the building and altering it to a one bedroom dwelling.

The Highway Consultant has also requested that the junction with the A378 be assessed in respect to visibility.

SSDC Environmental Protection: No comments.

REPRESENTATIONS

Seven letters of objection has been received, raising concerns in the following areas:

- Highway safety
- Sewerage system capacity
- Damaging to neighbouring properties and walls
- Harmful to existing planting

- Over development of site
- Residential amenity

One letter of support has also been received, raising the following points:

- There are too many large houses in the village. A smaller dwelling will support young people trying to get on the housing ladder, or older people looking to downsize
- This is a sustainable location for new residential development

CONSIDERATIONS

Principle of Development

Curry Rivel is designated as a Rural Settlement within the South Somerset Local Plan (2006-2028), and as such is a location where development is considered to be generally acceptable, within the current policy context, being a larger rural settlement with access to a broad range of key local services. As such the principle of development is acceptable subject to according with other Development Plan policies and proposals, and the aims of the NPPF. The main areas of consideration will be impact of the development on local character, residential amenity and highway safety.

Design and Appearance

Local Plan policy EQ2 states that "development will be designed to achieve a high quality, which promotes South Somerset's local distinctiveness and preserves or enhances the character and appearance of the district. Furthermore, development proposals...will be considered against (among other things):

- Creation of quality places
- Conserving and enhancing the landscape character of the area
- Reinforcing local distinctiveness and respect local context
- Local area character
- Site specific considerations

Guidance within the NPPF also highlights the importance of high quality design. Paragraph 53 considers the case for resisting inappropriate development of residential gardens, where it would cause harm to the local area.

In this location, the general pattern of development varies with more frontage development along Currywoods Way and Langport Road, and development around cul-de-sac, such as St Andrews Close immediately to the north, and the Dyers Close and Stanchester Way developments further to the north and west. In this case the plot is small in size and has an irregular shape. Once the existing garage has been removed, the resulting plot is triangular in shape, being wide to the south, tapering to a point at the north. The siting of the proposed dwelling will fill the majority of the plot, with it being tight to the east and west boundaries, leaving only a very small amount of garden to the rear (north). To the south of the proposed dwelling, there is tandem parking for two vehicles, and a shared turning area, which overlaps the front of the existing property, Stancrest.

There are no particular issues in respect to the design of the property, however it is considered that the restricted size of the overall plot would lead to a cramped form of development that would fail to respect local character or the principles of good design, as required by Local Plan policy EQ2 and the NPPF.

Impact on Residential Amenity

Local Plan policy EQ2 requires that "development proposal should protect the residential amenity of neighbouring properties." Likewise, the Core Planning Principles of the NPPF (paragraph 17) states that "planning should always seek to secure high quality design and a good standard of amenity to all existing and future occupants of land and buildings.

As discussed above, the cramped nature of the proposal will lead to a dwelling with only a very small amount of private amenity space to the rear. While it is argued that one of the demographics that the dwelling is aimed at is older people who may only require a very small garden, the boundaries will need to be planted or built up relatively high to avoid overlooking of private amenity space, particularly from outside of the site in. While protecting future occupiers from overlooking, especially from the public roadside, it is considered that the resulting garden area will be a poor quality space, in terms of size and outlook, which fails to achieve a good standard of amenity, as required by the Core Planning Principles of the NPPF.

Consideration has also been given to the impact on the occupiers of the existing property, as a result of the turning area that overlaps the front of this property. In order to provide a suitable turning space for both properties, the constrained nature of the site requires this to be provided on land partially to the front of existing windows serving Stancrest. This situation is not considered to be ideal, as vehicles accessing the proposed dwelling will have to carry out manoeuvres directly in front of and close to these windows in the existing dwelling. This is likely to lead to an unacceptable level of disturbance, particularly should these manoeuvres take place later in the evening or at night when vehicle headlights may increase disturbance, in addition to just noise. This is less of an issue in respect to the proposed dwelling, as the south elevation has been designed partly blank to limit this type of disturbance. While this may not constitute a reason to refuse on its own, the cumulative impact of this disturbance, along with the cramped appearance of the proposed development, and poor quality amenity space do raise serious concerns about the appropriateness of the development scheme.

While the living conditions of future occupiers are considered to be unacceptable, the proposed dwelling is designed to avoid direct overlooking of adjoining properties and private amenity space. Similarly, despite the proximity to the boundaries of the site, the proposed dwelling is considered to be appropriately sited to avoid overshadowing or an unacceptable overbearing impact on the occupiers of adjoining properties.

