

Committee date 12/03/2024

Application No: 21/23/00013

Application Type: Full Planning Permission

Case Officer: Amelia Elvé

Registered Date: 08/11/2023

Expiry Date: 02/01/2024

Parish: Compton Bishop

Division: Brent

Proposal: Retention of change of use to domestic land and proposed erection of a double fronted garage with parking area and associated works.

Site Location: 26 Church Lane, Compton Bishop, Axbridge, Somerset, BS26 2HB

Applicant: Mrs L Mead



Referral decision required because

This application is referred to the Chair and Vice Chair as the officer's view is contrary to the view of the Parish Council.

Background

No. 26 Church Lane is a semi-detached property sited to the north-east of an unclassified road. The site is within the Mendip Hills AONB. To the south of the property there are other residential dwellings with agricultural fields located to the east and north.

The application seeks retrospective consent for the change of use of land in the adjacent agricultural field to the east, to be used for domestic purposes. The application also includes the erection of a detached carport with first floor accommodation, constructed with timber cladding and clay roof tiles. The proposed building will measure approx. 5.5m in height, with a footprint of approx. 7.0m x 6.0m.

Relevant History

21/13/00007 – Erection of two storey extension to rear (North) elevation - **Granted**

Supporting information supplied by the applicant

Location Plan Drg No. p2e/uk/985263/1327854

Block Plan Drg No. b90e//985263/1327872

Proposed Floor Plans & Elevations Drg No. 803468

Consultation Responses

Compton Bishop Parish Council – Object

The proposed building is positioned within a historic village/hamlet setting, farmland and also within the AONB of the Mendip hills.

The application is unfortunately presented with insufficient information in terms of scale and positioning of the building within the site. It is observed that access to the highway (Church Lane) has already been created, (without an official application) this is presumed to allow for current off-street parking. Again, with general observation the site needs substantial excavation to achieve access to this plot of land and meet the road levels and FFL of the building. There is no indication of the distance between the existing treatment plant and the proposed footprint of the development.

These are the highlighted concerns of the CBPC:

- 1. Access off the highway and the newly created opening within the existing retaining wall.*
- 2. The scale of the building in terms of position and how it is sited within the site.*
- 3. How the excavation and presumed ground levels will work with existing treatment plant and its current water discharge, (presumed soakway?). This raises the question is the treatment plant's location dominating the development in terms of the desired scale and positioning? Also, how access is achieved off the highway in terms of turning in the highway in each direction keeping the lane clear of parked obstructions.*
- 4. How is the surface water run-off managed from the newly proposed building and the existing/proposed hardstanding. There is concern that surface and ground water from the surrounding open farmland is and will further create additional surface water build-up on Church lane, which is already a current issue.*
- 5. With concerns to the proposed building being within the AONB we feel it has a dramatic effect on the visual impact and current street scene of the land and its widening open views of the Mendip Hill and southernly views towards the levels. Also, it is strongly recommended that any newly proposed building of reasonable scale should consider how its roofline is seen with existing surrounding properties and the AONB outward views, for example working in symmetry with neighbouring rooflines to soften the proposed building.*
- 6. With all of the above in mind the Council is of the opinion that the application does not comply with Local Plan policies D1, 19, 23 and 24 and needs to be fully investigated and resolved whether or not approval is given.*

Highways – Standing Advice

SW Heritage – No objection

There are limited or no archaeological implications to this proposal.

Representations

None received

Most Relevant Policies

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF require that applications are determined in accordance with the development plan unless material considerations indicate otherwise. National Planning Policy Framework December 2023

Section 9 – Promoting sustainable transport

Section 12 – Achieving well-designed places

Section 15 – Conserving and enhancing the natural environment

Section 16 – Conserving and enhancing the historic environment

Sedgemoor Local Plan (2011-2032)

CO1: Countryside

D2: Promoting High Quality and Inclusive Design

D14: Managing the Transport Impacts of Development

D19: Landscape

D20: Biodiversity & Geodiversity

D23: Bat Consultation Zones

D25: Protecting Residential Amenity

D26: Historic Environment

Compton Bishop Village Design Statement

Main Issues

Principle of Development

The application site is outside of any settlement boundary and as such is considered to be in the countryside where development is strictly controlled and is only supported when there is a specific locational requirement, as set out in policy CO1.

The application site is outside of any Development Boundary however it relates to the existing dwelling. The scale of the land that is changed from agricultural use is not considered to be significant and is well sited in respect of the existing property. As such, the principle of the

development is considered to be compliant with policy CO1.

