

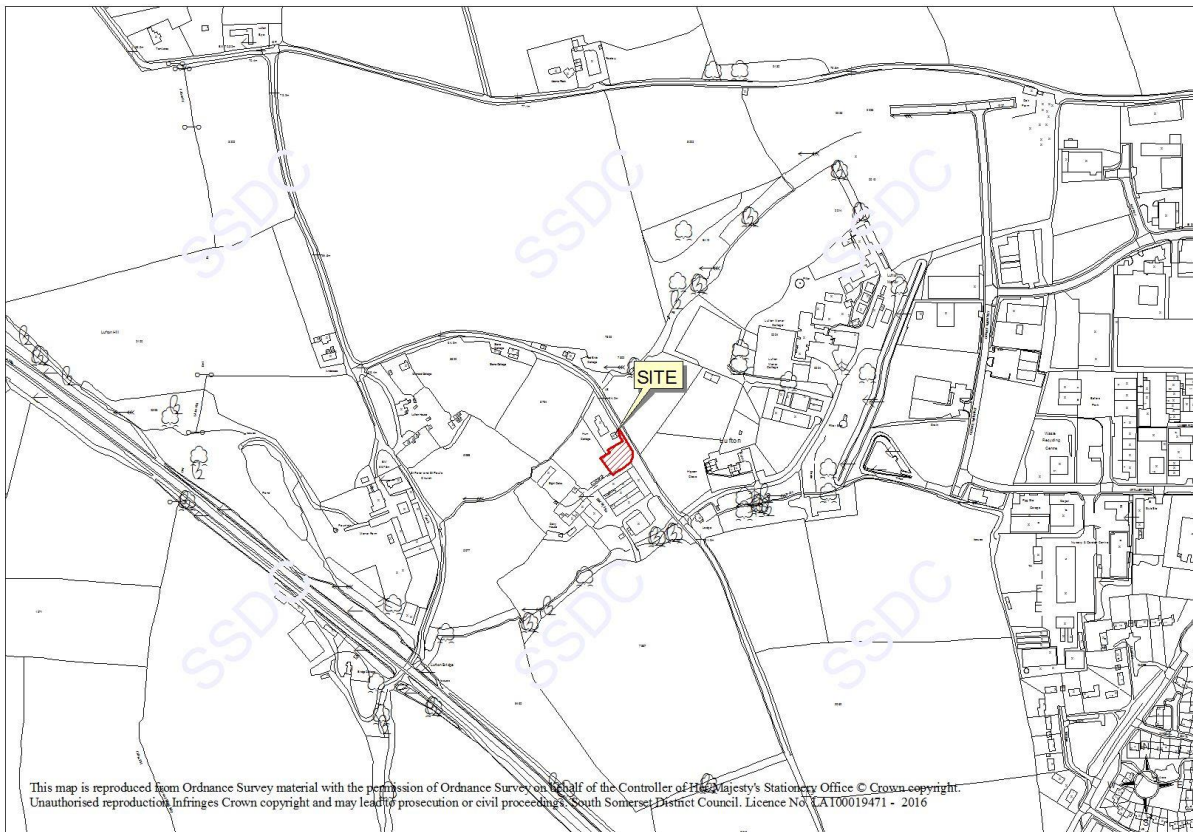
Officer Report on Planning Application: 16/02888/OUT

