

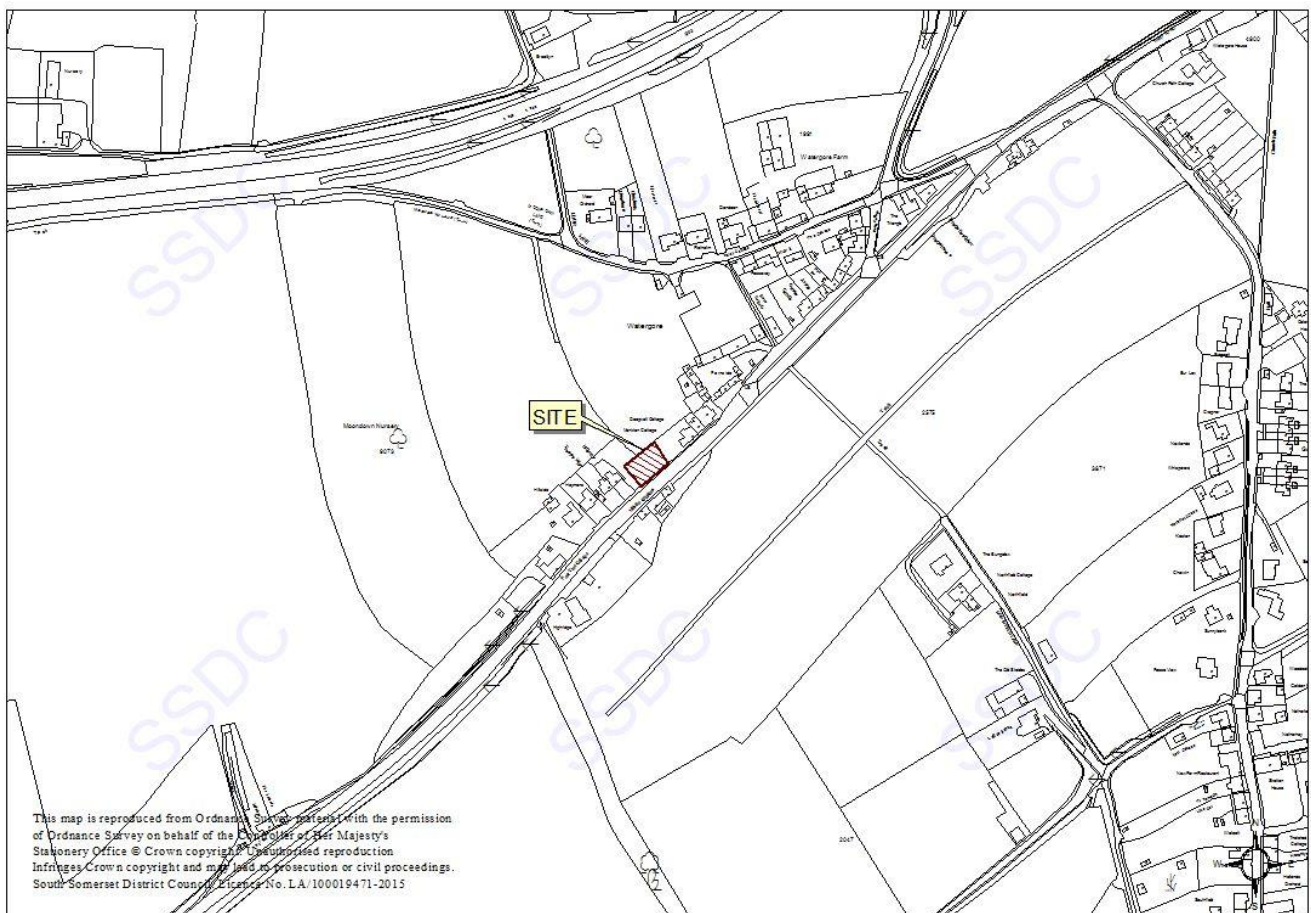
Officer Report On Planning Application: 17/04125/FUL

