

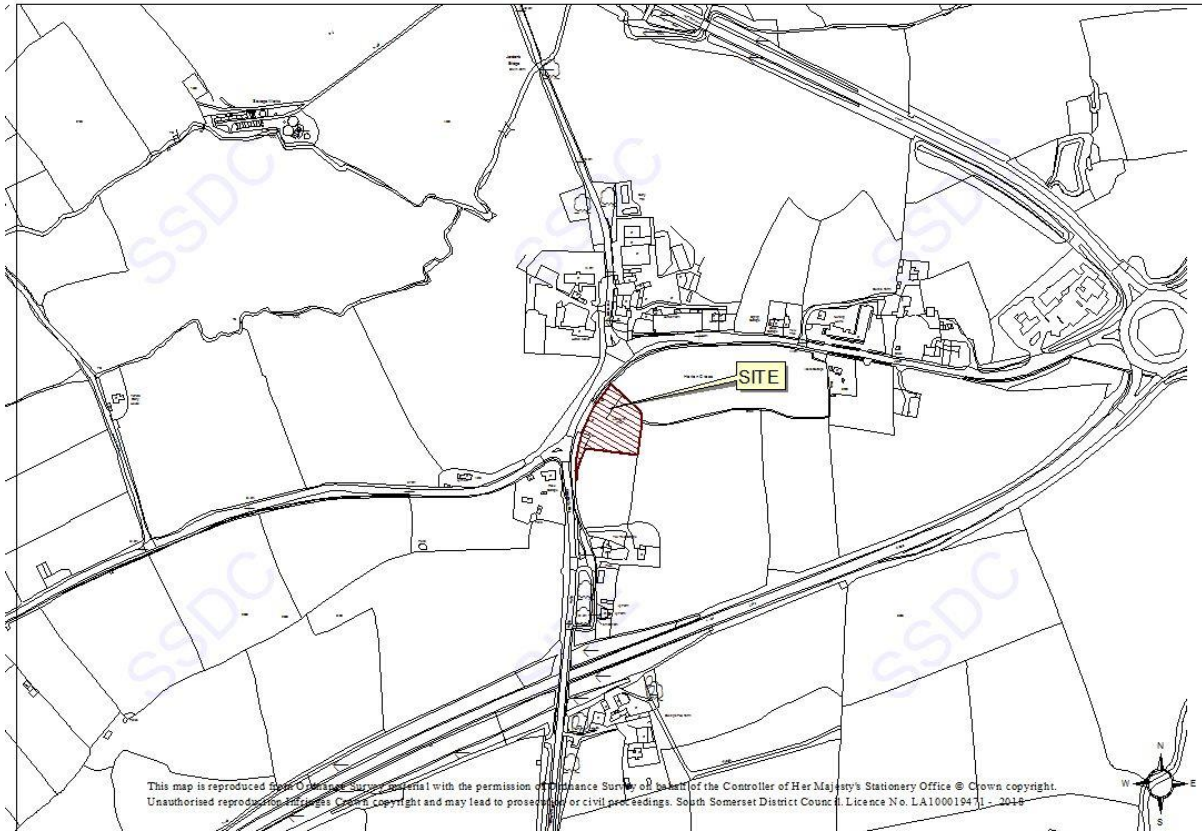
Officer Report On Planning Application: 17/03409/OUT