Overall, the proposal is considered to be unacceptable, resulting in unacceptable harm to the residential amenity of the occupiers of the existing property, and the future occupiers of the proposed property.

Impact on Highway Safety

In considering the highway safety issues, the County Council Highway Authority has referred to their Standing Advice. The Council's Highway Consultant did however raise concerns about the parking and access arrangements, however these have been largely dealt with by the provision of amended plans reducing the size of the dwelling, and its subsequent parking requirements, and showing full visibility of 2.4m by 43m in each direction.

Objections have been received from local residents due to the narrow width of Currywoods Way, at this location, and the presence of a business premises opposite, however having shown the necessary visibility, width of access, and the ability to turn, which is not a requirement on an unclassified road, it is considered that the development appropriately addresses the requirements of the Highway Authority Standing Advice, providing an adequately safe access point, and space to turn a vehicle off the road. Concerns about the impact of this turning area, in respect to residential amenity, are discussed above, however from a strictly highway safety point of view, the proposal is considered to be acceptable.

The Council's Highway Consultant has requested that the junction of Currywoods Way and the A378 should be assessed for visibility, however it is noted that this access has the potential for relatively heavy use due to the number of properties in the immediate vicinity, including the commercial operation opposite. As such, it is not considered that one further property would create sufficient vehicle movements to be harmful.

Other than the access and turning requirements, sufficient parking space is provided to accord with the Somerset Parking Strategy, and conditions could be imposed to ensure that details of drainage and consolidated surfacing of the access are provided.

Overall, it is considered that the proposal is generally in accordance with Standing Advice, and that there is no highway safety reason for refusal of the application.

Five-year Land Supply

The Council is currently unable to demonstrate an adequate five-year supply of housing land as required by the NPPF. Under such circumstances, local plan policies regulating the supply of housing could be considered out of date and there is a presumption in favour of development which is otherwise sustainable. In such circumstances, the main consideration will be whether any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole. In assessing the harm identified above, it is not considered that the contribution towards housing supply which this single dwellinghouse would offer, would outweigh the significant harm identified.

Planning Obligations

As of 3rd April 2017, the Council adopted CIL (Community Infrastructure Levy), which is payable on all new residential development (exceptions apply). Should permission be granted, an appropriate informative will be added, advising the applicant of their obligations in this respect.

Policies HG3 and HG4 of the adopted South Somerset Local Plan requires either on site provision of affordable housing (schemes of 6 or more units) or a financial contribution towards the provision of affordable housing elsewhere in the district. In May 2016 the Court of Appeal made a decision (SoS CLG vs West Berks/Reading) that clarifies that Local Authorities should not be seeking contributions from schemes of 10 units or less. It is considered that whilst policies HG3 and HG4 are valid, the most recent legal ruling must be given significant weight and therefore the Local Planning Authority are not seeking an affordable housing obligation from this development.

Conclusion

The general principle of providing residential development in Curry Rivel is acceptable, however the proposal is considered to be unacceptable due to it providing a cramped form of development, which is both out of keeping with local character and would lead to unacceptable harm the residential amenity of existing and future occupiers.

RECOMMENDATION

Refuse permission

FOR THE FOLLOWING REASON(S):

01. The proposed development, due to the constrained size of the site, and the scale, proportions and siting of the proposed dwelling, would result in a cramped form of development that fails to respect or relate to the character and appearance of its surroundings, would lead to the creation of poor quality amenity space for the future occupiers of the proposed dwelling, and would lead to unacceptable harm to the residential amenity of the occupiers of the existing dwelling, Stancrest, by way of noise and disturbance as a result of traffic movements associated with the proposed dwelling. The proposal is therefore contrary to policies SD1 and EQ2 of the South Somerset Local Plan (2006-2028) and provisions of chapter 7 and the core planning principles of the National Planning Policy Framework.

Informatives:

01. In accordance with paragraphs 186 and 187 of the NPPF the council, as local planning authority, takes a positive and proactive approach to development proposals focused on solutions. The council works with applicants/agents in a positive and proactive manner by;
 - offering a pre-application advice service, and
 - as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions

In this case, the applicant did not enter into pre-application discussions, and there were ultimately no minor or obvious solutions to overcome the significant concerns caused by the proposals.
