

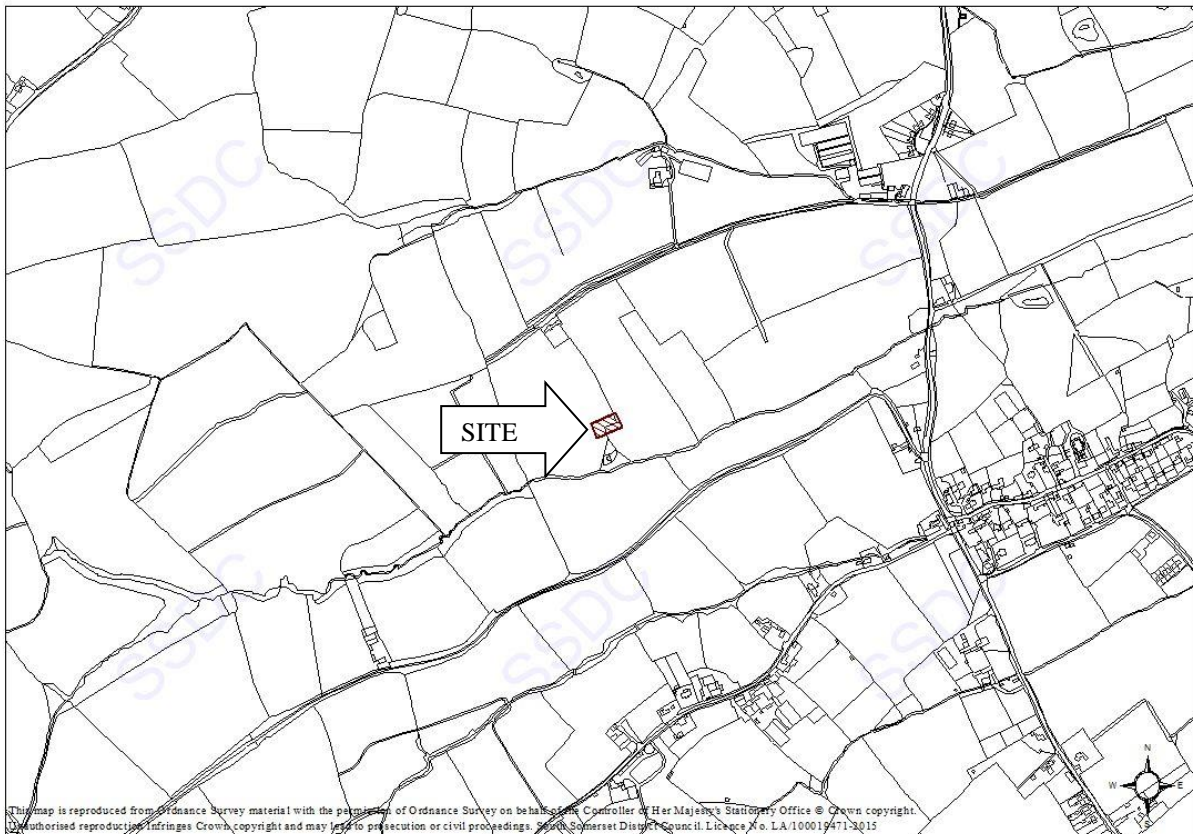
## Officer Report On Planning Application: 16/02788/FUL

<b>Proposal :</b>	Erect Treehouse around an Oak tree for ancillary residential use in connection with Little Cheriton House or for holiday letting purposes.
<b>Site Address:</b>	Land To The South Of 1 Wood Lane Wood Lane South Cheriton
<b>Parish:</b>	Horsington
<b>BLACKMOOR VALE Ward (SSDC Member)</b>	Cllr Tim Inglefield Cllr William Wallace
<b>Recommending Case Officer:</b>	Lee Walton Tel: (01935) 462324 Email: lee.walton@southsomerset.gov.uk
<b>Target date :</b>	25th August 2016
<b>Applicant :</b>	Mr & Mrs J Burney
<b>Agent: (no agent if blank)</b>	Mrs Janet Montgomery Wessex House High Street Gillingham SP8 4AG
<b>Application Type :</b>	Minor Dwellings 1-9 site less than 1ha

### REASON FOR REFERRAL TO COMMITTEE

This application is referred to the committee at the request of the Ward Members with the agreement of the Area Chairman to enable the comments of the to be fully debated.

### SITE DESCRIPTION AND PROPOSAL





The application site is located in the countryside beyond development limits, south of Little Cheriton House and beyond its garden curtilage.

The proposal seeks the erection of a tree house constructed around an oak tree for ancillary residential use in connection with Little Cheriton House or for holiday letting purposes.

The application is supported by a Planning Design and Access Statement, Arboricultural Report and Tree Bat Survey.

## RELEVANT HISTORY

None

## POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF state that applications are to be 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).

Policies of the South Somerset Local Plan (2006-2028)

- SD1 - Sustainable Development
- SS1 - Settlement Strategy
- SS2 - Development in Rural Settlements

EP8 - New and Enhanced Tourist Facilities  
TA5 - Transport Impact of New Development  
TA6 - Parking Standards  
EQ2 - General development  
EQ4 - Biodiversity

Regard shall also be had to:

National Planning Policy Framework (March 2012):  
Chapter 3 Supporting a Prosperous Rural Economy  
Chapter 4 - Promoting sustainable transport  
Chapter 7 - Requiring Good Design  
Chapter 8 - Promoting Healthy Communities  
Chapter 11 - Conserving and Enhancing the Natural Environment

National Planning Policy Guidance

Other Relevant Documents

Somerset County Council Parking Strategy, adopted March 2012 and re-adopted September 2012 following corrections made.

