

48/18/0055

MR G L PHIPPEN

Erection of 4 No. detached dwellings with associated works on land to the south of The Coach House, Sidbrook, West Monkton

Location: LAND TO THE SOUTH OF SIDBROOK COACH HOUSE,
GREENWAY, MONKTON HEATHFIELD, TAUNTON, TA2 8NJ
Grid Reference: 325391.127604 Full Planning Permission

Recommendation

Recommended decision: Conditional Approval

Recommended Conditions (if applicable)

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: In accordance with the provisions of Section 91 Town and Country Planning Act 1990 (as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

(A3) DrNo 41113/1 Existing Site Plan
(A3) DrNo 41113/19 Proposed Site Plan
(A3) Location Plan
(A3) DrNo 41113/28 Plots 1 & 2 Ground Floor Plan
(A3) DrNo 41113/29 Plots 1 & 2 First Floor Plan
(A3) DrNo 41113/30 Plots 1 & 2 North and West Elevations
(A3) DrNo 41113/31 Plots 1 & 2 South and East Elevations
(A3) DrNo 41113/24 Plot 3 Ground Floor Plan
(A3) DrNo 41113/25 Plot 3 First Floor Plan
(A3) DrNo 41113/26 Plot 3 South and East Elevations
(A3) DrNo 41113/27 Plot 3 North and West Elevations
(A3) DrNo 41113/20 Plot 4 Ground Floor Plan
(A3) DrNo 41113/21 Plot 4 First Floor Plan
(A3) DrNo 41113/22 Plot 4 South and East Elevations
(A3) DrNo 41113/23 Plot 4 North and West Elevations
DrNo 3064.001 Tree Survey and Constraints Plan

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

3. Prior to the wall construction of the dwellings, samples of the materials to be

used in the construction of the external surfaces of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter maintained as such.

Reason: To safeguard the character and appearance of the area.

4. 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 prior to the occupation of the dwellings. Such provision shall be installed prior to any occupation of the development hereby permitted and thereafter maintained at all times.

Reason: In the interests of highway safety.

5. Prior to construction, a "lighting design for bats" shall be submitted to and approved in writing by the local planning authority. The design shall show how and where external lighting will be installed (including through the provision of technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory. All external lighting shall be installed in accordance with the specifications and locations set out in the design, and these shall be maintained thereafter in accordance with the design. Under no circumstances should any other external lighting be installed without prior consent in writing from the local planning authority.

Reason: To prevent disturbance to bats.

6. The applicant shall undertake all the recommendations made in Crossman Associate's ecological appraisal dated January 2014 and HalpinRobbins's ecological dated October 2018 and provide mitigation for birds as recommended. The works shall be implemented in accordance with the approved details and timing of the works, unless otherwise approved in writing by the Local Planning Authority. The development shall not be occupied until the scheme for the maintenance and provision of the new bird boxes and related accesses have been fully implemented. Thereafter the resting places and agreed accesses shall be permanently maintained.

Reason: to protect and accommodate wildlife.

7. Prior to occupation of the buildings, works for the disposal of sewage and surface water drainage shall be provided on the site to serve the development, hereby permitted, in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be retained and maintained in that form.

Reason: To ensure the adequate provision of drainage infrastructure.

8. Prior to the dwellings being occupied visibility splays shall be provided in accordance with details which shall have been submitted to and approved in writing by the local planning authority. There shall be no obstruction to visibility greater than 900 mm above the adjoining carriageway level within the visibility splays approved by this condition. The visibility splays shall thereafter be maintained in the approved form.

Reason: To ensure suitable visibility is provided and retained at the site access, in the interests of highway safety.

9. The parking space/s in the garage(s) hereby approved shall at all times be kept available for the parking of vehicle/s and shall be kept free of obstruction for such use.

Reason: To retain adequate off-street parking provision in the interests of highway safety.

10. (i) The landscaping/planting scheme shown on the submitted plan shall be completely carried out within the first available planting season from the date of commencement of the development.

(ii) For a period of five years after the completion of the development, the trees and shrubs shall be protected and maintained in a healthy weed free condition and any trees or shrubs that cease to grow, shall be replaced by trees or shrubs of similar size and species or other appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not harm the character and appearance of the area.

