

Application No:	3/07/18/016
Parish	Crowcombe
Application Type	Full Planning Permission
Case Officer:	Sue Keal
Grid Ref	Easting: 312921 Northing: 134263
Applicant	Mr & Mrs Andrew Flatt
Proposal	Demolition of dwelling house to be replaced by erection of dwelling house with garage block and swimming pool building
Location	Rexton Gorse, Broad Oak Hill, Crowcombe, TA4 4BP
Reason for referral to Committee	The recommendation is contrary to the views of the Parish Council.

Recommendation

Recommended decision: Grant

Recommended Conditions

- 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:

(A0) DRNO 123 Rev B, Proposed First & Second floor plans
(A0) DRNO 124 Rev C, Proposed Basement & Roof Plans
(A0) DRNO 125 Rev B, Proposed Elevations
(A0) DRNO 18333-BT2 Arboricultural Site Plan
(A1) DRNO 126 Rev D, Proposed Elevations
(A1) DRNO 131 Details
(A1) DRNO 132 Rev A, Proposed Block Plan
(A3) DRNO 127 Perspective View 1
(A3) DRNO 128 Perspective View 2
(A3) DRNO 129 Perspective View 3
(A3) DRNO 130 Perspective View 4
(A3) DRNO LA/01 Proposed Illustrative Garden Layout
(A0) DRNO 121 Rev D, Proposed Site Plan
(A0) DRNO 122 Rev D, Proposed Ground floor Plan
(A1) DRNO 120 Rev A, Site Boundary

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

- 3 The development hereby permitted shall not be commenced until details of a strategy to protect wildlife has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be based on the advice of Jh ecology's submitted report, dated December 2018 and a bat hibernation survey and include:
1. Details of protective measures to include method statements to avoid impacts on protected species during all stages of development;
 2. Details of the timing of works to avoid periods of work when the species could be harmed by disturbance
 3. Measures for the retention and replacement and enhancement of places of rest for bats and birds
 4. Details of any outside lighting

Once approved 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 and thereafter the resting places and agreed accesses for bats and birds shall be permanently maintained. The development shall not be occupied until the scheme for the maintenance and provision of the new bat roosts and bird boxes and related accesses have been fully implemented.

Reason: To protect and accommodate wildlife.

Informative notes to applicant

STATEMENT OF POSITIVE WORKING

In determining this application the Local Planning Authority considers it has complied with the requirements of paragraph 38 of the National Planning Policy Framework. Pre-application discussion and correspondence took place between the applicant and the Local Planning Authority, which positively informed the design/nature of the submitted scheme. No substantive issues were raised by consultees through the application process. For the reasons given above and expanded upon in the planning officer's report, the application was considered acceptable and planning permission was granted.

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

All British birds (with exceptions) are protected under Section 1 of the Wildlife and Countryside Act 1981 (as amended). No work should proceed while birds are building a nest, on a nest, or until the young become fully independent. Generally, this will be from April until September.

Bats are known to use the building(s) as identified in jh Ecology's report, dated December 2018. The species concerned are European Protected Species within the meaning of the Conservation of Natural Habitats and Species Regulations 2010 (as amended 2011). Where the local population of European Protected Species may be affected in a development, a licence must be obtained from Natural England in accordance with the above regulations.

A European Protected species licence is required to develop the site.

Proposal

Demolition of a 2.5 storey 9-bed dwelling house, with basement, stable garage and outbuildings and replacement with a 2.5 storey 'L' shaped 8-bed dwelling house with basement attached garage block and swimming pool building, in a Georgian/Regency Classical Style.

It is to be constructed on the existing hillside with the higher ground to the west and lower ground to the east, with a fall of approximately 4.5m across the 60m of the application site. There is also a fall of 3.4m on the site from south to north.

Construction materials comprise of the following;

Walls:- Stone Ashlar and rubble, Lime render and Waney edge boarding.

Roofs:- Slate, plain clay tiles and metal roofing.

Windows:- Timber sash and flush casements and metal framed

Doors:- Timber, metal and glazed doors.

Rainwater goods:- metal

The parking and turning area is to be located in an area to the rear of the house on the south elevation.

Site Description

The existing site is located within the hamlet of Crowcombe Heathfield close to Crowcombe Heathfield Station. The site is not in a designated conservation area and the building is not listed.

The current dwelling is located on Broad Oak Hill Road, and is a large detached brick built house clad in tiles in an Arts and Crafts Style. Set within extensive grounds the site is surrounded by a designated County Wildlife Site and Broad Oak

Woods.

The area immediately surrounding the house comprised of formal landscaped gardens to the north east. There are also several outbuildings to the north including a generator and store building, stables and a shed (all constructed in red brick) and an additional long wooden shed.

