

**Committee date 12/09/2023**

**Application No:** 45/23/00016

**Application Type:** Reserved matters

**Case Officer:** Liam Evans

**Registered Date:** 06/06/2023

**Expiry Date:** 31/07/2023

**Parish:** Spaxton

**Division:** Cannington

**Proposal:** Application of reserved matters, for the erection of 1no. dwelling and vehicular access formation.

**Site Location:** Sunnyside Bungalow, Charlynch Road, Four Forks, Bridgwater, TA5 1BJ

**Applicant:** Mrs J Merchant



**Committee decision required because**

The views of the Parish Council are contrary to the officer's recommendation.

## **Background**

Sunnyside is a detached single storey dwelling located to the north of Four Forks on the north west side of Charlynch Road. The property is finished in painted render under a clay tiled roof and has a detached car port to the south west where its vehicular access is shared with an adjacent field gate. To the north east is the property's residential curtilage where prior to the submission of the application some clearance works have been undertaken including the removal of various outbuildings and of a section of hedgerow adjacent to the road.

Outline consent was granted for the erection of a detached dwelling to the north east of Sunnyside. No details of the appearance or layout were proposed at that stage with the only matter to be determined being the access, which came off Charlynch Road and lead to a turning/parking area adjacent to the proposed dwelling. The existing hedgerow would be relocated back from the edge of the highway to provide visibility splays to the north east and south west.

The reserved matters application is now submitted with a one and a half storey dwelling proposed to the north east of Sunnyside. The dwelling would have a tiled pitched roof measuring 7.3m high and containing two pitched dormer windows to the front elevation. To the rear would be a gabled projection with glazing to the upper and lower sections. To the north east side elevation a single store projection would be finished in cladding with the majority bring render above brickwork.

To the north east of the dwelling a free standing timber car port would be erected with space for three vehicles. The car port would be finished in cladding and tiles with oak frame detailing to the front.

The parking and turning, as indicated previously on the outline consent, would be finished in rustic brick paviours with an acco training to the edge of the site.

## **Relevant History**

45/23/00002 DC	Outline planning permission with some matters reserved for the erection of 1no. dwelling and vehicular access formation.	GTD
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## **Supporting information supplied by the applicant**

Hedgerow Survey  
Access Statement

## **Consultation Responses**

<b>Consultee Name</b>	<b>Summary of Response</b>
Spaxton Parish Council, Greenway Farm	<b>Objection</b>

	<p>In considering 45/23/00002, Spaxton Parish Council understood from the applicant that the original bungalow - Sunnyside - would be demolished as part of the proposals.</p> <p>This application shows that this is clearly not the case, giving rise to what we consider to be massive over-development of this site in terms of:</p> <p>Visual amenity - the proposed dwelling is not in keeping with the vernacular, which comprises mainly bungalows.</p> <p>Lack of amenity space - the new dwelling will result in inadequate amenity space for both dwellings, and associated loss of privacy. Plus, the new dwelling will be so close to the hedge - and hence the highway - as to be extremely cramped and visually overwhelming.</p> <p>Road safety - at current speed limits (the site lies outside of the 30mph zone), the legal visibility splay required is huge, necessitating the removal of significant hedgerow. Plus, the creation of a new access onto Charlynch Road is undesirable, and has been refused on previous occasions for similar, although unrelated, applications.</p> <p>The issue of flooding in Charlynch Road has been raised by the Parish Council, and largely ignored. Nevertheless, the impact of the development thus far on flood water levels at this location has been substantial and is not only undesirable, but unnecessary.</p> <p>We urge Somerset Council to refuse this application.</p>
Environmental Health - Somerset Council (Sedgemoor Area), Email Address Only	<b>No comment.</b>
Somerset Highways	<b>No objection, recommend conditions.</b>
Somerset County Council - Ecologist	<b>No objection, recommend conditions.</b>

## **Representations**

None received.

## **Most Relevant Policies**

### National Planning Policies

#### National Planning Policy Framework

#### Local Plan (2011-2032)

D2 Promoting High Quality and Inclusive Design

D14 Managing the Transport Impacts of Development

D19 Landscape

D20 Biodiversity and Geodiversity

D25 Protecting Residential Amenity

## **Community Infrastructure Levy (CIL)**

The application is for residential development in Spaxton where the Community Infrastructure Levy (CIL) is Non-urban Residential £111.81sqm of additional gross internal floor area created. Based on current rates, the CIL receipt for this development would be in the region of £17,697.45. This amount does not take into account any existing floor space on site that may be converted or demolished, or any CIL exemption or relief that may be eligible.

## **Main Issues**

### Principle

The site is within the development boundary of Four Forks and is subject to an outline consent for one dwelling. Notwithstanding the comments of the Parish Council the outline proposal previously approved did not include the removal of the existing property known as Sunnyside and was assessed on the basis of an additional dwelling being constructed adjacent to the existing.

Concerns regarding overdevelopment are noted although the site is part of a large domestic garden area and it is considered that both the existing and proposed dwellings can be served by adequate levels of private garden space without appearing cramped or be detrimental to existing/future amenity. Confirmation of curtilage boundaries can be established through an appropriately worded condition.

