

Officer Report On Planning Application: 14/04206/REM

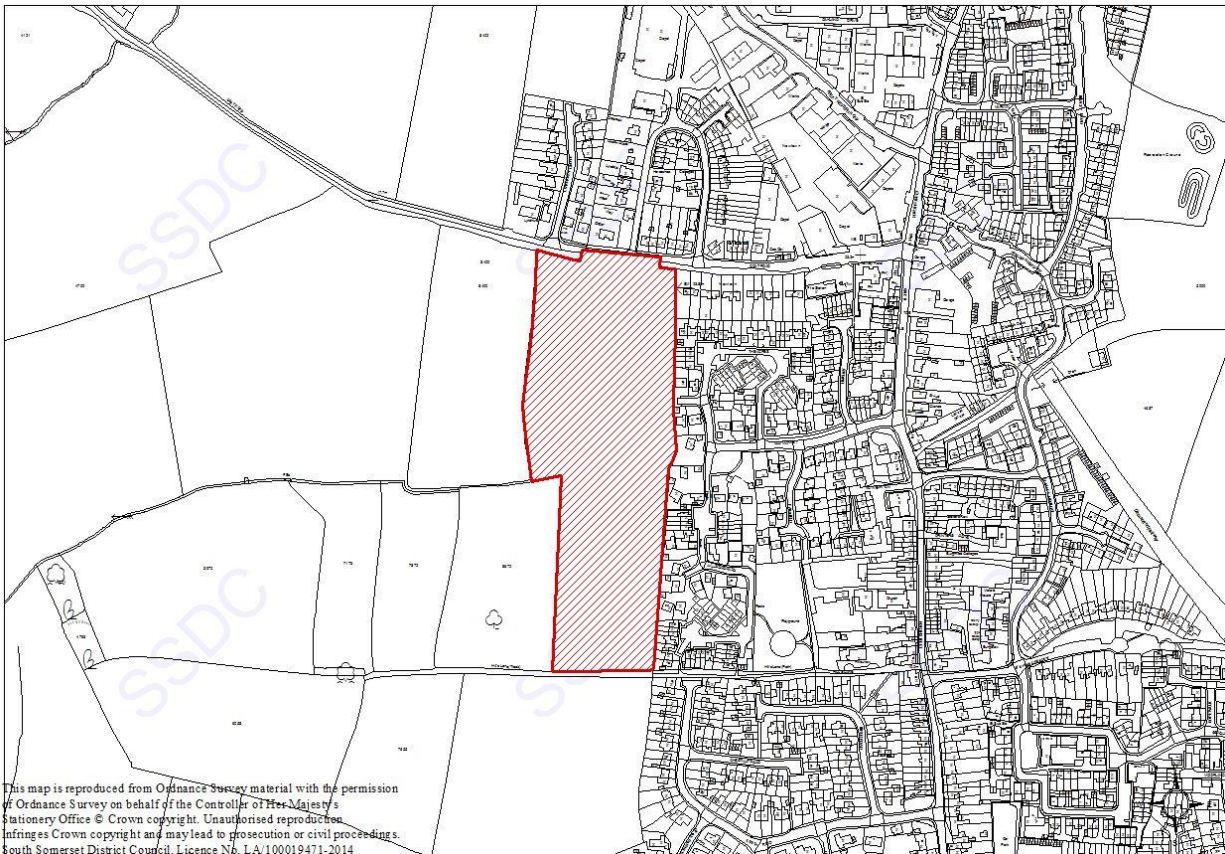
Proposal :	Residential development of land for 95 dwellings (reserved matters following outline approval 13/02474/OUT) (Details of the appearance, landscaping, layout and scale are the reserved matters) and discharge of conditions 04 (Drainage), 05 (Maintenance of surface water drainage), 06 (Design and specification of access), 07 (Programme of archaeological work), 09 (Scheme for provision and management of 4m wide buffer zone), 10 (Detailed landscape strategy) and 12 (updated report for badgers sett) (GR:345958/119875)
Site Address:	Land South Of Coat Road, Martock.
Parish:	Martock
MARTOCK Ward (SSDC Members)	Cllr Graham Middleton Cllr Patrick Palmer
Recommending Case Officer:	John Millar Tel: (01935) 462465 Email: john.millar@southsomerset.gov.uk
Target date :	17th December 2014
Applicant :	David Wilson Homes South West
Agent: (no agent if blank)	David Hayes , Sandford House, 6&7 Lower High Street, Stourbridge, West Midlands DY8 1TE
Application Type :	Major Dwlgns 10 or more or site 0.5ha+

REASON FOR REFERRAL TO COMMITTEE

The application is referred to Area North Committee because of the significance for the village of Martock and to enable local concerns to be considered.