Visual Amenity & Landscape

Policy D2 seeks to achieve high quality, sustainable and inclusive design which responds positively to and reflects the local characteristics of the site and identity of the surrounding area and be of a design solution that makes the most efficient use of land through appropriate densities, whilst recognising the need for positive treatment of the spaces around and between the building.

Policy D19 of the Local Plan supports development within the AONB where the natural beauty or character of the landscape is conserved and enhanced.

The proposed building is considered to be of a size and scale that is proportionate to the proposed use and existing built environment and is not of a significant magnitude that would detrimentally impact the visual appearance of the wider area. The proposal is to be finished in traditional materials that are considered to be acceptable for the rural location and is sited in close proximity to the existing built form, that it is not considered would be visually detrimental to the character of the protected landscape or the vicinity.

As such, the application is considered to comply with policies D2 and D19 of the Local Plan.

Residential Amenity

Policy D2 states that development should 'respect the amenity value of the occupiers of nearby buildings or the wider area' and new development should deliver buildings that are "enjoyable to use". This is further supported by Policy D25 which states that 'Particular consideration will be given to the extent that the proposal could result in unacceptable impacts'. This includes consideration of loss of privacy, overlooking, visual dominance, loss of light, noise/disturbance, odour, fumes, vibration and living conditions of future occupants.

The proposed building is considered to be adequately distanced from neighbouring properties to not

result in an unacceptable impact in respect of overlooking, overshadowing or overdominance and therefore is considered compliant with policies D2 and D25 of the Local Plan.

Highways Safety

Policy D14 of the Local Plan states that managing the transport impacts is essential for creating sustainable communities. The policy sets out that development proposals should seek to manage the transport impacts of development.

The Highways Authority consider *Standing Advice* to apply to this application. In respect of this application, this requires the resultant development to not impede on highways safety in respect of surface water run off, parking arrangements and access onto the highway network.

The proposal would provide parking at ground floor and the site, prior to the commencement of the parking area, had limited off-road parking available.

The site is accessed via an unclassified road that has a 30mph speed limit. The access that has been created is considered adequate in respect of visibility. To ensure that the scheme complies with *Standing Advice*, a condition will be used to ensure that there is a method for surface water run off to not discharge onto the highway and the surface treatment for the

It is therefore considered that as the development is compliant with *Standing Advice* and can be conditioned appropriately, the application therefore complies with policy D14 of the Local Plan.

Historic Environment

Policy D26 sets out that development proposal should avoid harm to, sustain and, where appropriate enhance the significance of heritage assets and their setting, in a manner consistent with their historical significance.

SW Heritage have reviewed the proposal and have raised no objection. It is therefore considered

that the application is compliant with policy D26 of the Local Plan.

Ecology

The application site is in a rural location and therefore it is considered appropriate to include conditions in respect of an external lighting plan and biodiversity enhancements. As such, the application is considered to comply with policies D20 and D23 of the Local Plan.

Other Issues

The Parish Council have raised concerns regarding potential impact on the existing treatment plant. This would be a matter that would fall under Building Regulations.

Conclusion

The proposal is of an acceptable design and appearance that would have no adverse impact of the character of the existing building or the locality, residential amenity, historic environment, protected landscape or highways safety. As such the proposal complies with policies CO1, D2, D14, D19, D25 and D26 of the Sedgemoor Local Plan 2011-2032.

RECOMMENDATION

GRANT PERMISSION

- 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 Prior to the first occupation of the development hereby approved, provision shall be made within the site for the disposal of surface water so as to prevent its discharge on to the highway and the access shall be finished with a consolidated surface. Once installed, the drainage and surface shall be maintained and retained thereafter in perpetuity.

Reason: In the interest of highways safety as in accordance with policy D14 of the Sedgemoor Local Plan 2011-2032.

- 3 Prior to the installation of any external lighting, 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 (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. The design should accord with Step 5 of Guidance Note 08/18. 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 Sedgemoor District Council Local Plan: Policy D20 - Biodiversity and Geodiversity.

- 4 Prior to the first occupation of the development hereby approved, a Biodiversity Enhancement Plan shall be submitted to and approved in writing by the LPA. The approved features shall be installed prior to the first occupation of the development hereby approved and maintained and retained thereafter in perpetuity.

Reason: To ensure biodiversity enhancement as in accordance with policy D20 of the Sedgemoor Local Plan 2011-2032.

Schedule A

Location Plan Drg No. p2e/uk/985263/1327854

Block Plan Drg No. b90e//985263/1327872

Proposed Floor Plans & Elevations Drg No. 803468

DECISION
