

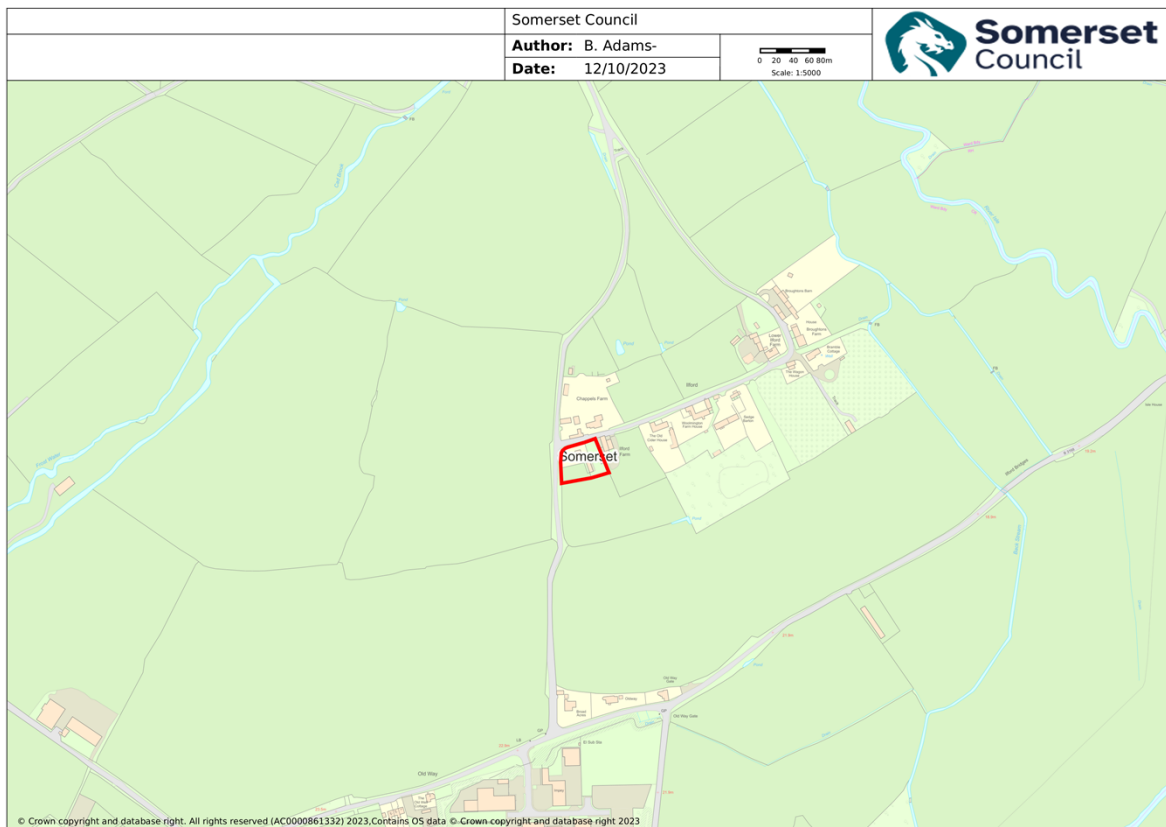
Officer Report On Planning Application: 23/01939/FUL

Proposal:	Change of use of adjoining land to residential, erection of extensions and alterations to property in order to create a multi-generational dwellinghouse, erection of a detached garage
Site Address:	Ilford Farm, Ilford Lane, Ilton, Ilminster, Somerset, TA19 9EB
Parish:	Ilton
SOUTH PETHERTON AND ISLEMOOR Division	Cllr Adam Dance Cllr Jo Roundell Greene
Recommending Case Officer:	Greg Lester (Specialist)
Target date:	22nd September 2023
Applicant:	Mr And Mrs Brister And Mr And Mrs Dunn
Agent: (no agent if blank)	Mr R Smith, Alan J Young Ltd, The Lodge, Penn Mill, Yeovil BA20 1SF
Application Type :	Minor Other less than 1,000 sq.m or 1ha

REASON FOR REFERRAL TO COMMITTEE

This application is referred to the Planning Committee as the applicant is a member of Staff within the Planning Service area. As such it is not considered appropriate for determination under the Council's scheme of delegation.

SITE DESCRIPTION AND PROPOSAL



The site comprises a detached residential dwelling, with residential properties located to the north and east, and agricultural land laying to the south and west of the site. The property currently benefits from an enclosed garden, bounded by high screen hedging. An existing garage is located to the east of the property, served by an existing access from Ilford Lane.

A Grade II listed property lies beyond an existing group of buildings to the east at a distance of approximately 100 metres.

Existing residential properties in the vicinity vary in design, size and layout and benefit from varying sizes of residential curtilage, with the site subject of this application arguably the least generous.

The proposal seeks full planning permission to enable a change of use of land of a portion of agricultural land located to the south and east of the property, incorporating part of the land around the site including the site of an existing garage, part of the access and an area located beyond the existing residential curtilage utilised for what appears to be the growing of produce.