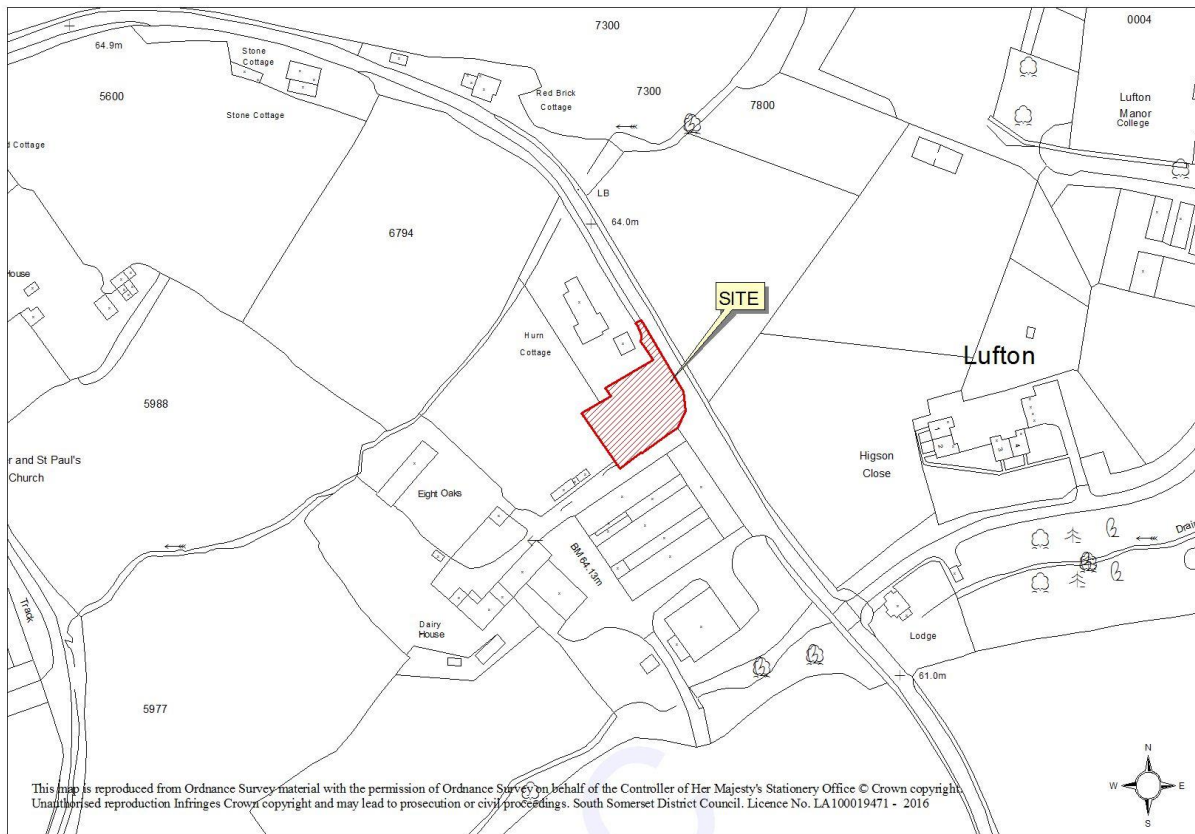
Proposal :	Outline application for the demolition of buildings and erection of dwelling
Site Address:	Land adj Hurn, Lufton Lane, Brympton
Parish:	Brympton
BRYMPTON Ward (SSDC Member)	Cllr S Lindsay Cllr P Seib
Recommending Case Officer:	Andrew Collins Tel: 01935 462276 Email: andrew.collins@southsomerset.gov.uk
Target date :	29th August 2016
Applicant :	Mr & Mrs Allen and Helen Roberts
Agent: (no agent if blank)	Clive Miller and Associates Ltd Sanderley Studio Kennel Lane Langport Somerset, TA10 9SB
Application Type :	Minor Dwellings 1-9 site less than 1ha

REFERRAL TO COMMITTEE

This application is referred to the Area South Committee at the request of the Development Manager with the agreement of the Chair due to number of other applications within Lufton Lane and for consideration of them all together.

SITE DESCRIPTION AND PROPOSAL





The site is located on Lufton Lane on the opposite side of the road to the entrance to Lufton College.

The application site is located to the southeast of the 2 storey dwelling known as Hurn. Currently on the site is an existing Dutch barn, single storey workshop, single storey store and store for logs. There is a current access onto Lufton Lane and the roadside is surrounded by a hedge.

This application seeks outline permission with all matters reserved. Reserved matters application(s) would detail access, appearance, landscaping, layout and scale. Therefore at this stage only the principle is being considered. The current buildings on site are proposed to be demolished and a dwelling erected on the site. An indicative plan shows that the existing access would be retained by Hurn to access land to the rear whilst a new access is proposed for the new dwelling. The submitted indicative plan shows the removal of the existing bank and hedge and the setting back of the access. The site would be boundary by a wall. The plans also show a dwelling in the centre of the site with an attached double garage. Parking for 3 cars is shown to the front of the dwelling.

The application is supported with a Planning Statement.

HISTORY

None of relevance to this application on the site.

However, located 80m to the South is the Lufton Key Site and the following applications are a consideration

05/00931/OUT - Housing led mixed use development to provide approx. 620 dwellings, local

neighbourhood centre and primary school site reservation on Lufton Key Site, Land West of Boundary Road - Approved - 18 May 2007.

10/01875/REM - The erection of 696 dwellings, a local neighbourhood centre incorporating retail/office space with associated highway, drainage and landscaping (Revised Scheme) - Approved - 15 March 2012.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 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.