The house was constructed in 1924 and has remained virtually unchanged since then and is now showing significant signs of deterioration, including leaking roofs, crumbling corner stone bricks and the fletton brick plinths and general pointing and lack of modern utility services.

The formal gardens are completely neglected and the applicants currently have a grant from the forestry commission to clear the bracken and rhododendrons in the wooded area of the site (north), to bring it back to its original condition.

The edge of the Quantock Hills Area of Outstanding Natural Beauty (AONB) is over one mile (1,7km) from the site.

Relevant Planning History

None. (not to be confused with Rexton Gorse Cottage).

Consultation Responses

Crowcombe Parish Council –

Crowcombe Parish Council met at Rexton gorse to view the planning application for the demolition of the existing property and building of a new property. The Parish council decided that they could not support this application. The Council members were shown around the property and understood the reasons given for the demolition but felt there was a justified reason to retain the building for its design and construction. The PC enquired whether the Conversation Department had been approached or contacted about the imminent demolition of the property(pending planning approval). This was to see if there was any Conservational reason to retain the property even though there was no heritage reason. The PC felt that a property of this nature should be preserved as there are few examples in this area of 'Arts & Crafts' style.

Highways Development Control - Standing Advice.

Environment Agency - No comments received

Wessex Water Authority - Wessex Water has 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 a package treatment plant.

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 water mains, notes and application forms can be found development.west@wessexwater.co.uk

The proposal is some distance from the nearest public foul sewer. The planning authority will need to be satisfied with your private package treatment plant arrangements which will be subject to building regulations.

Wessex Water is required to maintain a minimum water pressure of 15m and we cannot guarantee any increase in pressure above this level, internal water fittings must be designed accordingly.

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.

Biodiversity and Landscaping Officer -

Biodiversity

Jh ecology carried out an Ecological Appraisal of the site dated December 2018.

Findings were as follows

Designated sites - Thirteen Local wildlife sites occur within 2km of the site, two of which actually bound the residential curtilage of the application site. (Binford Wood and Crowcombe Heathfield).

Bats - The surveyor examined six buildings on site, the main house, the stables, the garage, the pump house, the log store and the woodland outbuilding.

Bat survey work undertaken identified the following roosts for eight species of bat on site

- Barbastelle maternity colony utilising a range of crevices within the weatherboard covering to the west elevation of the house.
- Brown long eared bat maternity colony roosting in the roof of the house
- Common pipistrelle, possibly maternity colony, in the roof of the house, small numbers in the garage weatherboard and roof of the pump house
- Greater horseshoe occasional night roost

- Lesser horseshoe maternity colony roosting in the cellar of the house and roof void of the stables and night roost in the pump house
- Myotis species occasional summer day roost in the garage
- Serotine roosts used by small numbers in the roof of the house and weatherboard/wall top of the garage
- Soprano pipistrelle roosts in the roof and weatherboard of the house, roof of stables and roof and weatherboard of the garage.

A hibernation survey between December to February is required to confirm presence (or otherwise) of hibernating lesser horseshoe and barbastelle bats.

A European Protected species licence is required to develop the site.

The surveyor suggest a range of mitigation including several bat boxes, several bat lofts and an undercroft for crevice dwelling hibernating bats.

The inspection of the ten trees to be removed, with the exception of a birch tree, found most of the trees to be of low value to bats. This tree should be inspected. If a bat roost is discovered then a licence will be required to fell the tree.

The site is surrounded by extensive woodland, not subject to light pollution that would deter light sensitive species of bat such as barbastelle, brown long eared and horseshoe bats. It is well connected to suitable off site habitat including woodland, mature trees, parkland, agricultural fields and tree lined watercourses.

New lighting connected with the development will need to be sensitively designed.

Due to the high conservation significance of the roost, I agree that a minimum of five years post works monitoring is likely to be required.

The new garage and pool house and the outbuilding should be constructed and the woodland outbuilding should be enhanced ahead of demolition of the stable and the existing house.

Birds - Habitats within the site provide suitable nesting and foraging habitat for a range of birds. Clearance works should take place outside of the bird nesting season.

Two barn owl pellets and splash marks were found in the roof void of the house.

I support the erection of bird boxes on site.

Amphibians - The pond within the site was considered to provide negligible habitat for amphibians. The current proposal includes a new pond to the south of the new house

Reptiles - The regular management of the grassland suggests that the site has low potential for reptiles

Badger - The surveyor found no evidence of entrance holes which may suggest a sett. A mammal path was noted to the rear of the woodland building.

Dormice - The woodland within the site could provide potential habitat for dormice, although it lacked diversity of plant species and the under storey was predominately rhododendron.

If dormice or their nests are found during further survey work then an EPS licence would be required from Natural England prior to clearance works. I support the recommendation to erect nest boxes onto trees /and or new buildings and to install an outdoor barn owl box onto a tree.