11. The development shall provide for bin storage facilities, details of which shall be submitted to and approved in writing by the Local Planning Authority. Such facilities shall be provided prior to the occupation of any dwelling to which it relates and shall thereafter be retained for those purposes.

Reason: To ensure that adequate facilities exist for the future residents of the site and that the proposed development does not harm the character and appearance of the area.

12. The development shall provide for covered and secure cycle storage facilities, details of which shall be submitted to and approved in writing by the Local Planning Authority. Such facilities shall be provided prior to the occupation of any dwelling to which it relates and shall thereafter be retained for those purposes.

Reason: To ensure that adequate facilities are included for the storage of cycles.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any order revoking and re-enacting the 2015 Order with or without modification), no extensions, alterations, outbuildings, gates, walls, fences or other means of enclosure, shall be erected on the site other than that expressly authorised by this permission shall be carried out without the further grant of planning permission.

Reason: To ensure that the proposed development does not harm the character and appearance of the area.

14. i) Before development commences (including site clearance and any other preparatory works) a scheme for the protection of trees to be retained shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a plan showing the location of the protective fencing, and shall specify the type of protective fencing, all in accordance with BS 5837:2012.
- ii) Such fencing shall be erected prior to commencement of any other site operations and at least two working days' notice shall be given to the Local Planning Authority that it has been erected.
- iii) It shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities whatsoever shall take place within the protected areas without the prior written agreement of the Local Planning Authority.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase.

Reason for pre-commencement: To ensure that tree protection measures are agreed prior to development commencing on site.

Notes to Applicant

1. In accordance with paragraph 38 of the National Planning Policy Framework the Council has worked in a positive and pro-active way and has imposed planning conditions to enable the grant of planning permission.

Proposal

The proposal is for the erection of four detached chalet bungalows on 1.12 ha of land to the south of Sidbrook Coach House and Sidbrook Lodge. The site lies outside the settlement limit of Monk ton Heath field on land up hill of the settlement. The site will be separated into four plots each served by new driveways from the

existing access into the site. New hedging is proposed around the gardens and drives serving the new development.

The dwellings will be single storey with rooms within the roof space. Each dwelling will have an attached double garage with parking in front. Further information is being sought on the proposed materials.

Site Description

The site is located to the north of the settlement limit of Monkton Heath field, in open countryside. It is currently used as an extended area of grass lawn in association with Sidbrook Coach House and is separated from the main garden and tennis court by a high hedge. The boundaries of the site are a mix of hedge and trees. The southern boundary of the site is formed by a row of more mature trees which currently forms the northern limit of the settlement. In the southern area of the site there is an existing access off Greenway. The access visibility splays are formed by hedging and there is a 2m high wood gate blocking views from Greenway into the site. To the west and east of the site lies open grassland/farmland. The site lies within the Hestercombe Special Area of Conservation, a known habitat of the Lesser Horseshoe Bat.

Relevant Planning History

48/83/0011 - Erection of one dwelling on land to the South of Sidbrook Coach House, Greenway. Permission refused and subsequent appeal dismissed March 1984.

48/13/0082 - Erection of four detached dwellings with garages and associated works. Permission refused and dismissed on appeal.

The reason for refusal stated "The proposed development represents an unacceptable extension of ribbon development beyond the settlement boundaries of Monkton Heath field into open countryside and an area of green wedge. It would result in the loss of open space beyond the settlement limit and have an unacceptable impact on both the rural character and appearance of the area."

In dismissing the appeal, the Inspector noted that the impact of the development on the wider area would be limited. However, it was concluded that four large detached two storey houses with detached triple garages would cause harm to the character and appearance of the area.

Consultation Responses

WEST MONKTON PARISH COUNCIL - unable to support this application for the reasons set out below.

The site location is the same as application 48/13/0082. Application 48/18/0055 is for 4 No. three bedroomed chalet style bungalows. Comments with reference to the previous application and this one made in the Landscape and Visual

appraisal are noted.

The Parish Council is unable to comment on the acceptability of the chalet bungalows as insufficient information has been provided: no ridge heights shown, no materials indicated (see H2 below).

The site location is the same as 48/13/0082, i.e. demonstrably beyond the defined settlement limit (Core Strategy page 79). See para 3.2 of the Planning Statement submitted with this application.

