

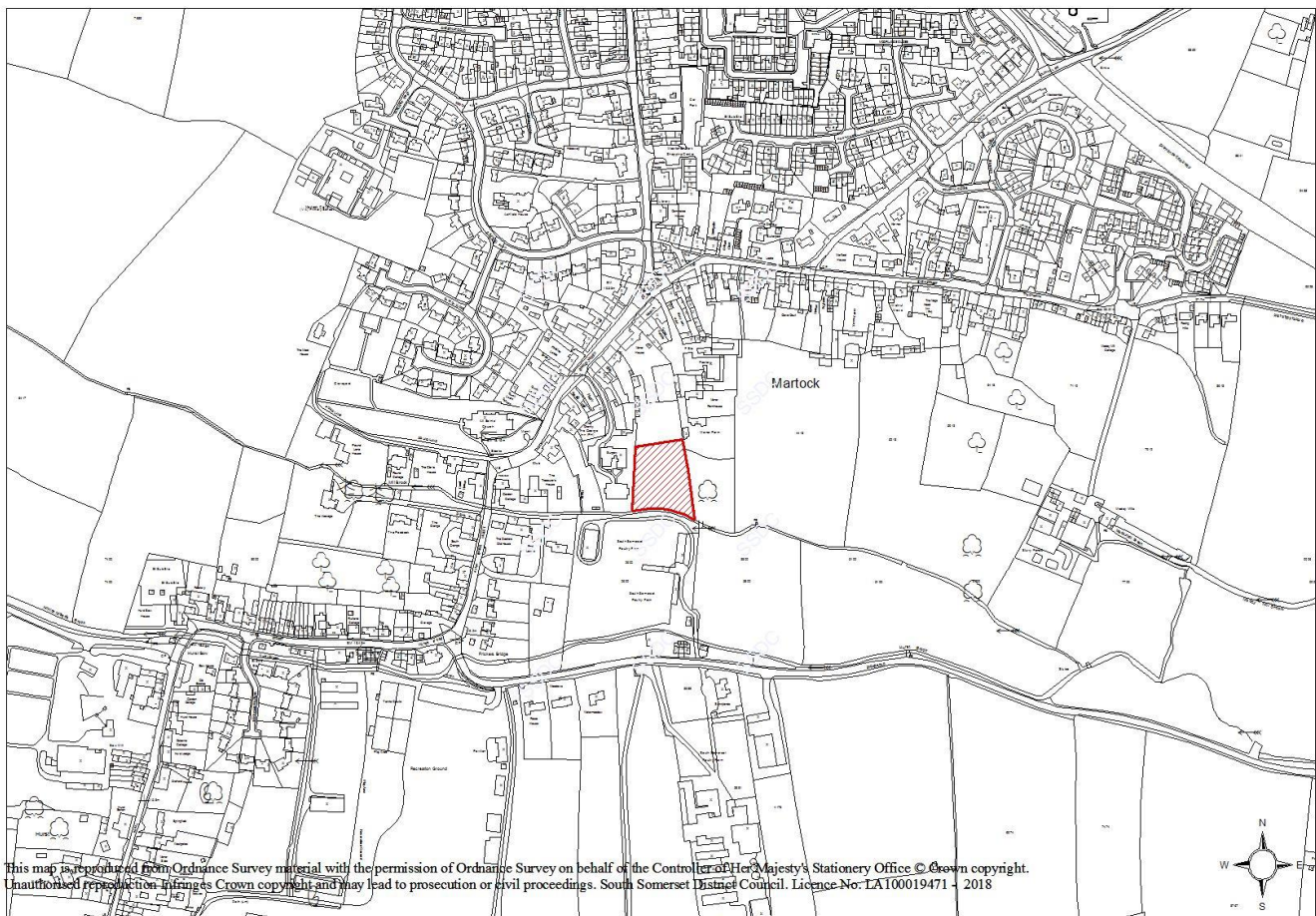
## Officer Report On Planning Application: 18/00143/OUT