Somerset Highways Standing Advice - June 2015.

## **CONSULTATIONS**

**Horsington Parish Council** - supports this application. They did question if there would any letting restrictions placed on the building so it could not be permanently inhabited?

**County Highways** - standing advice applies.

**SSDC Highway Consultant** - No highway issues as ancillary residential use. If used as holiday accommodation, consider sustainability issues (transport). The traffic impact on Wood Lane may not be significant. However, an assessment of the junction of Wood Lane with the A357 should be undertaken in respect of the extent of visibility splays available at the junction. No issue with the proposed means of access from Wood Lane into the site on the basis that it does not appear Wood Lane is a classified road. On-site parking needs to be in line with SPS optimum standards.

**SSDC Landscape Architect** - the application site lies within a rural valley that has witnessed little change, the pattern of fields remain as indicated on the historic maps (1832 tithe) whilst the adjacent ancient woodlands to the west will be at least 400 years old, and there is minimal residential presence in the immediate area, the host property to the north by Wood Lane being the notable exception. The introduction of a contemporary styled tree house - a residential form - into this rural field, where there is no built presence to which it relates and where the historical landscape record is relatively intact, can be regarded as incongruous; at variance with local character; and an erosion of the highly distinctive historic landscape. The addition of a track (of which I can see no detail of its construction) and its associated vehicular movement will further this adverse impact, which I consider to be at variance with the objectives of LP policy EQ2, thus providing landscape grounds for objection.

**SSDC Tree Officer** - I have concerns regarding the requirement for below-ground services, e.g. water and electricity. This is potentially the most damaging of all the construction activities required and the design ought to avoid or minimise the requirement for cross-radial trenching. The installation of the screw piles ought not to be problematic.

I quite agree with the recommended installation of a 100 mm depth of wood-chip within the Root Protection Area of the Oak. In addition to this, some ground protection boarding (plywood sheets, pinned into place with steel pins) laid on top of the mulch would significantly increase its effectiveness.

However, the tree is one amongst several located within a discreet location. It seems unlikely that the owners would allow significant damage to occur to the very centre-piece of the project. For this reason, I do not consider that imposing a tree protection condition is necessary. The proposed access route for the driveway

**SSDC Ecologist** - I don't have any comments nor recommendations to make.

## **CONSIDERATIONS**

### **Principle of development**

The countryside location removed from nearby built form does not support the proposal. Used ancillary to the applicant's dwelling the site is unrelated to a garden curtilage area, while as a holiday let the location, again, is poorly related and represents an unsustainable location. There is not any justification for the proposed development in this location that brings domestic presence onto the land and in consequence there can be no support in principle. Accordingly there is the need to consider any material considerations that include character and appearance, highway safety and the impact on the well-being of the tree.

### **Character and Appearance**

The Landscape Architect's response is given in full above and notes the location and lack of more recent development within the immediate location. The tree forms part of the wider rural landscape and the site is removed from the applicant's house and the land does not form part of a garden curtilage. The Landscape Architect considers that the proposal has an adverse impact in terms of character and appearance and would be contrary to Policy EQ2.

### **Highway Safety**

In considering the holiday let element there is a need to secure appropriate visibility off site with Wood lane's access to the main road, which was viewed on leaving the site visit having cut back verges.

### **Impact on the tree**

The Tree officer's view is that given the tree is a central feature of the project its long term well-being would be a consideration for the applicant in developing the site. If supported there would be the need to secure further detail for the access track and its impact on the hedgerow roots, as well as in the vicinity of the tree. Likewise details of service provision would need to be detailed.

### **Other Matters**

The Parish Council have referred to any permission including a letting restriction. In dealing with a holiday let this can be conditioned subject to all other planning considerations being supportive of the proposal.

The applicant has also forwarded two letters in support of the proposal that considers there is demand for the type of facility proposed and that visitors will utilise local pubs. Notwithstanding such support there is a range of holiday accommodation in the locality that serves a variety of needs without specifically the specific presence of having a built structure otherwise isolated and set adrift in the middle of agricultural farm land.

## **RECOMMENDATION**

Refuse

**SUBJECT TO THE FOLLOWING:**

01. The proposal by virtue of its location in open countryside, for which an overriding essential need has not been justified, is remote from local services and therefore constitutes unsustainable development that is contrary to policies SD1, SS1, SS2 and EP8 of the South Somerset Local Plan (2006-2028) and to the aims and objectives of the National Planning Policy Framework.
02. The residential form present in this rural field, where there is no built presence to which it relates and where the historical landscape record is relatively intact, is regarded as incongruous; at variance with local character; and an erosion of the highly distinctive historic landscape. The addition of a track and its associated vehicular movement will further this adverse impact, which is at variance with the objectives of Policy EQ2 of the South Somerset Local Plan 2006- 2028.

**Informatives:**

01. In accordance with paragraphs 186 and 187 of the NPPF the council, as local planning authority, takes a positive and proactive approach to development proposals focused on solutions. The council works with applicants/agents in a positive and proactive manner by;
  - offering a pre-application advice service, and
  - as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions

In this case, the applicant/agent did not take the opportunity to enter into pre-application discussions.