I suggest the following condition;

Suggested Condition for protected species:

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Reason: To protect and accommodate wildlife.

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(as amended 2011). Where the local population of European Protected Species may be affected in a development, a licence must be obtained from Natural England in accordance with the above regulations.

Landscape

I have no landscape objections to this application.

Representations Received

None

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 the West Somerset planning area comprises the West Somerset Local Plan to 2032, retained saved policies of the West Somerset District Local Plan (2006) Somerset Minerals Local Plan (2015) and Somerset Waste Core Strategy (2013).

Relevant policies of the development plan are listed below.

West Somerset Local Plan to 2032

SD1	Presumption in favour of sustainable development
SC1	Hierarchy of settlements
NH1	Historic Environment
NH5	Landscape character protection
NH6	Nature conservation & biodiversity protection & enhancement
NH13	Securing high standards of design
CC6	Water Management
TR1	Access to and from West Somerset
TR2	Reducing reliance on the private car

Retained saved policies of the West Somerset Local Plan (2006)

T/8	Residential Car Parking
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Determining issues and considerations

The pertinent issues and consideration of the submission are as follows;

Principle of development

This site is located in an open countryside location. The current lawful use of the site is residential. The West Somerset Local Plan does not contain any policies that specifically relate to replacement dwellings, but it is generally accepted in planning practice that the principle to replace existing dwellings (that have not been abandoned) is generally accepted in countryside locations as it would not result in any increase in the number of residential properties.

The existing vacant dwelling has not been used for some time and is uneconomical to repair.

Impacts on the character and appearance of the area

The new large replacement dwelling within a generous sized plot will have some impacts on the character and appearance of the area, in terms of the design and style of the new house.

The proposal is to replace the existing collection of buildings with a larger more integrated set of buildings that are physically linked. Whilst the overall floorspace to be created will be substantially greater than existing the overall mass and height of the new structure will not be significantly increased in appearance due to the improved use of space and the relationship of the various components.

The proposed materials are acceptable and the site is more than capable of providing space for the replacement dwelling. It is also noted that in The Avenue, nearby there are a range of building sizes and styles and a similar large sized replacement dwelling.

Additional information submitted from the applicant and their agent, confirming that a feasibility study to explore potential options for the extension and refurbishment of the current house and it was concluded that significant intervention in the form of considerable works to the poor condition of the existing house. Such works would be more costly than new build works for a similar structure and would not be financially viable. Works to alter the layout of the current house would also be compromised resulting in a change to the character of the building. Therefore, the classical formal style of the replacement dwelling was developed which offers the potential to sit well into the unique site and landscape and increase interaction with it.

It is noted that the site is not within a designated conservation area and the building itself, although an example of an Arts & Crafts Style is not listed and could be removed and/or significantly altered without the need for planning consent.. It is

noted that the local Parish Council have objected to the replacement dwelling due to wish to preserving the current house as there are few 'Arts and Crafts' styled houses in the area. However, as the property is not a designated heritage asset, it would be difficult to sustain an objection to it's loss.

The applicant is intending to re-instate the formal gardens to the house and it is considered that the proposal accords with local planning policies SC1, NH1, NH5, NH6 and NH13 of the West Somerset Local Plan to 2032 and to retained policy TW/1 of the West Somerset District Plan 2006.

Biodiversity

Comments from the Councils Biodiversity Officer can be seen above in this report and it is noted that there are several species of bats in and around the site.

The applicant has submitted an ecology report prepared by Jh ecology, dated December 2018 and a bat hibernation survey which has been appraised and both a wildlife condition and an informative are appended to this decision to protect wildlife.

Impacts on residential amenity

The site is set in its own extensive grounds and the nearest neighbours are located some 440m away to the south east on higher wooded ground.

No comments have been received from members of the community and it is considered that there will be no impacts on residential amenity as a result of this development. The proposal therefore accords with local policy NH1 and NH13 of the West Somerset Local Plan to 2032.

Highway safety

The site is accessed from Broad Oak Lane which is a 3 classified un-numbered road, through an existing field gate and a short drive to the main house.

There is currently parking outside the front (northern elevation) of the house and this redevelopment will see the parking and turning area being moved from the access to the south behind the new house.

Comments of Standing Advice have been returned from Highways and it is considered that there will be ample parking and turning at the site as well as the required storage for bicycles in the proposed garaging/outbuildings. In this regard the submitted details propose 12 car parking spaces (an increase of 2 on the current parking) and 8 cycle spaces.

The proposal therefore accords with policy TR2 of the West Somerset Local Plan to 2032 and also retained policy T/8 of the West Somerset District Local Plan 2006.

Flood risk/drainage

The site is not located in a designated floodable area and therefore no Flood Risk Assessment is required. Any surface water is to be disposed of via soakaway in the extensive grounds.