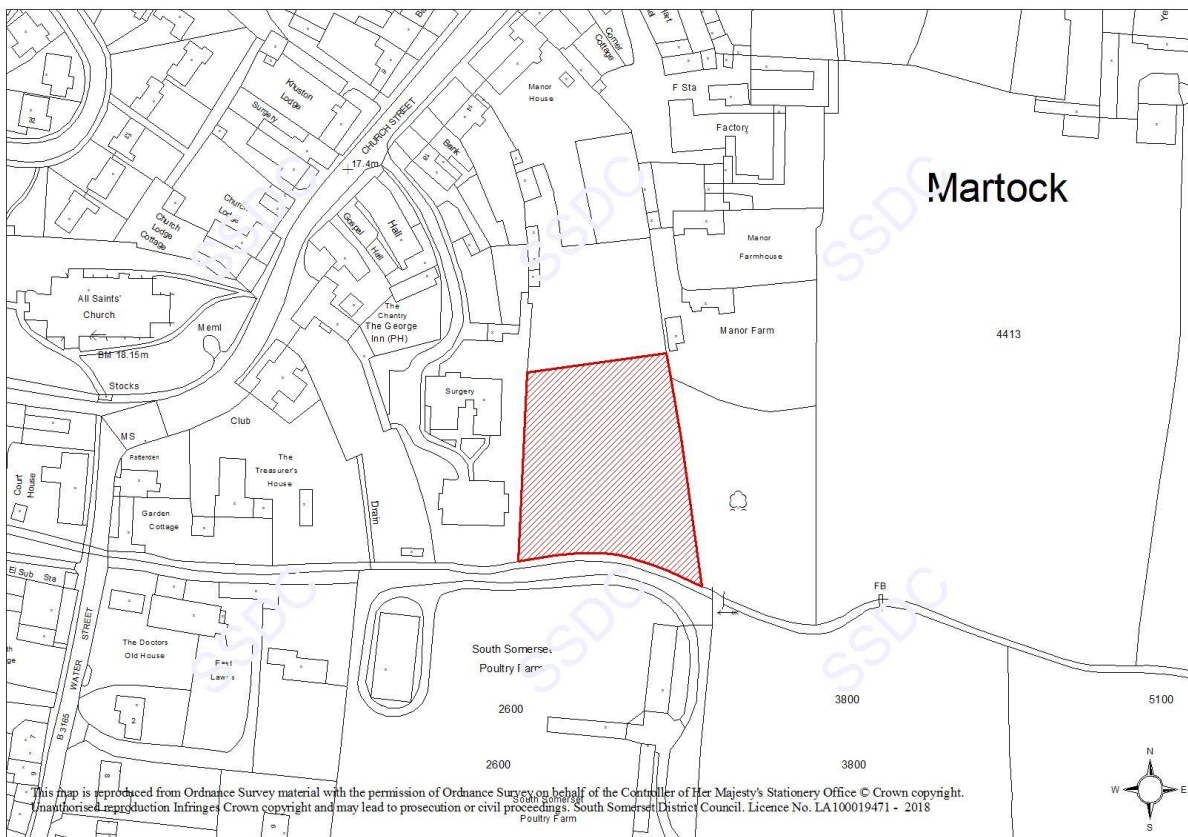
<b>Proposal :</b>	The erection of a single dwellinghouse (Outline application with all matters reserved)
<b>Site Address:</b>	Land Rear Of Manor House, Church Street, Martock.
<b>Parish:</b>	Martock
<b>MARTOCK Ward (SSDC Members)</b>	Cllr N Bloomfield Cllr G Middleton
<b>Recommending Case Officer:</b>	John Millar Tel: (01935) 462465 Email: john.millar@southsomerset.gov.uk
<b>Target date :</b>	12th March 2018 31 <sup>st</sup> July 2018
<b>Applicant :</b>	Mr John Williams
<b>Agent: (no agent if blank)</b>	Mr Steven Briggs, Barnwell, Barn Street, Crewkerne TA18 8BP
<b>Application Type :</b>	Minor Dwellings 1-9 site less than 1ha

### REASON FOR REFERRAL TO COMMITTEE

This application is referred to committee at request of the Ward Members with the agreement of the Vice Chair to enable the issues raised to be fully debated by Members.

### SITE DESCRIPTION AND PROPOSAL





The site is located outside the defined development area and the conservation area immediately south-east of the centre of the village. The land is to the rear of the development along the south side of Church Street, forming part of the land associated with the Manor House. It comprises a long driveway taking access directly onto Church Street, leading to an open piece of garden land. The driveway passes the Manor House at its entrance, then a converted stone cottage building - former stables for the Manor House.

The driveway then also passes a new dwellinghouse on former garden land of the Manor House - approved in 2015 (15/01533/FUL) - the site of which forms the northern boundary of the application site.

Outline permission is sought for the erection of a single dwellinghouse.