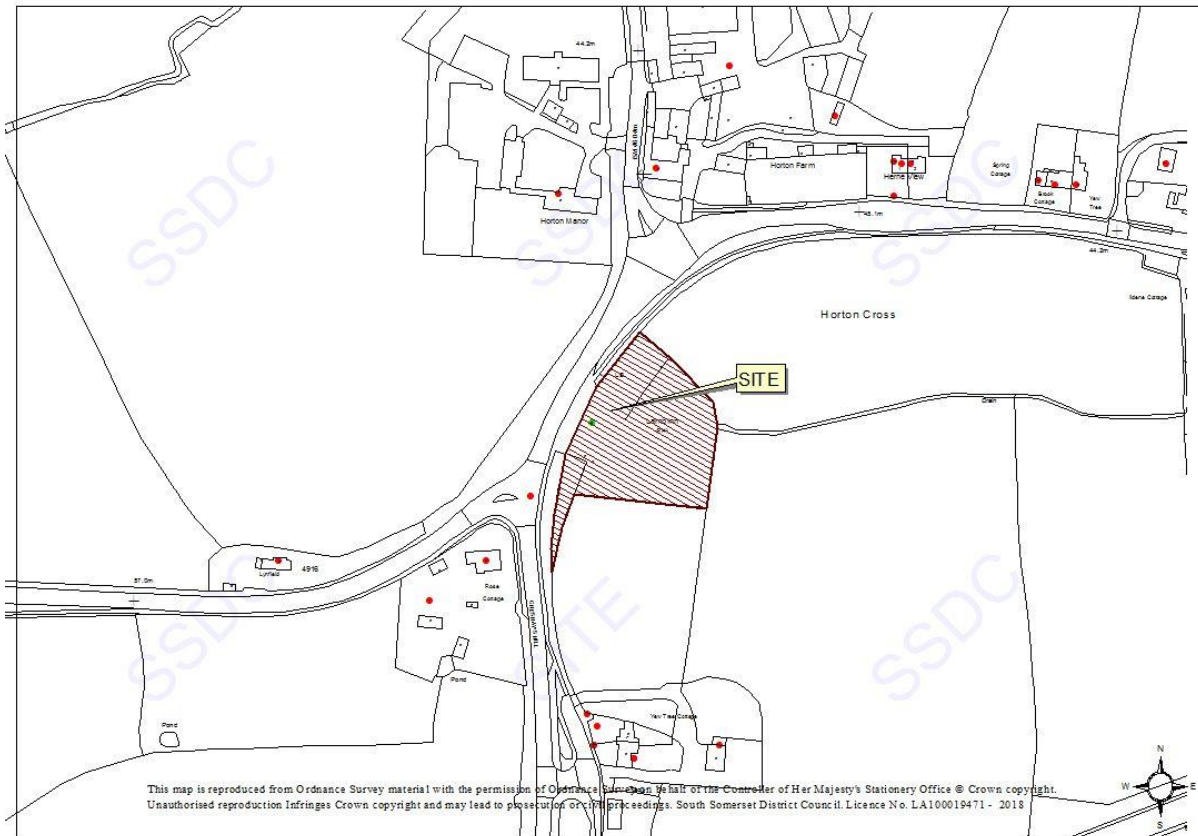
Proposal :	Erection of 24 bed residential home and formation of new vehicular access (outline)
Site Address:	Lamb Inn Horton Cross Iminster
Parish:	Horton
NEROCHE Ward (SSDC Member)	Cllr Linda Piggot-Vijeh
Recommending Case Officer:	Andrew Gunn Tel: (01935) 462192 Email: andrew.gunn@southsomerset.gov.uk
Target date :	6th November 2017
Applicant :	Mr Chris Churchill
Agent: (no agent if blank)	Mr Robin Bryer Princes Place Closworth Yeovil BA22 9RH
Application Type :	Major Other f/space 1,000 sq.m or 1 ha+

REASON FOR REFERRAL TO COMMITTEE

The ward member with the agreement of the Chair has requested that this application is referred to committee to enable full consideration be given to the location of the proposed development and its proximity to other services and facilities.

SITE DESCRIPTION





The site is located on the eastern side of the A358, on land once occupied by the Lamb Inn. It is located approximately 600 metres to its junction with the A303. It is currently a redundant site, largely comprising vegetation with an earth mound and hardstanding associated with its former use. There are a small number of dwellings, commercial uses and a nursing home within the vicinity of the site along the A358.

PROPOSAL

The application seeks outline consent for the erection of a 24no.bed care home. Access, appearance and scale is sought for approval at this stage. The site was occupied by the Lamb Inn but was demolished a few years ago. Planning permission has previously been granted for a replacement public house with letting rooms (2000 and 2007) and a more recent approval for the erection of a residential care home (2008). None of those permissions were ever implemented and the planning consents have now lapsed. As advised, the former pub has been demolished but none of the pre-commencement conditions were discharged. On this basis, there is no extant permission for any of the previous planning approvals.