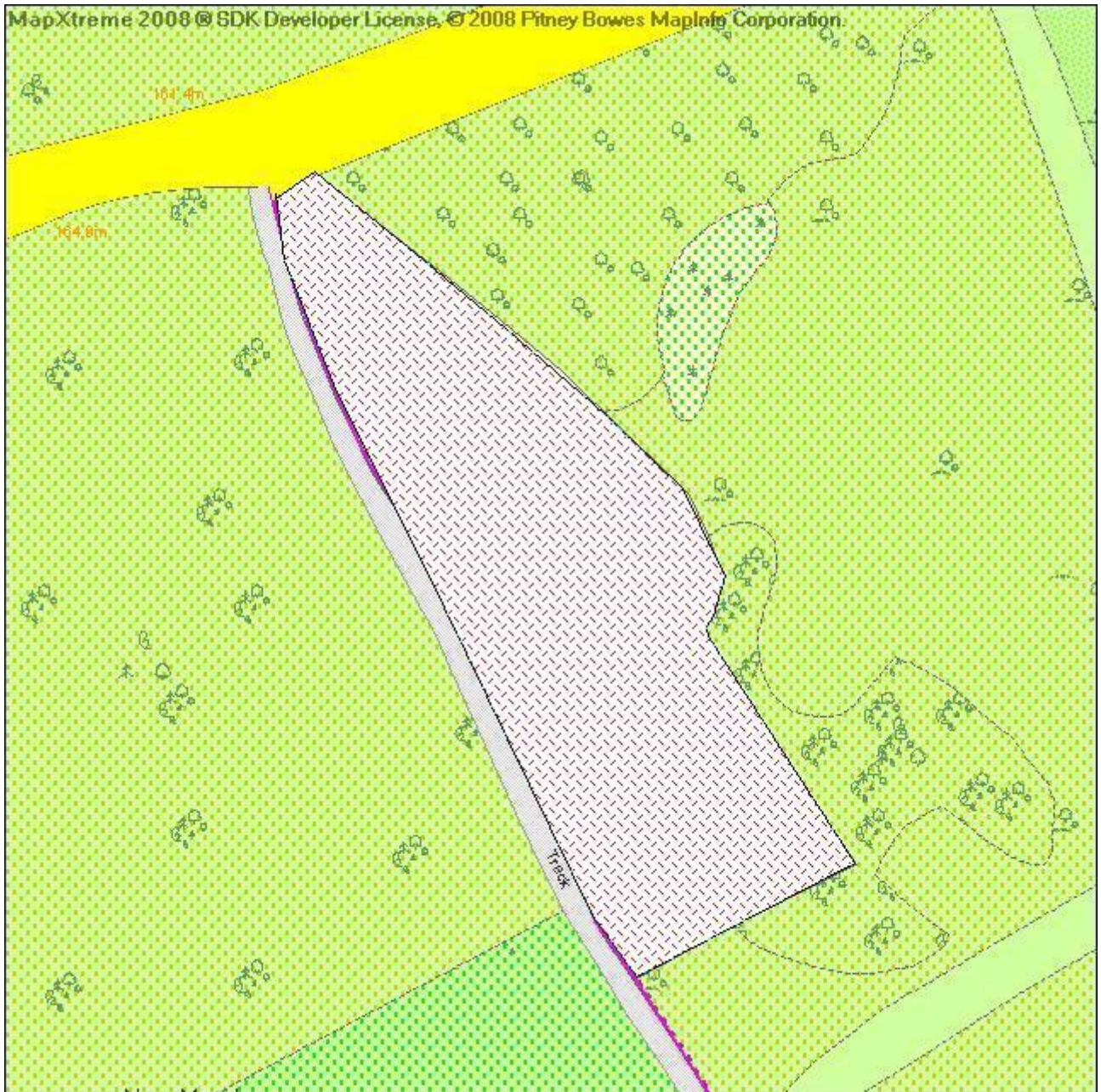
Foul sewage is to be disposed of via a package treatment plant.

The proposal accords with local policy CC6 of the West Somerset Local Plan to 2032.

Conclusion

The erection of a replacement dwelling in a countryside location is accepted as it is considered that the existing dwelling has not been abandoned and that it would be uneconomical to repair. The proposed replacement dwelling would not have a significant adverse impact on the character of the area and where there is an absence of any conflict with the development plan or harm, the proposals should be supported.

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



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 Demolition of dwelling house to be
 replaced by erection of dwelling
 house with garage block and
 swimming pool building
 Rexton Gorse
 Broad Oak Hill
 Crowcombe
 TA4 4BP
 Planning Manager
 West Somerset Council,
 West Somerset House
 Killick Way
 Williton TA4 4QA



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Eastings:
 Northings:

Scale: 1:1250