The tall trees to the southern boundary of the application site form part of the 'green necklace' of the Monkton Heath field Urban Extension and fall within the Hestercombe House SAC Appropriate Assessment (which conserves local populations of Lesser Horseshoe Bats and other rare bat species).

The application does not comply with the WM & CF Neighbourhood Plan (2017) Policies as listed below (policies are quoted in italics):

H2 External materials for residential development

Materials are not specified on the application form nor on any of the drawings. Please comply with NP Policy H2:

Residential developments must incorporate the use of appropriate local and traditional external building materials, such as red sandstone (or suitable equivalent) and natural slate/natural clay roof tiles (or suitable equivalent), particularly with respect to the use of traditional materials on prominent entrance and corner buildings.*

H3 Refuse bin storage

Bin store is not drawn on the drawing 41113/19. The words are written on the drawing but no information is provided about the structure of the store to accommodate wheelie bins etc in a concealed position. Please comply with NP Policy H3.

Where there is no provision for direct access to the rear of a new dwelling, other than through the dwelling itself, a suitable refuse bin store must be incorporated into the front of the dwelling/curtilage so that wheelie bins, or other containers for household refuse and recycling, can be stored in a concealed position.

T1 Footpath network

Parish Council would wish to see provision made in the wooded area for a potential link to the Somerset Wood/Country Park, through the landscape buffer shown on drawing SPP02 labelled 'Landscape buffer with Sidbrook Orchards left to regenerate naturally and managed as a woodland belt'. There is no statement as to how the woodland belt would be managed. The corresponding drawing 41113/19 does not show the woodland belt as a separate area, but within the curtilage of Plot 2. Is the buffer zone to be fenced off (not shown on any relevant drawings but stated in the Ecological Update page 1 and page 6)?

How would this fenced off buffer zone be managed?

- *Provide safe and convenient public cycle and footpaths which connect with existing foot and cycle networks within the NP area and which also link into cycle and foot networks adjoining the NP area, particularly with respect to the Urban Extension and associated green space areas such as the green wedge and country*

park;

R1 Dark Skies

Directional lighting is mentioned with reference to construction works, (Ecological Update page1), but no reference to external lighting on drawings 41113/20 □ 31. Please ensure external lighting on all buildings including garages complies with Policy R1 by installing LED downlighters of an appropriate wavelength. A sensitive lighting scheme is recommended in the Ecological Appraisal submitted with this application (para 4.4).

Otherwise acceptable development proposals which include measures to maintain and enhance dark skies within the NP area will be supported. Applications for new development requiring a lighting scheme should show how dark skies will be protected, and must seek to minimise additional light pollution.

Other comments

The Parish Council notes very strongly that measures to protect the local bat population must be retained and therefore there must be no diminution of the hedgerows and trees on the site, some of which are protected by TPO. The Parish Council would support the recommendations in the Ecological Update page 6 which recommends further planting of diverse native trees, shrubs and floral species to improve and enhance the biodiversity of the site. The Hestercombe House SAC Ecological Zone of Influence (EZI) (describing bat foraging areas) includes the application site, and the Ecological Update provides supporting evidence of this.

The Parish Council would support the recommendation made in the Ecological Appraisal that bird boxes should be installed (para 4.3)

SCC - TRANSPORT DEVELOPMENT GROUP - The proposed development is situated along Greenway a classified unnumbered highway to which a 30mph and National Speed Limit apply.

It was noted from on site observations that Greenway does not provide any street lighting or pedestrian footway provision in proximity to the site. Furthermore, having checked accident data, I can confirm that there are no known recorded accidents in proximity to the site.

Traffic Generation

Currently the plot of land is an extension to the domestic curtilage of the property known as The Coach House. It is not indicated within the submitted information what the previous use of land was and therefore it is considered that the proposed development would result in an intensification of vehicular traffic.

Somerset County Council takes the view that estimated vehicle movements for a single residential dwelling are approximately 5-7 movement per day. As a result, the proposed development is likely to generate approximately 20-28 vehicle movements per day.

TRICS (Trip Rate Information Computer Systems) indicates that trip rates for a 'Land use 03 – Residential/A – Houses Privately Owned', would result in

approximately a maximum of 2.309 vehicle movements within the peak hour. Therefore it is considered that the introduction of an additional four dwellings in this location would not have any significant impact on the highway network.