As well as a change of use of land, the proposals also seek to extend the existing property to enable its use for multi-generational living. Part of the extension proposed falls on land outside the current curtilage. The proposed extension is located to the south of the existing property, and would comprise of a two-storey addition to provide two bedrooms and a bathroom at first floor level; along with a living room, utility area, home office and wet room to the ground floor. The extension would be linked to the host dwelling by way of a single storey extension forming a garden room. A small ground floor extension to be utilised as a boot room is proposed to the north elevation.

A detached garage is also proposed to the east of the dwelling, in broadly the same area as the existing garage

RECENT RELEVANT HISTORY

15/05013/S73: Section 73 application to vary conditions 5 and 11 (approved plans) of planning approval 15/00139/FUL by substitution of revised plans - permitted with conditions
(revised design)

15/00139/FUL: Conversion and change of use of a barn into a single detached

dwellinghouse, formation of a vehicular access and parking area together with the change of use of land to domestic garden / curtilage - Permitted with conditions.

11/04144/FUL: Application for a new planning permission for the conversion of barn to a single unit of holiday accommodation to replace extant permission 08/03899/FUL to extend the time limit for implementation - Permitted with conditions.

08/03899/FUL: The conversion of barn to a single unit of holiday accommodation - Permitted with conditions.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, and 12 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).

Policy SD1 - Sustainable Development

Policy EQ2 - General Development

Policy EQ3 - Historic Environment

Policy EQ4 - Biodiversity

Policy HG8 - Replacement Dwellings and Extensions in the Countryside

Policy TA5 - Transport impact of New Development

Policy TA6 - Parking Standards

National Planning Policy Framework 2023

Chapter 6: Building a strong, competitive economy

Chapter 12: Achieving well-designed places

Chapter 15: conserving and enhancing the Historic environment

Planning Policy Guidance

Design

Historic Environment

REPRESENTATIONS

The application was subject to a neighbour notification exercise and a site notice posted. No letters of representation have been received.

CONSULTATIONS

Ilton Parish Council:

The parish council have no objections to the proposal but make the following observations:

At the time of review by the parish council, no consultee comments were available in relation to ecological impacts. Any recommendations made in this respect should be followed by the applicant.

The parish council believe the proposed design would have no adverse impact on visual amenity or parking/access at the location.

It was noted that comment was made on a previous application at the same location with regards to management of surface water run-off onto the highway. With the introduction of additional property footprint, thus potentially removing natural drainage into the ground, this should be given consideration.

Councillors were supportive of the property being developed for multigenerational use.

Highway Authority: Standing advice applies.

Ecology: No objection subject to conditions for biodiversity net gain.

CONSIDERATIONS

PRINCIPLE OF DEVELOPMENT

National and local planning policies generally support the extension to residential properties, provided they can be considered to be seen as in keeping with their surroundings. In addition, extensions to properties located within the open countryside should not result in a disproportionate addition over and above the existing dwelling.

Given the above, and the proposal being considered acceptable in all other regards, as further explained in this report, the principle of development is considered acceptable.

SCALE AND DESIGN

The proposal can be broken down into two components: the change of use of land to residential curtilage, and the extension of the existing dwelling and provision of a detached garage.

Change of use of land

The proposed change of use of land would result in an area of approximately 1488 square metres being changed from an agricultural use to residential. Of this area, a position of the land to the north of the property currently comprises hardstanding/hardcore surfacing providing parking, along with access to what is used as a garage. The area to the south of the dwelling appears to be utilised as an area for the growing of fruit and vegetables, and is surrounded by an area of mown grassland and does not appear to be utilised for agricultural uses, aside from the aforementioned growing of fruit and vegetables.

Other properties in the vicinity benefit from residential curtilages in excess of the size of both the existing and proposed, and whilst the proposed additional area of curtilage is greater than the existing, the site is well contained with hedgerow and has very limited visibility from outside the site. The proposed extension to the curtilage is broadly in-line with those to the east and would not appear excessive when viewed against the existing property.

It is considered the proposals would respect the character and appearance of the area.

Extensions and detached garage

The extensions proposed to the dwelling would fall to be assessed against the provisions of Policy HG8, which states that: 'Extensions to existing dwellings in the countryside will be permitted where the extension does not result in a dwelling that is disproportionate to the scale of the original dwelling and the size and design of the extension are appropriate to the landscape character of the location.'

The existing dwelling has an existing floor area over two floors of approximately 170 square metres. The proposed extension represents an addition of approximately 200 square metres. Whilst this results in an extension of over 100% of the existing property, the preamble to Policy HG8 directs that account may be taken of any additions which may be made to the existing property as a result of permitted development.

In this case, it does not appear that these rights have been withdrawn, and as such it must be considered as a material consideration to be afforded significant weight in the decision-making process. The property could be extended within the roof space to provide accommodation at second floor level including a hip to gable conversion, along with additional extensions that may be permitted at the rear, including two storey and single storey additions, along with a side extension at ground floor level to the south elevation.