## HISTORY

16/03590/S73 - Application to vary condition 1 (approved plans) of planning approval 16/01498/FUL to allow the substitution of plans (minor material amendments) - permitted with conditions

16/01498/FUL - Erection of new detached dwelling and garage - permitted with conditions

15/01533/FUL - Conversion of existing stable building to a dwelling, construction of a new detached dwelling and replacement garage and construction of new garage for Manor House - Permitted with conditions

15/01534/LBC - Conversion of existing stable building to a dwelling, construction of a new detached dwelling and replacement garage and construction of new garage for Manor House - permitted with conditions

07/02955/FUL - Demolition of an existing lean-to store and timber garage and the erection of a 5 car garage - permitted with conditions

07/02957/LBC - Demolition of an existing lean-to store and timber garage and the erection of a 5 car garage - permitted with conditions

## **POLICY**

The South Somerset Local Plan (2006 - 2028) was adopted on the 5th March 2015. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) and Section 70(2) of the Town and Country Planning Act 1990 (as amended), the adopted local plan now forms part of the development plan. As such, decisions on the award of planning permission should be made in accordance with this development plan, unless material considerations indicate otherwise. Legislation and national policy are clear that the starting point for decision-making is the development plan, where development that accords with an up-to-date local plan should be approved, and proposed development that conflicts should be refused, unless other material considerations indicate otherwise.

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

SD1	Sustainable Development
SS1	Settlement Strategy
SS4	District Wide Housing Provision
SS5	Delivering New Housing Growth
EQ1	Addressing Climate Change in South Somerset
EQ2	General Development
EQ3	Historic Environment
EQ4	Biodiversity

### **National Planning Policy Framework (March 2012)**

**National Planning Practice Guidance** - Department of Communities and Local Government, 2014.

### **Policy-related Material Considerations**

Somerset County Council Parking Strategy, March 2012 and September 2013.  
Somerset County Council Highways Standing Advice, June 2013.

## **CONSULTATIONS**

**Parish Council:** *After consideration it was proposed and agreed to recommend refusal of this application on the following planning grounds:*

- 1. That the development will have an adverse effect on local bio-diversity, particularly the pond and mill stream, in contravention of Policy EQ4.*
- 2. That the size of the proposed building, its layout and siting, both in itself and in relation to adjoining buildings, spaces and views, is inappropriate and unsympathetic to the appearance and character of the local environment.*
- 3. That the development adversely effects the setting of a listed Manor House in contravention of Policy EQ3.*
- 4. The site access proposals are not in accordance with acceptable standards and would lead to potential safety hazards.*

**Highways Authority:** Standing advice applies. However, email pre-application advice was offered to the applicant noting that the increase in use of the access is not likely to have a detrimental impact on the highway.

**SSDC Highway Consultant:** The email from the Highways Officer in response to pre-application enquiry is noted, and would appear to support the proposal. No objection is raised, subject to on-site parking and turning being secured by condition.

**SSDC Landscape Officer:** *The proposal site lays alongside the conservation area boundary, to bring a sensitivity to this site. It is bounded by development on two sides, yet adjacent farmland to the south on the opposite side of the Hurst Brook, which forms the plot's southern boundary. I recollect from an earlier visit to the site that whilst it lays at the edge of the settlement, it is well contained visually, courtesy of a surround of predominantly juvenile broadleaf plantings, and has a credible relationship with built form, for the principle of development to be acceptable in landscape terms where:*

- *a single dwelling only is sought;*
- *the dwelling is located to the north side of the plot, to better relate to the existing housing pattern, and to maximise open space to the south;*
- *the existing tree cover will be retained and suitably managed to perpetuate the woody feature, and;*
- *the scale of the proposal is restrained.*

*The proposal before us satisfies those objectives in most part, sufficient for an outline consent. Management prescriptions are offered which advises a mix of coppicing and restocking to ensure longevity of the woody belt, and with some limitation on the species utilised for restocking, to ensure coherence - primarily stick with hazel; field maple; privet and hawthorn within the tree belt ( there is no restriction on garden shrub species on the inner face of the belt, consistent with a residential setting) - then this approach is satisfactory. I am however, not entirely persuaded by the sketch of the potential house design, which is over-elaborate and a little over-scaled. Providing any potential approval is not tied to the sketch, then I have no further landscape issues to raise.*

**SSDC Conservation Officer:** *I agree with the comments of [the Landscape Officer] with regard to the wider setting of the conservation area and the setting of the listed buildings.*