SITE DESCRIPTION AND PROPOSAL





The site consists of two agricultural fields currently in arable use. The two fields slope gently towards a central dividing ditch and are bounded on all sides by hedges of various quality and type. The site is bounded by a variety of residential properties to the north and east of the site, with open countryside to the south and west.

This application is made for approval of reserved matters following outline approval 13/02474/OUT. The matters reserved for consideration at this stage are approval of layout, scale, appearance and landscaping. The applicant also seeks to discharge conditions imposed on the outline consent as part of this application. The proposal comprises 95 dwellings and associated open space and infrastructure.

The application is supported by:

- Design and Access Compliance Statement
- Flood Risk Assessment
- Arboricultural Constraints Report
- Travel Plan
- Badger Monitoring Strategy
- Geophysical Survey Report
- Heritage Desk-Based Assessment
- Landscape Management Plan for the Public Open Spaces

The houses would be a mix of two storey and two and a half storey dwellings. There would be:-

- 5 five bedroom houses
- 33 four bedroom houses

- 31 three bedroom houses
- 14 two bedroom houses
- 12 one bedroom units

The materials would be a mix of brick and reconstituted stone with tiled roofs.

HISTORY

13/02474/OUT: Outline permission granted for residential development of up to 95 dwellings at land south of Coat Road, Martock (access determined with all other detailed matters reserved). An associated Section 106 Agreement covers:

- Provision of Affordable Housing
- Contributions for the provision of Public Recreation and Leisure Facilities
- Education Contributions

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.

For the purposes of determining current applications the local planning authority considers that the relevant development plan comprises the saved policies of the South Somerset Local Plan.

The policies of most relevance to the proposal are:

Saved policies of the South Somerset Local Plan (Adopted April 2006):

ST5 - General Principles of Development

ST6 - The Quality of Development

ST7 - Public Space

ST9 - Crime Prevention

EC3 - Landscape Character

EC8 - Protected Species

EU4 - Drainage

TP1 - New Development and Pedestrian Movement

TP4 - Road Design

CR2 - Provision for Outdoor Playing Space and Amenity Space in New Development

CR4 - Amenity Open Space

EH12 - Areas of High Archaeological Potential and Other Areas of Archaeological Interest.

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 8 - Promoting Healthy Communities

Chapter 10 - Meeting the Challenge of Climate Change, Flooding and Coastal Change

Chapter 11 - Conserving and Enhancing the Natural Environment

South Somerset Sustainable Community Strategy
Goal 3 - Healthy Environments
Goal 4 - Services and Facilities
Goal 8 - High Quality Homes

Other Policy Considerations

Somerset County Council Parking Strategy (September 2013)

Somerset County Council Highways Development Control - Standing Advice (June 2013)

CONSULTATIONS

Martock Parish Council: Recommends refusal for the following reasons:

- The travel plan failing to mitigate the increased traffic congestion within North Street and beyond.
- Risk that S106 contributions will be negotiated down after permission has been granted.
- Adverse impact on community resources, over stretching current capacity, especially schools, doctors, dentists and retail.
- Lack of flood risk mitigation maintenance in the long term.
- 2.5 storey housing, particularly with dormer windows, should not be allowed as Martock's Sustainable Development Plan stipulates that only 2 storey houses can be built. This is especially so for dwellings proposed close to existing residences.

If the scheme is approved, it is requested that the consideration is given to the following:

- Improvements to the Coat Road southern pavement and North Street/Coat Road junction that were due to take place as part of the Tesco development, but that are not now going to happen, should be included in this application and need to be addressed. These improvements are still required.
- There is a complete lack of amenities on the site e.g. a community meeting room.
- A condition should be added to the planning permission for this application, preventing any further development on adjacent land.
- The protected hedge on the East boundary of the site must continue to be protected and remain accessible for maintenance.
- More information is required regarding the possibility of an additional pedestrian access from the site to Hills Orchard. This should not be allowed to be revised for vehicular access.

Ash Parish Council (neighbouring PC): Object on the basis of extra traffic created through Main Street, Ash. It is further understood that road modifications were to be made by Tesco in Coat Road. Now that Tesco have withdrawn their plans, it is asked whether these works will be carried out to cope with the additional traffic from this scheme and if so, will it be paid for by the developer?

County Highway Authority: No objection subject to approval of technical details at appropriate stage.