Access Arrangements

The proposal seeks to utilise an existing access onto Greenway, which was granted approval under planning application 48/05/0059 on the 23rd December 2005.

The access provides suitable width to accommodate two-way vehicle flows is properly consolidated and incorporates appropriate drainage. Additionally the entrance gates are set back a suitable distance from the adopted highway. As a result the general layout/formation of this existing access is considered acceptable. However, on site observations indicate that vehicular visibility is obstructed by high hedgerow either sides of the access and therefore considered that the proposed access does not provided the required vehicular visibility for the proposed residential development.

The signage denoting the position of the transition from National Speed Limit to 30mph is located approximately 60m south of the Traffic Regulation Order limit and it is therefore considered that the existing access can be provided with design guidance from Manual for Streets (March 2007) for SSDs (Sight Stopping Distances).

As a result, it is the view of the Local Highway Authority that the provision of visibility splays based on coordinates of 2.4m x 43m with no obstruction greater than 900mm to the nearside carriageway edge would be acceptable in this location.

However, the Local Highway Authority require that a suitably scaled drawing (1:200) is provided detailing the required improvements to vehicular visibility, as the submitted site layout drawing is not considered appropriate.

Internal Layout

The following comments below have been received from my colleague within the Estate Roads Team and reflect that of the internal layout of the proposal and its future maintenance:

1. SCC will not wish to adopt the site therefore it is to remain within private ownership.
2. Surface water from the proposed private drive will not be permitted to discharge out onto the existing publicly maintained highway. Private interceptor drainage systems will need to be put in place to prevent this from happening.
3. The first 6.0m of the private drive, as measured from the back edge of the existing publicly maintained highway, must be of a bound material.
4. The applicant should be aware that it is likely that the internal layout of the site will result in the laying out of a private street, and as such under Sections 219 to 225 of the Highways Act 1980, will be subject to the Advance Payments Code (APC). Given the constraints of the existing access, it will not be possible to construct an estate road to a standard suitable for adoption. Therefore, in order to qualify for an exemption under the APC, the road should be built and maintained to

a level that the Highway Authority considers will be of sufficient integrity to ensure that it does not deteriorate to such a condition as to warrant the use of the powers under the Private Streetworks Code.

5. The developer will be held responsible for any damage caused to public highways by construction traffic proceeding to/from the site. Construction traffic will be classed as 'extra-ordinary traffic' on public highways. Photographs shall be taken by the developer's representative in the presence of the SCC Highway Supervisor showing the condition of the existing public highways adjacent to the site and a schedule of defects agreed prior to works commencing on site.

6. Any existing services located within the carriageway/verge fronting this development that may need to be diverted, lowered or protected will have to meet the requirements of both the relevant Statutory Undertaker and the Highway Authority. It should be noted that all services should be lowered to a depth to allow full road construction, inclusive of capping, to be constructed over.

7. Any works within or immediately adjacent to the public highway will require a Section 171 licence. They are obtainable from DevelopmentEngineering@somerset.gov.uk. Applications should be made at least four weeks in advance of works commencing in order for Statutory Undertakers to be consulted concerning their services.

8. A Section 50 licence will be required for sewer connections within or adjacent to the highway. They are obtainable from BSupport-NRSWA@somerset.gov.uk At least four weeks' notice will be required.

It should be noted that Manual for Streets indicates that residents should not be required to carry waste more than 30metres to a refuse collection point and that waste collection vehicles should be able to access this facility within 25m of adopted highway. Clarification will be required on this matter.

Vehicle Parking Provision

Drawing No. 41113/19, indicates that each dwelling will be provided with a double garage and additional parking provision, which is considered acceptable. It is also considered that sufficient vehicle turning can be achieved within the site to allow motor vehicles to manoeuvre successfully to obtain access onto Greenway in a forward gear, which is essential in terms of highway safety.

Cycle Parking Provision

Additionally, as part of the Somerset County Council – Parking Strategy, new residential development is required to provide cycle storage facilities. It is considered that Drawing No. 41113/19, indicates that each plot can accommodate this require to provide cycle storage provision facilities promoting sustainable travel.

As a result whilst the Local Highway Authority considers that the principle of development is acceptable the applicant is requested to provide a suitably scaled drawing detailing the provision of the required vehicular visibility splays.