*I note that means of access is reserved and I have a great deal of concern with regard to the setting of the listed buildings and the conservation area if any alterations to the access are proposed beyond the strict curtilage of this new dwelling.*

**SSDC Tree Officer:** *The young trees shown to be retained, surround the proposed dwelling and ought to provide effective screening of built-form, well into the future. The trees are not located within the Conservation Area, so if consent is to be granted; it would seem prudent to ensure that they are well looked after during the construction phase. No objection.*

**SSDC Ecologist:** *No objection is raised. Comprehensive consideration was given to the submitted ecological assessment. The only possible shortfall identified was in the matter of the possible presence of Great Crested Newts, and further survey work was requested for that purpose. In response to the further survey work the following comment has been received:*

*I'm satisfied that adequate survey has now been undertaken for great crested newt. The results indicate either absence, or presence at only very low levels below the limits of detection. Either way, I don't consider there's justification for any further consideration or measures for great crested newt.*

**Parrett Internal Drainage Board:** *No objection, subject to condition.*

**County Archaeologist:** *The site lies on the edge of the Martock Area of High Archaeological Potential, within an area thought to have once formed part of the medieval village. It is therefore possible that heritage assets associated with the earlier development of the village may be affected by this proposal.*

*For this reason I recommend that the applicant be required to provide archaeological monitoring of the development and a report on any discoveries made as indicated in the National Planning Policy Framework (Paragraph 141). This should be secured by the use of ...conditions attached to any permission granted.*

## REPRESENTATIONS

Six letters of objection have been received, making the following main points:

- the proposal raises highway safety concerns, including safety along the extended driveway
- there would be harm to residential amenity from additional traffic passing existing dwellings
- trees are at risk or have been removed on the site
- there would be ecological harm to the site, particularly the possibility of harm to newts in the pond on site, and the wider ecology of the village
- there will be noise, dust and other disruptions from construction works and traffic
- the setting of listed buildings would be harmed
- the proposal is within the curtilage of a listed building and listed building consent should be sought
- previous applications in this part of the village have been refused or justified for important social functions
- there is risk of flooding
- the development is harmful to the landscape setting
- the development is of an unacceptable scale
- there is an overlap of this site (red line area) with the approved development to the north
- the proposal is backland or tandem development
- an outline application is not appropriate

## CONSIDERATIONS

### Principle of Development

Martock is identified as a Rural Centre in the Local Plan, a settlement 'with a local service role where provision for development will be made that meets local housing need, extends local services and supports economic activity appropriate to the scale of the settlement' (Policy SS1 of the Local Plan).

The application is for a single dwelling on a site adjacent to, and accessed via, the development area of a Rural Centre. Policy SS5 of the Local Plan allows a 'permissive approach' to be taken in respect of new development under these circumstances:

*Prior to the adoption of the Site Allocations Development Plan Document, a permissive approach will be taken when considering housing proposals in Yeovil (via the SUEs), and 'directions of growth' at the Market Towns. The overall scale of growth (set out below) and the wider policy framework will be key considerations in taking this approach, with the emphasis upon maintaining the established settlement hierarchy and ensuring sustainable levels of growth for all settlements. The same key considerations should also apply when considering housing proposals adjacent to the development area at Crewkerne, Wincanton and the Rural Centres.*

The Council remains unable to demonstrate an adequate 5-year supply of housing land, as required by the NPPF; and the current provision of new housing within the settlement is below the aspirational figure of 230 dwellings for the plan policy period.

Subject to assessment of the various impacts and material considerations, the principle of development of a single dwelling is accepted.

## **Visual and Landscape Impact**

The Council's Landscape Officer has set out a clear assessment of the setting and the impact of the proposal on that setting. It is not considered that there is any landscape or visual harm resulting from a single dwelling on this sizeable site that would indicate a refusal of the application.

## **Impact on Conservation Area and Listed Buildings**

The site is outside of the conservation area. However, as pointed out by the Landscape Officer (a view endorsed by the Conservation Officer) the site is well contained visually - which can be reinforced by appropriate planting - and has a credible relationship with built form in the vicinity. It is not considered that the erection of a single dwellinghouse in this position would have a harmful impact on the setting of the conservation area at this point.