Whilst no such intentions have been expressed, the desire to create a dwelling capable of housing more than one generation of the same family suggests that alternative options would be explored. In the case of permitted development, the Local Planning Authority are unable to exercise any form of control over the design of such a proposal, although materials would need to be similar.

The proposals in this case are shown to be for a subservient extension (although greater in floor area), linked to the existing dwelling with a single storey garden room extension. Materials are indicated as render brickwork and boarding. No details have been provided for the boarding, although a planning condition could be attached to require these details before development proceeds above damp-proof level.

The proposed detached garage would be located in close proximity to an existing group of buildings and is of a design and scale that is considered appropriate to the locality.

Taking into account other material considerations described above, whilst the proposals forming this application would result in an extension that would exceed the size of the original dwelling, on balance the proposals can be regarded as acceptable due to the subservient nature of the design, and the overall form and appearance respecting the host dwelling.

HIGHWAYS ACCESS AND PARKING

The proposal will continue to utilise existing accesses to serve the business use and the additional parking is considered not to present any highway safety issues.

RESIDENTIAL AMENITY

Given the location of the proposed development in relation to adjoining neighbours, the proposal does not present any neighbour amenity issues.

ECOLOGY

Subject to the submission of a Biodiversity Enhancement Plan and provision of details for enhancement and replacement planting to compensate for the removal of hedgerow, the proposals are considered to be acceptable. The suggested ecology conditions have been modified to take in to account the retrospective nature of the application.

FLOOD RISK

The site lies within Flood Zone 1 and the proposal does not present any flooding issues.

HERITAGE

Given the scale of the proposed works and their location being outside of the listed building curtilage, the proposal is considered not to undermine the setting of any heritage asset in the locality.

CONCLUSION

The proposal is considered to represent an acceptable form of development that is compatible with the surrounding area. It is considered not to be harmful the character of the area and will not be detrimental to neighbour amenity, highway safety, ecology or heritage.

RECOMMENDATION

Approve, subject to conditions.

01. The proposal is considered to represent an acceptable form of development that respects the character of the area and causes no demonstrable harm to residential amenity, ecology, heritage or the highway network in accordance with the aims and objectives of relevant policies contained within the South Somerset Local Plan (2006-28) and the provisions of the National Planning Policy Framework 2023.

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

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

5031/03

5031/04

5031/05

5031/06

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

03. No development above damp-proof course shall commence until samples of the materials to be used in the construction of external surfaces of the development hereby approved have been submitted to and approved in writing by the local planning authority. Development shall be carried out in complete accordance with the approved materials, unless the Local Planning Authority agrees to variation in writing.

Reason: To ensure that the external appearance of the development is appropriate to its surroundings in accordance with Policy EQ2 of the adopted South Somerset Local Plan 2006 - 2028.

04. Where external lighting is to be installed, prior to installation, a lighting design for bats, following Guidance Note 08/23 - bats and artificial lighting at night (ILP and BCT 2023), 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 on key & supporting features or habitats. 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 EQ4 of the South Somerset District Council Local Plan.

05. A Biodiversity Enhancement Plan (BEP) shall be submitted to the Local Planning Authority within 3 months of the date of this permission, for approval in writing.

Photographs of the installed features will also be submitted to the Local Planning Authority prior to use of the buildings: The content of the BEP shall include the following:

1. At least 1 x Beaumaris Woodstone maxi bat boxes (or similar) will be mounted at least four metres above ground level and away from windows, on the south and/or west facing elevations and maintained thereafter;
2. Provision will be made for nesting swallows, for example within a structure providing shelter, such as an open fronted log store or bespoke box attached to the wall, and with the provision of two artificial nest cups within.
3. At least 1 x swift box (or similar) built onto the wall at least 60cm apart, at least 5m above ground level, ensuring that there is an unobstructed access for birds to enter/leave the box on the east and/or north facing elevations of a building on site.
4. Details of enhancement planting within the site to compensate for the removal of hedgerow.

Reason: In accordance with Government policy for the enhancement of biodiversity within development as set out in paragraph 174(d) of the National Planning Policy Framework, and the Draft Environment (Principles and Governance) Bill 2018.

06. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order), the use of any existing garage, or garage hereby permitted, as part of this development shall not be used other than for the parking of domestic vehicles and not further ancillary residential accommodation, business use or any other purpose whatsoever unless the Local Planning Authority agrees to any variation in writing.

Reason: In the interests of highway safety, in accordance with Policy TA5 of the adopted South Somerset Local Plan 2006 - 2028.

07. The accommodation hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Ilford Farm, Ilford Lane, Ilton, Ilminster, TA19 9EB, unless the Local Planning Authority agrees to variation in writing.

Reason: The establishment of an additional independent unit of accommodation at this location would give rise to the provision of a dwelling in an unsustainable location and lead to an unsatisfactory relationship between independent

dwellings, in accordance with Policy EQ2 of the adopted South Somerset Local Plan 2006 - 2028.