Should the Local Planning Authority be minded to grant planning permission the Highway Authority recommend the following conditions are attached:-

- The applicant shall ensure that all vehicles leaving the site are in such condition as not to emit dust or deposit mud, slurry or other debris on the highway. In particular (but without prejudice to the foregoing), efficient means shall be installed, maintained and employed for cleaning the wheels of all lorries leaving the site, details of which shall have been agreed in advance in writing by the Local Planning Authority and fully implemented prior to commencement of the development hereby permitted, and thereafter maintained until all construction on site has ceased.
- The gradient of the proposed access shall not be steeper than 1 in 10. Once constructed the access shall thereafter be maintained in that condition at all times.
- 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 installed prior to any occupation of the development hereby permitted and thereafter maintained at all times.
- There shall be no obstruction to visibility greater than 900 millimetres above adjoining road level in advance of lines drawn 2.4 metres back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 43 metres either side of the access. Such visibility shall be fully provided before the development hereby permitted is commenced and shall thereafter be maintained at all times.

BIODIVERSITY - The application is for the erection of four detached dwellings on land south of the coach house, Sidbrook, West Monk ton.

The site comprises mainly of amenity grassland with two individual trees (lime and holly) and a species poor hedgerow boundary. The south boundary comprises a small broadleaf woodland area on a steeply sloping south bank. Crossman Associates carried out an ecological appraisal of the site in January 2014.

HalpinRobbins carried out an ecological update of the site in October 2018. The updated survey concluded that the details of the original report are still valid.

Birds

The site has potential for nesting birds so removal of vegetation should take place outside of the bird nesting season. I support the erection of four new bird boxes.

Bats

The site is located 1.8km to the SE of Hestercombe SAC. The site does not provide optimal habitat for lesser horseshoe bats associated with the SAC.

There are several holes in the mature pine tree that could support both bats and birds. Bats are likely to forage in the woodland area to the south.

Any external lighting should be sensitively designed.

Reptiles

Material piles and log piles on site could support reptiles. I support the recommendations with regards to reptiles.

Badger

The site does not currently support badgers and no setts were noted within the surrounding land. A number of paths are present within the amenity grassland that could be attributed to badgers.

Condition for protected species:

The applicant shall undertake all the recommendations made in Crossman Associate's ecological appraisal dated January 2014 and HalpinRobbins's ecological dated October 2018 and provide mitigation for birds as recommended.

The works shall be implemented in accordance with the approved details and timing of the works, unless otherwise approved in writing by the Local Planning Authority.

The development shall not be occupied until the scheme for the maintenance and provision of the new bird boxes and related accesses have been fully implemented.

Thereafter the resting places and agreed accesses shall be permanently maintained.

Reason: to protect and accommodate wildlife.

Informative Note

It should be noted that the protection afforded to species under UK and EU legislation is irrespective of the planning system and the developer should ensure that any activity they undertake on the application site (regardless of the need for planning consent) must comply with the appropriate wildlife legislation.

WESSEX WATER - no objections to this application and can advise the following information for the applicant:

The Planning Application

The applicant has indicated that foul sewerage will be disposed of via the main sewer.

Rainwater running off new driveways and roofs will require consideration so as not to increase the risk of flooding. The applicant has indicated in the current application that rainwater (also referred to as "surface water") will be disposed of via soakaway.

Applying for new drainage and water supply connections

If your proposals require new connections to the public foul sewer and public water mains, notes and application forms can be found [here](#).

Are existing public sewers or water mains affected by the proposals?

According to our records there are no recorded public sewers or water mains within the red line boundary of the development site. Please refer to the notes on the attached map for advice on what to do if an uncharted pipe is located.

Is the surface water strategy acceptable to Wessex Water?

One of our main priorities in considering a surface water strategy is to ensure that surface water flows, generated by new impermeable areas, are not connected to the foul water network which will increase the risk of sewer flooding and pollution.

You have indicated that surface water will be disposed of via soakaway. The strategy is currently acceptable to Wessex Water, subject to agreement to detail with the local planning authority.

The planning authority will need to be satisfied that soakaways will work and arrangements are clear for any shared obligations. Soakaways will be subject to Building Regulations. The use of soakaways currently attracts a discount in the sewerage infrastructure charge, proof of arrangements will be required when applying for foul sewerage connection.

There must be no surface water connections to the foul sewer network.