The listed buildings in the vicinity are largely focussed on Church Street, which is well away from the site. The nearest listed building is in fact Manor Farm House, which is 65m away. It is noted that the new dwellinghouse recently approved is closer to these (and the conservation area) and no objection was sustained in this respect as regards that planning application (15/01533/FUL). It is not considered that there is any demonstrable harm to the setting of any listed building resulting from this proposal.

## **Impact on Residential Amenity**

The site is well removed from the nearest possible dwellinghouse (the new dwelling immediately to the north) to avoid any harmful overlooking or overbearing. However, there is the consideration of the traffic generated by the proposal, and the impact of that on dwellings existing along the driveway - these would include the new dwellinghouse to the north; the converted stable building (Manor Cottage); and the Manor House itself. Given that the additional traffic generation relates only to a single dwellinghouse, it is not considered that an unreasonable amount of additional disturbance would result to the degree that would sustain a refusal on amenity grounds. This particularly applies to the two dwellings already subject to passing traffic from other dwellinghouses (the Manor House and the Manor Cottage). The degree of additional traffic is not considered to justify a refusal on amenity grounds.

## **Ecology**

The ecology of the site has been comprehensively considered by the Council's Ecologist, who has assessed the submitted survey reports dealing with biodiversity and protected species. He is satisfied that no harm to the ecology of the site or setting would result that would indicate refusal of this proposal.

## **Highway Safety and Parking**

The proposal results in a single dwellinghouse making use of an existing access. As pointed out by the Highway Officer in his pre-application advice to the applicant, the number of additional traffic movements is insignificant, and will not have a harmful impact on highway safety.

Adequate on-site parking can be secured. The exact details of the position, layout and surfacing of parking, as well as the retention thereof, can be finalised at the reserved matters stage, with additional conditions as necessary.

## **Flood Risk**

Although there are parts of the overall site (then southern end) within Flood Zone 2, the site of the proposed dwellinghouse is within Flood Zone 1. The Drainage Board has been consulted and raises no objection to the proposal. There is no flood risk concern that would prevent the approval of a dwellinghouse on the site.



## Parish Council Comments

These comments have been carefully considered and largely dealt with above.

- Biodiversity: This has been assessed in detail, as set out above.
- Size/Layout/Siting: The submitted plans are indicative, with all matters reserved for later determination. The Landscape Officer has also commented on the detailed appearance of the plans. However, these are matters that can be assessed in detail at the reserved matters stage. It is considered that a suitable scale and design of dwellinghouse can be accommodated on this sizeable piece of land without harm to the setting.
- Setting of listed building(s) - this is dealt with above
- Access: The access exists and already serves three dwellinghouses. It is therefore considered perfectly safe, and the addition of a further household is not considered likely to change this in any meaningful way.

## Neighbour Comments

The concerns raised in neighbour letters of representation have been carefully considered. Most of the points raised have been covered above. However the following need specific comment:

- in respect of both highway safety and residential amenity, it is not accepted that the addition of one dwellinghouse to the current means of access would produce so harmful an impact as to warrant refusal; all the concerns relating to safety can be addressed in the final design and conditions imposed on the scheme
- the Tree Officer has visited the site and assessed the value and health of the existing vegetation; the site is not within the conservation area and there are no applicable tree preservation orders, so removal of trees by the owner is not controlled; at the design stage, it is accepted that vegetation and planting will be important, and these can be secured by way of condition
- the ecological considerations relating to the site and biodiversity have been comprehensively assessed by the Ecologist; there are no grounds for refusal of the application arising from this assessment;
- the site is not within the curtilage of any listed building; given the position of the site, there are not considered to be any demonstrable harms to the setting of listed buildings; even if a development proposal falls within a listed building curtilage, listed building consent is not relevant - such consent only applies to **works to listed buildings**
- an objector refers to previous applications being refused; these involve different sites with unique circumstances; planning proposals are required to be assessed on their individual merits, and decisions elsewhere can be given little weight in determining current applications.
- as set out above, there is no risk of flooding to this development, or to flood storage areas, that would indicated a refusal of the application;
- issues of detailed design, layout and scale of the development are for consideration at the second ('reserved matters') stage; the submitted layout scheme is only for purposes of indication whether some form of development would be feasible
- ownership of land, and relationship to the demarcated sites of previous applications is not relevant to consideration of this application, which should be considered on its own merits
- there is no policy objection to 'backland' or 'tandem' development as such; each development should be assessed on its merits and against the policies in the Development Plan
- and outline application is considered acceptable under these circumstances given the location of the site, its size, and the workability of the development of a single dwellinghouse (which is the principle being established).