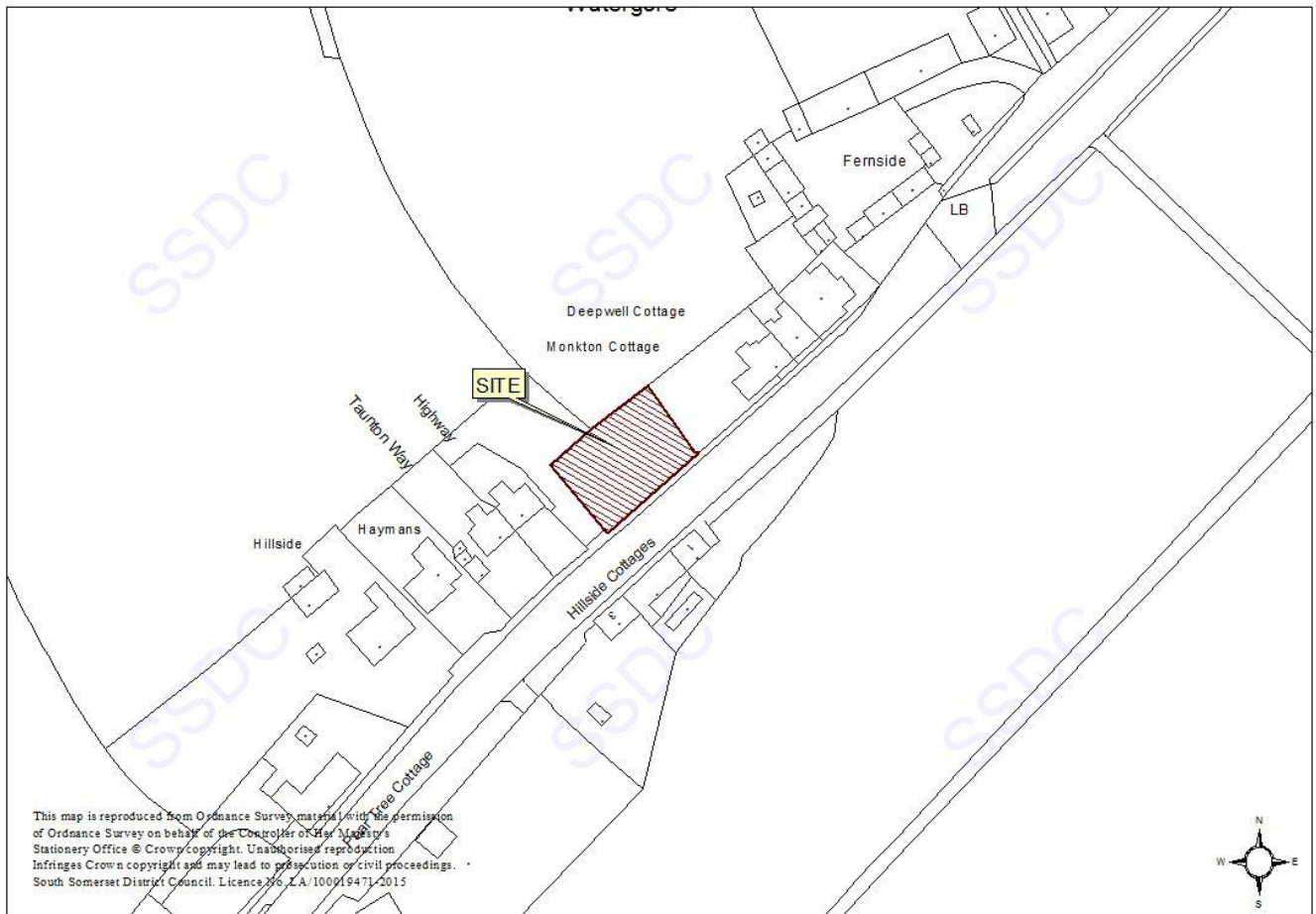
Proposal :	Alterations and the change of use and conversion of existing workshop into a dwelling.
Site Address:	Moncktons Cottage, Watergore, South Petherton.
Parish:	South Petherton
SOUTH PETHERTON Ward (SSDC Member)	Cllr Adam Dance Cllr Crispin Raikes
Recommending Case Officer:	Linda Hayden Tel: 01935 462534 Email: linda.hayden@southsomerset.gov.uk
Target date :	30th November 2017
Applicant :	Mr And Mrs T Antell
Agent: (no agent if blank)	David Parkin, 4 Wilton Road, Yeovil, Somerset BA21 5XP
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

This application is referred for Committee consideration at the request of the Ward Member with the agreement of the Area Chairman in order to allow the planning issues to be debated.

SITE DESCRIPTION AND PROPOSAL





The application site forms a double garage approved as a 'permitted development' outbuilding to the property known as 'Moncktons Cottage on the old A303 within the small hamlet of Watergore, 1km to the south-west of South Petherton.

The application proposes the conversion of the outbuilding into a one bedroom unit with the formation of a new access from the old A303. The proposal would include the blocking up of some openings notably the large double garage opening and the rendering and part timber cladding of the exterior. Two parking spaces would be provided at the rear of the plot.

HISTORY

13/03078/COL - Application for a certificate of lawfulness for the proposed erection of a store/workshop. Permitted 23/9/2013.

10/00324/FUL - Alterations to access. Approved 2010.

02/02942/FUL - Erection of dwelling. Refused 2002 and subsequent appeal dismissed 2004.

890236 - Outline: dwelling and garage. Refused 1989.

881476 Outline: The erection of two houses. Refused 1988.

852569 - Erection of extension to dwelling. Approved 1986.

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.

For the purposes of determining current applications the local planning authority considers that the adopted development plan comprises the policies of the South Somerset Local Plan 2006-2028 (adopted March 2015).