TREE OFFICER - The additional information shows that it should be possible to accommodate the new houses without damaging the trees, so long as the tree protection plans are fully adhered to, the fencing is installed prior to commencement and retained for the duration of the build.

ENVIRONMENT AGENCY - No comment.

NATURAL ENGLAND - It is not expected that the proposed development would have a significant effect on the Favourable Conservation Status of the local population of Lesser Horseshoe bats subject to the following condition.

Prior to construction, a "lighting design for bats" shall be submitted to and approved in writing by the local planning authority. The design shall show how and where external lighting will be installed (including through the provision of technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory. All external lighting shall be installed in accordance with the specifications and locations set out in the design, and these shall be maintained thereafter in accordance with the design. Under no circumstances should any other external lighting be installed without prior consent in writing from the local planning authority.

SOUTH WEST HERITAGE TRUST - there are limited or no archaeological implications to this proposal and we therefore have no objections on archaeological grounds.

Representations Received

Two letters of objection received:

- the site is outside the development boundary;
- a previous application for 4 dwellings was refused;

- the dwellings will be on high ground and therefore visible from afar;
- potential impact on tree roots and on the tree laine.

Planning Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan for Taunton Deane comprises the Taunton Deane Core Strategy (2012), the Taunton Site Allocations and Development Management Plan (2016), the Taunton Town Centre Area Action Plan (2008), Somerset Minerals Local Plan (2015), and Somerset Waste Core Strategy (2013).

Relevant policies of the development plan are listed below.

SP1 - Sustainable development locations,
 SP1 - Sustainable development locations,
 CP4 - Housing,
 CP8 - Environment,
 DM1 - General requirements,
 DM2 - Development in the countryside,
 DM4 - Design,
 CP6 - Transport and accessibility,
 SB1 - Settlement Boundaries,
 D7 - Design quality,
 D10 - Dwelling Sizes,
 D12 - Amenity space,
 ENV1 - Protection of trees, woodland, orchards and hedgerows,

Local finance considerations

Community Infrastructure Levy

Creation of dwellings is CIL liable.
 Proposed dwellings measure approx. 1293sqm.

The application is for residential development outside the settlement limits of Taunton and Wellington where the Community Infrastructure Levy (CIL) is £125 per square metre. Based on current rates, the CIL receipt for this development is approximately £161,750.00. With index linking this increases to approximately £215,000.00.

New Homes Bonus

The development of this site would result in payment to the Council of the New Homes Bonus.

1 Year Payment

Taunton Deane Borough

£4,316

Somerset County Council	£1,079
<i>6 Year Payment</i>	
Taunton Deane Borough	£25,898
Somerset County Council	£6,464

Determining issues and considerations

Principle of Development

The application site lies outside the defined settlement boundary. Core Strategy Policy SP1 establishes the desire to provide sustainable development focusing development at the most sustainable and accessible locations. This policy states that outside of the settlement boundaries, development will be treated as within open countryside. Policy DM2 then identifies the type of development considered as acceptable within the open countryside. New open market housing is not listed under this policy. The Local Planning Authority has interpreted this as meaning that new residential development is therefore unacceptable in these areas. The previous application was therefore refused on this basis.

Since that decision, there has been a recent appeal decision for residential development at Bagley Green. The Inspector concluded that if a use/development is not explicitly listed under Policy DM2, it does not follow that it should be refused. Such proposals should be assessed under Policy CP8. Therefore the principle of residential development on this site cannot be ruled out, subject to the consideration of other material considerations.

Visual Impact on the Landscape Character of the Area

The site forms part of the wider curtilage of Sidbrook Lodge and comprises a large area of closely mown lawn. It is physically separated from the main dwelling by a hedge. The site is well screened from public view points by established hedges and by belts of trees along the boundaries. It is proposed to retain all the trees and landscaping to preserve the natural setting to the site. The current proposal differs from the previous application dismissed on appeal, as it proposes bungalows rather than two storey houses. The houses dismissed at appeal were 10 metres high whereas the proposed bungalows will be 6.6 metres high. This is a significant height reduction of 3.4 metres. This thereby lessens the visual intrusion of the proposed development into the surrounding area.