Saved Policy of South Somerset Local Plan 1991 - 2011

KS/BRYM/1 - Land at Lufton

Under Paragraph 215 of the NPPF it is possible to save still current policies in accordance with the framework. This is such a policy and forms part of the housing commitments at Yeovil in Policy SS5.

South Somerset Local Plan (2006 - 2028)

On the 5th March 2015 this new local plan was adopted and constitutes the development plan. The most relevant policies are:-

SD1 - Sustainable Development

SS1 - Settlement Strategy

SS4 - District Wide Housing Provision

SS5 - Delivering New Housing Growth

YV1 - Urban Framework and Greenfield Housing for Yeovil

HG4 - Provision of Affordable Housing - Sites of 1 - 5 Dwellings

TA5 - Transport Impact of New Development

TA6 - Parking Standards

EQ2 - General Development

EQ4 - Biodiversity

National Planning Policy Framework

Chapter 4 - Promoting Sustainable Transport

Chapter 6 - Delivering a Wide Choice of High Quality Homes

Chapter 7 - Requiring Good Design

Chapter 11 - Conserving and Enhancing the Natural Environment

National Planning Practice Guidance

Paragraph: 031 Reference ID: 23b-031-20160519 (This follows the order of the Court of Appeal dated 13 May 2016, which give legal effect to the policy set out in the Written Ministerial Statement of 28 November 2014). This basically says that contributions should not be sought for developments less than 10 dwellings.

Other Relevant Considerations

Somerset Standing Advice

Somerset Parking Strategy

Land Supply

The Council's current position is that it does not have the required 5 year supply of housing land and as such the housing constraint part of policy (SS2 of the adopted Local Plan) is considered to be out of date. As at September 2015 it was recorded in the Five-year Housing Land Supply Update it was confirmed that the Council's supply was just over 4 years, 4 months.

CONSULTATIONS

Brympton Parish Council - *"Recommend approval of the application subject to;*

*Careful consideration of height of proposed building.
Careful consideration of materials to be used."*

County Highway Authority - Standing advice applies. However notes that part of the redline incorporates highway land.

SSDC Highways Consultant - Consider sustainability issues (transport). The traffic impact on Lufton Lane is unlikely to be significant given the traffic generation potential associated with the extant use of the buildings. The access would be significantly improved to provide visibility splays of 2.4m x 43m. Recommend conditions securing (a) visibility splays, (b) consolidation/surfacing of access for the first 6.0m, (c) access surface water drainage measures, and (d) on-site parking (and turning) in line with SPS optimum standards.

Landscape Architect - *"Noting the site to lay adjacent built form, which includes a two-storey dwelling to the immediate north; and that existing farm buildings are already present on the site, such that this proposal would be replacing built form, I have no issues with the principle of the demolition of the existing buildings, and their replacement with a dwelling."*

Ecologist - *"I've considered this application and I don't have any comments or recommendations to make."*

REPRESENTATIONS

None received

CONSIDERATIONS

Principle

The site is located outside of the urban framework for Yeovil, as defined by policy YV1. However it is located adjacent to the Lufton Key Site which has a saved policy KS/BRYM/1 and full permission has been granted for 696 dwellings.

Therefore whilst currently located in a location with limited facilities the close proximity of the Lufton Key Site is a key material consideration, whereby in the near future local facilities will be available close to the site.

It is also noted that the Council cannot currently demonstrate a 5 year supply of housing land and in balancing the material planning considerations of the application this should be given weight. The amount of weight that can be given depends on its compliance with the NPPF and the 3 tranches of sustainable development (economic, social and environmental).

Visual Impact

Currently on site is a Dutch barn and other smaller single storey outbuildings. To the north is the existing two storey dwelling and surrounding the site are large agricultural buildings. On this basis there is currently built form on the site and therefore the landscape architect does not object to the demolition of the existing buildings and their replacement with a dwelling on the site. Therefore the visual impact is considered to be accepted. It is however noted that the submitted plans are indicative as this is an outline application with all matters reserved. This plan however does show how a dwelling could potentially fit onto the site and this does not appear to be contrary to the character of the area.

Residential Amenity

This is an outline application with all matters to be considered at a later date. Therefore, whilst a plan has been submitted, this is for indicative use only. This plan however does show how a dwelling could potentially fit onto the site. Without fully worked up drawings the impact upon residential amenity cannot be properly assessed. However the indicative plan details how a dwelling could be sited on the site. This arrangement is potentially appropriate.