This current proposal seeks consent for the same scheme approved in 2008 for a care home. The care home would mainly be a 2 storey building with some single storey elements and constructed from reconstructed stone with a tiled roof. There would be 24 en-suite rooms with a dining area and store rooms. Vehicular and pedestrian access would be gained from the A358 on the western side of the site. An existing footpath runs along outside of the site with a bus stop on the A358 to the north of the site.

HISTORY

Relevant history:

08/03199/OUT - The erection of a residential care home (use class C2) - Approved 2009.

Demolition of existing public house and the erection of a replacement with 14 letting rooms (resubmission of 00/00704/FUL). Approved 2008. The original scheme was approved in 2000.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S54A of the Town and Country Planning Act 1990 and requires that decision must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise,

Relevant Development Plan Documents

South Somerset Local Plan (Adopted 2015)

SD1 - Sustainable Development

SS2 - Development in Rural Settlements

HG6 - Care Homes and Specialist Accommodation

TA5 - Transport Impact of New Development

TA6 - Parking Standards

EQ2 - General Development

NPPF

Core Planning Policy Principles

Chapter 6 - Delivering a wide choice of high quality homes

Chapter 7 - Requiring Good Design

Somerset County Council Adopted Parking Standards

CONSULTATIONS

Horton Parish Council:

Discussions were held and concerns were raised over the safety of the access when entering and exiting the proposed site due to the speed of vehicles travelling on the main road. However, the Parish Council unanimously support the application.

Landscape Officer:

As I understand it, the proposal is effectively the same as that we considered in 2008, where I noted that the proposed building and car parking arrangement was of a comparable scale to that of an earlier consent for a new pub, which had been deemed acceptable from a landscape standpoint on the basis that a disused public house was then still standing on the site. On that basis I raised no objection to the principle of a care building, of the general scale of that earlier consent. If the current application is to be considered on the basis of this planning history, then I have no further comments on the principle of (re)development. However, I am not persuaded that the design is context-appropriate, particularly relative to building height; gable width; and dormer scale, all of which are too bulky - if this proposal is to go forward, then it would be better that scale and appearance are dropped for reserved matters consideration, and this outline relates to principle and access only.

I am aware however, that the site no longer has any standing structures upon it, and is part scrub/part unmanaged grassland, with agricultural fields abutting it to 3 sides. If there is no valid consent now attached to this site, then given the rural context, and agrarian surround, and noting my reservations of potential scale and appearance as set out above, then there is a landscape case against the development of a large-scale building structure with its associated hardstanding areas, which as currently proposed, would not reinforce local distinctiveness, nor respect local character, as required by LP policy EQ2.

Ecology:

Large areas of scrub are developing upon the site, consisting predominantly of large patches of bramble, scattered buddleia, and sapling trees such as ash. There are also small areas of rough grass, rabbit grazed turf and ruderal vegetation. There are scattered small evergreen trees and fruit trees. There is at least one large pile of rubble. A tall native species hedge borders the southern third of the road boundary. The dense scrub hindered access to a lot of the site.

Adjoining land is principally agricultural fields and a main road (A358).

Legally protected species

Further consideration should be given to the following legally protected species:

- Badger - possible signs of badger foraging were noted on site.
- Reptiles - the site contains suitable habitat and features that could support common reptile species (e.g. slow worm, common lizard).
- Nesting birds - the site includes extensive areas of bramble scrub that are very likely to be used for nesting.

The above are very unlikely to be of significant conservation importance beyond the site/neighbourhood level and hence not a constraint to the principle of development. Due to the context of the site, and being part of a relatively limited parcel of fields bounded by major roads, I consider it unlikely that there'll be other species of conservation significance (e.g. European Protected Species) present and significantly affected by the proposed development.

I hence have no objection but recommend a condition on any outline consent.