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

SD1 Sustainable Development
SS1 Settlement Strategy
SS2 Development in Rural Settlements
TA5 Transport Impact of New Development
EQ2 General Development

National Planning Policy Framework
Part 3 - Supporting a prosperous rural economy
Part 7 - Requiring good design

Somerset County Council Parking Strategy (March 2012)

Somerset County Council Highways Development Control - Standing Advice (June 2013)

CONSULTATIONS

South Petherton Parish Council:

'Fully support, this does not cause demonstrable harm to the surrounding area.'

County Highway Authority:

Standing Advice is applicable in this instance.

Highways Consultant:

Requested additional plans showing visibility splays and on the basis of the new information has confirmed that the plans are now acceptable in relation to highway safety subject to the imposition of conditions in relation to visibility; consolidation of access surface; and parking and turning.

Rights of Way (SCC):

No objections but advise that the proposed works must not encroach on to the width of the PROW.

REPRESENTATIONS

62 letters of support have been received (23 letters from residents within the Parish, 39 from outside) making the following comments:

- Proposal is an improvement and natural infill.
- There is a lack of bungalows in the area
- Applicants have lived in Watgore for a number of years and contributed to the community.
- Changes would have a positive effect; building is appropriate for the plot and would see the area

tidied up.

- Proposal should be seen as positive for the area and will not impact on anyone
- This modest house would have no detrimental effect upon access, traffic or sightlines.
- Building will be more attractive as a dwelling.
- There will be little change to the building.
- There is a housing shortage in the country.
- Query how this can be refused when other building both residential and industrial has taken place within the vicinity.

CONSIDERATIONS

Principle

The application building has been constructed as a 'permitted development' outbuilding to the main property 'Monckton Cottage', a certificate of lawfulness was submitted for the development which permitted on the basis that the building would be used for purposes incidental to the main dwelling. Since the building has been constructed it has become physically separated from the main house and is now used by the applicants (who no longer live in the main dwelling) for storage and workshop purposes. As such, the building is no longer being used for purposes ancillary to the main dwelling and is technically unauthorised whilst being used separately from the main dwelling.

In the circumstances, the building cannot be considered as disused or redundant (having only been erected in the last four years) and it is not considered that any of the relevant policies that apply to conversion of buildings in the countryside would be applicable in this case.

Watergore is a very small settlement which is devoid of local facilities or services. The settlement does not therefore meet the criteria of being a Rural Settlement as set out within LP policy SS2, and due to its lack of day to day services and facilities must be considered to be an unsustainable and therefore inappropriate location for new residential development as prescribed by both the local plan and the NPPF.

The principle of the proposed development is therefore considered to be unacceptable.

Visual Impact

The proposal is to use the existing building with the exterior to be finished with render and timber cladding in addition a new access will be formed to serve the development. It is not considered that the changes would have a significant visual impact and as such the proposal is acceptable in this regard.

Highways Safety and Parking

The plans have been amended in line with the advice of the Highways Consultant and as such the proposal is considered to be acceptable in relation to highway safety and parking.

Summary

For the reasons set out, the proposed development is considered to constitute an unsustainable form of development where future occupiers will be highly dependent upon driving to get to day to day services and facilities. The application has come about as a result of a permitted development outbuilding that is not technically lawful having been separated from the main dwelling. The proposal is therefore considered to be an unsustainable form of development that is contrary to the aims and objectives of LP policies SD1, SS1 and SS2 and the provisions of the NPPF, in particular paragraph 17.

RECOMMENDATION

Refuse.

FOR THE FOLLOWING REASONS:

01. The location of the proposed development is remote from local services, facilities and local transport as a consequence occupiers of the new development are likely to be dependent on private vehicles for most of their daily needs. The proposal is related to a development that is no longer lawful and it has not been demonstrated that it will meet an identified local need and so will not contribute to increasing the sustainability of this settlement and it is considered that such fostering of growth in the need to travel is contrary to the aims and objectives of sustainable development as set out within policies SD1, SS1 and SS2 of the South Somerset Local Plan and the provisions of the National Planning Policy Framework.
02. The proposal would create an undesirable precedent whereby permitted development buildings are constructed in order to bypass the strict policies of development restraint that apply to new dwellings within unsustainable locations.

Informatives:

01. Please be advised that any subsequent approval of this application by appeal will attract a liability payment under the Community Infrastructure Levy. CIL is a mandatory financial charge on development and you will be notified of the amount of CIL being charged on this development in a CIL Liability Notice.

In the event of an approval at appeal, you would be required to complete and return Form 1 Assumption of Liability as soon as possible after the grant of permission and to avoid additional financial penalties it is important that you notify us of the date you plan to commence development before any work takes place. Please complete and return Form 6 Commencement Notice.

You are advised to visit our website for further details <https://www.southsomerset.gov.uk/cil> or email cil@southsomerset.gov.uk