Policy CP8 states "Unallocated greenfield land outside of settlement boundaries will be protected and where possible enhanced." Development will be strictly controlled to conserve the "environmental assets and open character of the area". The interior of the site is not visible due to the boundary screening and therefore it cannot be described as contributing to the openness of the area. The character of the area and surroundings is enclosed and private due to the landscape features and it does not function as an open space between settlements. The application is supported by a Landscape and Visual Assessment which assessed the proposed development from a number of longer view points including the New Cross Road junction; Volis Cross Road; Whales Farm; Hestercombe Road as well as closer views from Greenway.

The report concluded that the site was indiscernible from distant views due to the topography and landscape features. There will be negligible change to medium range views which will be mitigated by new planting within the site. The development will only be visible from Greenway when the gates are open.

Policy CP8 also emphasises the role of green wedges on the boundary of settlements to perform a range of functions from the protection of open spaces around and between urban areas to the provision of valuable wildlife corridors and habitats. The green wedge proposed for the strategic housing site at Monk ton Heath field lies to the east and west of the site. The site itself lies outside the green wedge. However, the belt of trees along the southern boundary are shown as part of the green wedge. Under Core Strategy Policy SS1, a "green necklace" of landscape features is proposed around the Monk ton Heath field strategic allocation. This does not affect the application site. Development on this site will not have an impact on the green wedge as the trees along the southern boundary will be retained.

In addition, Policy CP8 seeks to conserve and enhance the natural and historic environment. In this case there are no archaeological records for this site. The site is located approx 70 m from the grade 2 listed building, Sidbrook Lodge. There is a high hedge between the site and it lies outside the curtilage of the lodge. The proposed development is not considered to have a detrimental impact on either the listed building or its setting.

The Parish Council have referred to Policy H3 within the West Monk ton Neighbourhood Plan which requires the use of natural red sandstone and slate materials. The applicant has been requested to provide further details, however materials can be subject to condition.

Highway Impact

The site lies just outside the settlement boundary, some 200 metres from Sidbrook Orchard to the south. Greenway is a narrow country lane with no footway along it. Under Policy CP1, there is a requirement for proposals to reduce the need to travel by car. This site lies in excess of 400m (reasonable walking distances to services) from bus services, local shops and schools and is therefore not in a highly sustainable location. Notwithstanding this, the development areas immediately to the south east and south west will come forward for development in the future. It would therefore be difficult to argue that this site is not sustainable for development given the large housing allocations proposed in the locality.

Further details on the proposed cycle storage and bin storage will be secured by condition. The Highway Authority raises no objection to the proposal subject to the imposition of conditions.

Ecological Impact on the Hestercombe House SAC

The site has been managed as a lawn with well maintained trees and hedges along the perimeter. The ecological assessment notes that due to the high maintenance of the lawn it is of low ecological value. This application site lies in close proximity of the Hestercombe House SAC, with its colony of Lesser Horseshoe bats. As a result,

a test of the likely significant effect on the site has been undertaken by TDBC. It is concluded that there would be no significant impact on the European Site provided planting and lighting is controlled by condition. This is clarified in the response from Natural England.

Impact on Trees

The trees on the site boundaries make a significant contribution to the character of the area. These trees are to be retained with the proposed dwellings to be sited within the open grassed part of the site. Additional plans have been submitted which demonstrate that the trees will be protected in accordance with the relevant British Standards to protect the root zones. Significant additional landscaping will be planted along the western boundary and also within the site to form the property boundaries. The proposal is therefore considered acceptable in landscape terms.

Conclusion

Officers have taken into consideration the planning history relating to this site and the recent appeal Inspector's interpretation of Policy DM2. The principle of residential development cannot be resisted unless the proposal conflicts with other local plan policies. There has been a material change in circumstances and there are clear differences between the current proposal and the appeal. The size and scale of the proposed dwellings have been reduced in order to lessen the visual impact on the area. The protected trees along the southern boundary will be retained and will not adversely affect the adjoining areas of green wedge. The proposal will not affect the proposed "green necklace" around Monkton Heathfield. The submitted landscape assessment has appraised the development proposal from a number of public view points. It concludes that there will be limited visual impact to public receptors. On this basis, it would be difficult to sustain a refusal on the grounds that the development will cause harm to the "open character" of the area.

On balance, it is recommended that planning permission is granted subject to conditions.

In preparing this report the planning officer has considered fully the implications and requirements of the Human Rights Act 1998.

Contact Officer: Ms A Penn