## Conclusion

The proposal represents the benefit of the development of a further unit of accommodation, against the

backdrop of a serious shortfall in the supply of housing land in the District. Albeit only one dwelling, the scheme would see the site coming forward in line with the economic role of sustainable development and the Government's aim of boosting significantly the supply of housing.

The locality is sensitive, being closely related to the historical settlement, its conservation area, and the many listed buildings along the main through-route of the village. However, for the many reasons set out above, it is considered that this sensitivity can be adequately respected, and the principle of siting a single dwellinghouse on the site can be accepted, without undue harm to residential amenity, highway safety, heritage assets and the general environment and landscape.

Notwithstanding the objections raised by the Parish Council and Local residents, therefore, the proposal is recommended for approval.

## **RECOMMENDATION**

Grant permission.

01. The proposal represents the benefit of an appropriately-located additional unit of residential accommodation which, by reason of its siting, respects the character and appearance of the area and causes no demonstrable harm to residential amenity, highway safety, flood risk, biodiversity or designated heritage assets, in accordance with the aims of the NPPF and Policies SD1, SS1, SS4, SS5, EQ1, EQ2, EQ3, EQ4 of the South Somerset Local Plan.

## **SUBJECT TO THE FOLLOWING:**

01. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

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

02. Application for approval of the appearance, landscaping, layout and scale of the development, referred to in this permission as the reserved matters, shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

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

03. All reserved matters referred to in Condition 2 above shall be submitted in the form of one application to show a comprehensive and coherent scheme with respect to design, layout, plot boundaries, internal ground floor levels, materials, and landscaping.

Reason: To ensure that the development of the site is dealt with in a comprehensive manner to protect the character and appearance of the local setting and to secure a high quality development in accordance with the NPPF and policies SD1, EQ2 and EQ3 of the South Somerset Local Plan, 2006.

04. No development hereby permitted shall be commenced unless details of a scheme for the management of surface water have been submitted to and approved in writing by the Local Planning Authority. Once approved, the scheme shall be fully implemented prior to occupation of the development and thereafter retained and maintained.



Reason: In the interests of sustainable development and appropriate management of surface water in accordance with the aims of the NPPF.

05. The access to the site shall be from Church Street as shown on the submitted plans reference LP1 and BZ1, as agreed by email on 24 May 2018.

Reason: In the interests of clarity and to safeguard the character and appearance of the area.

06. Before the commencement of the development hereby permitted the applicant, or their agents or successors in title, shall have secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation (WSI) which has been submitted and approved in writing by the Planning Authority. The WSI shall include details of the archaeological excavation, the recording of the heritage asset, the analysis of evidence recovered from the site and publication of the results. The development hereby permitted shall be carried out in accordance with the approved scheme.

Reason: In the interests of safeguarding any archaeological remains on the site and to accord with the aims of the NPPF and Policy EQ3 of the South Somerset Local Plan.

07. Prior to commencement of this planning permission, demolition of existing structures, ground-works, heavy machinery entering site or the on-site storage of materials, a scheme of tree protection measures, including protective fencing and signage; shall be installed and made ready for inspection. The locations and suitability of the tree protection measures shall be inspected by a representative of the Council (to arrange, please call 01935 462670) and confirmed in-writing by the Council to be satisfactory prior to commencement of the development. The approved tree protection requirements shall remain implemented in their entirety for the duration of the construction of the development and the protective fencing/signage may only be moved or dismantled with the prior consent of the Council in-writing.

Reason: To preserve the health, structure and amenity value of existing landscape features (trees) in accordance with the following policies of The South Somerset Local Plan (2006 - 2028); EQ2: General Development, EQ4: Bio-Diversity & EQ5: Green Infrastructure.

#### **Informatives:**

01. Please be advised that subsequent full or reserved matters approval by South Somerset District Council will attract a liability payment under the Community Infrastructure Levy. CIL is a mandatory financial charge on development and you will be notified of the amount of CIL being charged on this development in a CIL Liability Notice.

You are required to complete and return Form 1 Assumption of Liability as soon as possible and to avoid additional financial penalties it is important that you notify us of the date you plan to commence development before any work takes place. Please complete and return Form 6 Commencement Notice.

You are advised to visit our website for further details <https://www.southsomerset.gov.uk/cil> or email [cil@southsomerset.gov.uk](mailto:cil@southsomerset.gov.uk)

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