Therefore, the following will address the reserved matters now submitted.

### Scale, Appearance and Layout

The proposed dwelling's design will follow a traditional form exhibiting a cottage style that would be appropriate for a rural setting. This area of Charlynch Road contains a number of residential properties set out in a linear form all facing onto the highway. The proposal would follow this layout presenting a positive street frontage and would be consistent with the built form of the edge of Four Forks and the pattern of development already established. The dwelling would be set back in line with Sunnyside, which would allow for the hedgerow to be relocated as shown at the outline stage. The dwelling has also been set back so as to allow for pedestrian access to the front door, which the Parish Council noted as being tight to the relocated hedgerow. The layout of the dwelling is considered suitable in terms of respecting the built form of the edge of Four Forks and the character of Charlynch Road.

There are a number of existing properties which use brickwork and render for their external materials. The proposed design would be predominantly rendered and this would be in keeping with existing properties near the site. Properties further to the south west, as you head closer to the centre of the village, exhibit render/brickwork combinations.

The one and a half storey design would keep the ridge line relatively low and although this would be above the adjacent bungalows overall the dwelling would not appear significantly excessive in scale compared with nearby properties. While the Parish Council have cited the existing vernacular of bungalows nearby it is not considered that to slavishly copy the appearance of these would serve to provide a visual benefit to the immediate locality and that the proposal as submitted would represent an enhancement over these.

The design of the dwelling is considered to be appropriate to varied character and appearance of the built form of the edge of the village and will not have a detrimental impact on the locality from a design perspective. The proposal complies with policy D2 in this respect.

### Landscaping

The application site was subject to works prior to the submission of the outline proposal and this has involved the clearance of buildings, a section of hedgerow and a tree. The submitted ecological appraisal states that the vast majority of the site is part of a garden that has historically been well managed and now provides a largely cleared area which lacks rarity, permanence or fragility. The presence of a well-established boundary hedgerow provides an element of naturalness. Hedgerows are a valuable habitat component within the countryside and as well as supporting wildlife in their own right they facilitate the movement of wildlife for mobile species.

In this case it is proposed to realign the hedgerow either side of the proposed access and it is considered that the retention would enable the development to be integrated into the rural

surroundings in an acceptable manner.

The remainder of the site would be laid to lawn with the existing residential garden divided up between the existing and proposed properties. The existing trees along the north and west boundaries of the site would be unaffected by the development and would continue to contribute positively to the surroundings and visual integrate the development.

The proposal complies with Policy D19 of the Local Plan.

### Residential Amenity

The proposed dwelling would positioned to the north east of Sunnyside and this would represent the only dwelling affected by the proposal. However, overshadowing would not occur as result based on the layout shown.

The design of the dwelling incorporates upper windows to the front and rear elevations, which would face onto the road and garden areas respectively. There would be no impact from overlooking as these windows would not face onto the adjacent property or its existing windows. The garden to the rear is to be divided to allow private amenity space for each property.

The proposal complies with Policy D25 of the Local Plan.

### Conditions

A number of conditions have been recommended by statutory consultees although in this case many would represent duplicates of those imposed at the outline stage.

### Summary

The proposed dwelling would respect the pattern of development within the locality and would be of a scale, design and materials that would be appropriate to the character of the built form of the village. The development would incorporate the retention of an existing hedgerow to maintain the rural nature of the road and would not have a detrimental impact on residential amenity.

## **RECOMMENDATION**

### **GRANT APPROVAL OF RESERVED MATTERS**

- 1 The development hereby permitted shall be carried out in accordance with the approved plans listed in schedule A.

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

- 2 In the event of external lighting being installed, prior to its installation, a lighting design for bats, following Guidance Note 08/18 Bats and artificial lighting in the UK (ILP and BCT 2018), 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. Lux levels should be below 0.5 Lux. 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 from the Local Planning Authority.

Reason: In the interests of the 'Favourable Conservation Status' of populations of European protected species and in accordance with policy D20 of the Sedgemoor Local Plan

- 3 The development hereby permitted must not be occupied until cycle parking facilities for at least 3 bicycles are provided on site in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority. The parking facilities shall be maintained in accordance with the approved details thereafter.

Reason: In the interests of sustainable travel.

- 4 The areas allocated for parking (car port) and turning on the submitted plan shall be kept clear of obstruction and shall only be used for the purposes of parking and turning in connection with the development hereby permitted.

Reason: In the interests of highway safety.

- 5 Before the dwelling hereby permitted is occupied 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 maintained thereafter at all times in accordance with the approved details.

Reason: In the interests of highway safety.

- 6 Plans to show the method of enclosure for the curtilage of any dwelling shall be submitted to and approved in writing by the local planning authority prior to the dwelling hereby permitted first being occupied. The boundaries shall be erected in accordance with the approved scheme.

Reason: In the interests of visual and residential amenity.

**Schedule A**

Location Plan Drg No. 00204-23-01

Block Plan Drg No. 00106-22-02A

Site Plan Drg No. 00204-23-03B

House Plans & Elevations Drg No. 000184 - 03(A)

Proposed Car Port Drg No. 000183 - 05

**DECISION**

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