Conservation Officer:

Agree with the comments of Robert Archer (Landscape Officer)

Highway Authority:

I am aware that there have been a significant number of applications on this site previously which have ranged from a 24 residential home with office space to additional accommodation when the Lamb Inn was situated on the site. The Highway Authority did not raise an objection to these and this must be considered as part of the Highway Authority's response.

The previous applications considered the level of vehicle movements and the Highway Authority did not raise an objection to the associated level of vehicle movements nor the proposed access.

The application has provided a drawing showing the proposed access arrangement onto Cheshay's Hill. It should be noted that Cheshay's Hill is a classified, de-restricted road, however, due to the bend in the road vehicle speeds are reduced and from my onsite observations vehicle speeds were approximately 40mph. Taking this into account and using Manual for Streets 2 (MfS2) as the appropriate guidance in this instance, the required visibility would be 2.4x100 metres.

As mentioned, Cheshay's Hill is a classified road and as such the applicant would need to ensure that vehicles leaving the site are able to do so in a forward gear to avoid any potential highway safety concerns.

The applicant would need to ensure that the access is constructed with a fully consolidated surface i.e. no loose stone to help prevent any loose material being deposited onto the Highway which will help to prevent a potential highway safety concern. The applicant should also note that in order to secure the works they will need to enter into a suitable legal agreement with the Highway Authority.

There would appear to be sufficient space within the junction to allow for two vehicles to pass one another at the point of access, which would help to reduce the time vehicles spend waiting to turn into the site, which would help to reduce the potential for a highway safety concern. The internal road leads to the parking area which would appear to have a turning head. It is imperative that all vehicles are able to leave the site in a forward gear, ergo, the turning head would need to be kept clear on any obstruction.

The applicant must ensure that the parking internally is in accordance with the Somerset Parking Strategy (SPS). When looking at the application form, the proposal is to provide a total of 28 parking spaces. When looking at the SPS, the development is located within Zone C and the amount set out appears to exceed the SPS.

It should also be noted that it is an offence under the Highways Act (1980) for water and or detritus to be discharged onto the highway. The applicant must ensure that under no circumstance is water to be discharged onto the highway. The applicant must also not assume that connection to any highway drains can be guaranteed and nor should any soakaways be located within 5 metres of the highway.

The Highway Authority does not wish to raise an objection to the application, however, it should be noted that through the various planning applications, the Highway Authority have not raised an objection. Taking the information provided and the previous planning applications, there is no objection from the Highway Authority and I would recommend that the following conditions are imposed:

Officer comment: 3 conditions are recommended in regard to parking, visibility and highway works.

Highways England

We have been consulted on an outline planning application comprising the erection of a 24 bed residential home and formation of a new vehicular access.

It should be noted than no Transport Statement (TS) or Transport Assessment (TA) has been submitted in support of the application. A Design and Access Statement (DAS) has however been submitted. Traffic generated by the proposed development has the potential to impact on the safe and efficient operation of the SRN, namely the A303 at its junction with the A358.

The DAS references a planning application submitted in 2008 which was granted at the same site for a similar scheme as that currently being applied for. This comprised 'a 24 bed residential care home along with a B1 (office) usage element'.

Whilst the DAS submitted in support of the 2008 application does reference an employment element, the 2008 application itself does not. However, it is this document which has been submitted unchanged, in support of the current development proposals.

The proposals will involve the creation of a residential home with 24 en-suite bedrooms. The development will also include a dining area and store room. This is unchanged in the current application. Access to the site is not directly onto the SRN, but instead will be from the existing access point off Cheshay's Hill.

As stated previously, no TS or TA have been submitted in support of the planning application. Consequently, no assessment regarding the number of trips generated by the proposed development or where these trips will be distributed has been undertaken.

We have undertaken an independent trip generation exercise using the TRICS database. Results from this exercise calculate that the proposed development will generate an extra vehicle every 30 minutes in both the AM and PM peak hour

We do not consider that this level of traffic generation will have a material impact on the safe and

efficient operation of the SRN, namely the A303/A358 junction.

Highways England does not consider that the proposed development will have a material impact on the operation of the SRN and as such, we have no objections to this planning application.