Highways

Access to the site is also a reserved matter. However indicative plans show a new access to the site, with the existing retained by Hurn. The plan shows a new visibility splay of 2.4m by 43m. This arrangement does however result in the removal of a single species and its replacement with a boundary wall. Improvements are also proposed to the existing access to be retained by Hurn, with the setting of a gateway 5m back from the road edge.

It is noted from the Highway Authority that part of the site within the red line is within land owned by the Highway Authority. At the front of the site is a bank with the hedge on top. This according to the highway record is the land within the highway authority's ownership. The indicative plans show that a new boundary wall would be set back behind the line of the existing bank and hedge. This arrangement accords with the details of the highways ownership and the only aspect of the development within the highways land are the visibility splays. The proposed changes to the frontage of the site would actually increase the width of the road in this location.

The Council's Highways Consultant considers that the traffic impact on Lufton Lane is unlikely to be significant given the traffic generation potential associated with the extant use of the buildings. Conditions are suggested, but it should be noted that this application is an outline application with all matters reserved including access. Therefore any such conditions could be dealt with at reserved matters stage.

The Planning Balance

The absence of a 5 year housing land supply means that in these circumstances relevant policies for the supply of housing should not be considered up-to-date according to paragraph 49 of the NPPF. Where policies are out of date paragraph 14 of the NPPF says that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. Given this, and the fact that the Framework requires Council's to boost significantly the supply of housing and meet the needs of different groups in the community, substantial weight should be placed on the provision of the proposed houses. On this basis significant weight is placed on the fact that this can be achieved without harm to the character and appearance of the area. Also that the site is located adjacent to the major key site close to accessible local facilities this meets the social role and limited

employment would be created with the construction of the dwelling albeit only a single dwelling. This would therefore meet the economic role.

Other Matters

Policies HG3 and HG4 of the adopted South Somerset Local Plan requires either on site provision of affordable housing (schemes of 6 or more units) or a financial contribution towards the provision of affordable housing elsewhere in the district. In May 2016 the Court of Appeal made a decision (Secretary of State CLG vs West Berks/Reading) that clarifies that Local Authorities should not be seeking contributions from schemes of 10 units or less. It is considered that whilst policies HG3 and HG4 are valid, the most recent legal ruling must be given significant weight and therefore the Local Planning Authority are not seeking an affordable housing obligation from this development.

Conclusion

In considering all aspects of this proposal and the above detailed planning balance it is concluded that this application is acceptable.

Accordingly the proposal is considered to comply with policies SD1, SS1, SS4, SS5, YV1 and EQ2 of the Local Plan and is as such recommended for approval.

RECOMMENDATION

Grant permission

01. The site is located adjacent to the Lufton Key Site with current built form on. In considering that the Council cannot demonstrate a five year land supply and the site not adversely affecting landscape character, visual amenity or traffic generation the principle of development on this site is accepted. Subject to detailed plans at reserved matters a suitable access can be achieved and amenity maintained. The proposal therefore complies with the aims and objectives of the NPPF and does not compromise the Council's settlement strategy as detailed in policies SD1, SS1, SS4, SS5 and YV1 of the South Somerset Local Plan (2006 - 2028).

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be carried out in accordance with the location plan shown on drawing 6591-01 received 4 July 2016.

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

02. Details of the access, scale, appearance, landscaping, and layout (herein after called the "reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Reason: As required by Section 92(2) of the Town and Country Planning Act 1990.

03. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development shall begin no later than 3 years from the date of this permission or not later than 2 years from the approval of the last "reserved matters" to be approved.

Reason: As required by Section 92(2) of the Town and Country Planning Act 1990.

04. The area allocated for parking and turning shall be kept clear of obstruction and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety and in accordance with policies TA5 and TA6 of the adopted South Somerset Local Plan (2006 - 2028).

05. 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 before the site is first brought into use and thereafter maintained at all times.

Reason: In the interests of highway safety and in accordance with policies TA5 of the adopted South Somerset Local Plan (2006 -2028).

06. There shall be no obstruction to visibility greater than 300 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 brought into use and shall thereafter be maintained at all times.

Reason: In the interests of highway safety and in accordance with policies TA5 of the adopted South Somerset Local Plan (2006 - 2028).

07. The first 6m of the accesses, when measured from the carriageway edge shall be fully consolidated in materials as detailed in the submission of any reserved matters application.

Reason: To avoid loose material going onto the highway in the interests of highway safety in accordance with Policy TA5 of the adopted South Somerset Local Plan (2006 - 2028).