Police Architectural officer:

No boundary treatment shown at this stage - may be significant as Design and Access Statement states dementia patients being cared for.

Wessex Water:

No objection. They have provided advice in regard to water supply connections.

Archaeology:

No objections on archaeological grounds.

REPRESENTATIONS

No letters/emails received.

CONSIDERATIONS

Principle of development:

The site is located in the countryside, and whilst accepting that there is some development in the vicinity of the site, it is distant from the nearest main settlements. Horton is around 1.5 km away and 2km from the centre of Ilminster. On this basis, the site is not located in a sustainable location. There is a bus stop located close to the site entrance. However, this only provides a very limited service. The nature of the use would very likely result in care home staff, medical related visitors and relatives to travel by car to the site. Policy HG6 of the South Somerset Local Plan requires clear justification for the provision of care homes in the countryside. This has not been provided in this case. On this basis, it is not considered that the principle of development is acceptable and would be contrary to national and local policies that seek to secure sustainable forms of development.

Previous history / Previously developed land:

The Lamb Inn previously occupied the site but was demolished a number of years ago. Two applications for a replacement pub with letting rooms along with a later application for a care home (identical to the current application), have been approved on this site. However, as advised above, none of those permissions were ever implemented and the planning consents have now lapsed. The pub was demolished but none of the pre-commencement conditions were discharged. On this basis, there is no extant permission for any of the previous planning approvals.

It is important to note that an important consideration in regard to the previous approvals was that there was either an existing building on site i.e. the Public house or there were extant permissions for development. However, at the current time, there are no extant permissions and the Pub has long since been demolished. Moreover, whilst the site has had a previous use and it is accepted that government policy seeks the reuse of previously developed land, this still needs to be balanced against the location of the site and the overarching aim to provide sustainable forms of development. The former use of the site does have some weight in the overall decision making process, however, it does not outweigh the unsustainable location of the site.

Landscape Impact and Design

The proposed care home is the same design as approved in 2009. No objection was raised then to its design and landscape impact having taken into account the form of the pub. However, as outlined above, there is no extant permission and there are no structures remaining on site. Hence, we are starting with a fresh palette. On this basis, the Landscape Officer has raised an objection to the design, in particular the bulky form of the care home. Without any extant permission, it is considered that a better design can be achieved. As it currently stands, the appearance of the proposal is not acceptable and

would harm the character and appearance of the area, thus it does not accord with Policy EQ2.

Highways/parking

The proposal would be accessed from the A358. No highway objection has been raised to the access arrangements or to the wider highway impact by either the Highway Authority or Highways England. The proposal would not generate significant levels of traffic that would result in a severe impact on the local highway network. The applicant has control of the land either side of the proposed access and thus appropriate levels of visibility can be achieved. In regard to parking provision, the scheme shows provision above the recommended standard. However, given the location of the site and nature of the use, it is considered appropriate to slightly over than under provide.

Setting of Listed Buildings

Horton Manor and Horton Cross Farmhouse are located to the north of the site on the opposite side of the A358. Both are listed buildings and their curtilage extends to the road. The Conservation officer has not objected to the scheme in terms of the harmful impact to the setting of the listed buildings although concurred with the Landscape officer's comments. Given the distance between these and the application site, it is not considered that the setting of the listed buildings would be harmed.

Pre-app advice

No pre-application advice was sought on this proposal. Advice was sought by a different agent in respect of a proposed residential housing scheme on the site. The advice given was that it was unlikely to receive officer support due to the unsustainable location of the site.

SECTION 106 PLANNING OBLIGATION

Not applicable to this application.

RECOMMENDATION

Refuse Permission.

FOR THE FOLLOWING REASON(S)

01. The proposed development by reason of its countryside location, distant from the nearest settlement with limited public transport provision and without clear justification would result in an unsustainable form of development contrary to Policies SD1, HG6 and TA5 of the South Somerset Local Plan.

02. The proposed development by reason of its bulky scale and appearance would not respect the local character and appearance of the rural area, contrary to Policy EQ2 of the South Somerset Local Plan.