SSDC Climate Change Officer: Objects on the basis that the layout falls far short of the best possible orientation of dwellings within the constraints of the site and the roof design doesn't provide unshaded roof space suitable for future installation of photovoltaic arrays.

SSDC Housing: Strategic Housing are in agreement with the proposed mix for the site and the proposed siting of the dwellings.

Natural England: No objection.

SSDC Area Engineer: Has no objection in principle to the proposed drainage strategy whereby surface water will be controlled by two attenuation ponds with associated hydro brakes to limit discharge to greenfield rates. However, the option of using soakaways should be explored further, as suggested in the Flood Risk Assessment, if ground conditions permit. Details of the long term maintenance of the ponds should be clarified. The basic strategy proposed is sound and drainage details and future maintenance of SuDs systems can be conditioned, although more detail is required to be able to discharge at this stage.

SSDC Open Spaces Officer: No objections in principle. A bridged link was requested to the west side of the central road to link the two main areas of open space. An amended plan has been provide with a footpath along the carriageway to address this request.

SSDC Landscape Architect: No landscape objections as the scheme accords with pre-application discussions. Confirms that following those discussions there are no issues with the residential layout or the disposition of open space. Samples of materials should be inspected to ensure that the tones are not too bright. Has requested some amendments to the planting species, which has subsequently been dealt with by the submission of amended plans.

SSDC Community, Health and Leisure: Confirms that there is a signed S106 agreement which sets out the requirements, including those for an on-site play area. Have however noted that plots 38 and 39 are within the 30m buffer zone and that they should meet the specified requirements.

SCC Archaeology: Consider that there are limited or no archaeological implications to this proposal and therefore have no objections on archaeological grounds. However it is noted that the applicant has re-submitted the archaeological evaluation, and that this report does not fulfil the requirement of the condition placed on outline as that will need the submission of a Written Scheme of Investigation.

Avon and Somerset Constabulary Architectural Liaison: No response received

Environment Agency: No objection. The Environment Agency are satisfied with the proposed drainage strategy and future maintenance proposals.

SSDC Ecologist: Is satisfied with the proposed badger monitoring and advises that this is sufficient to discharge the relevant condition.

SSDC Conservation Manager: No objections to the layout, which conforms to pre-application discussions. Has suggested amendments in relation to the provision or alteration of boundary enclosures, particularly where gardens share a boundary with the public realm. Amended plans have been received to address this matter.

REPRESENTATIONS

16 letters of objection have been received from local residents of Martock. The main points raised include:

- Increased traffic flow using Coat Road is of concern, as congestion is currently an issue in Martock.
- The objector's property opposite the site access will be adversely impacted through access difficulties and night time light and noise disturbance. In particular, the objector's property is a bungalow and car lights would shine directly into the windows.
- 95 homes far exceeds the agreed requirements of the Martock Sustainable Development Plan.
- The village infrastructure is not equipped to deal with the increased number of houses.
- Concerns as to where excess surface water will go and whether existing drains and sewage infrastructure will be able to cope.
- No provision has been made for greenhouse gas reduction opportunities in the design of the houses. There are also limited opportunities for future generation of photovoltaic electricity.
- The site is of great benefit to local wildlife and ecology.
- Concerns from neighbours in Hills Orchard regarding the proposed boundary treatment between their properties and new properties to the southern part of the site. Have concerns about the retention of existing hedges and no new fencing being proposed.
- The existing attenuation pond on site is overgrown and is not believed to have been fully surveyed. Build-up of sediment has seen its water storage capacity diminished. This structure should be included in the proposed maintenance arrangements for the new SuDS facilities.
- The open attenuation ponds are a safety hazard so close to the proposed children's play area. Mitigation in the form of safety fencing is a requirement.
- The Travel Plan identifies direct pedestrian access from the site to the village centre via Hills Lane, to the south. This track often becomes unusable in winter as a result of mud and flooding and will need to be surfaced appropriately.
- Existing power lines through the site and their proximity to plot 35 could pose a health hazard. In order to reinforce a strong sense of place, the developer should replace the overhead power distribution with subterranean cables and ground mounted stations.
- The provision of 2.5 storey houses close to Hills Orchard will lead to overlooking of existing properties.
- Concerns about potential pedestrian access into Hills Orchard and also that this may be used for vehicular access.
- The Design and Access Statement falls short of the necessary standard. In particular the design and access statement fails to identify key elements of what defines the local character of Martock. The proposal not only fails to meet many of the criteria for good design, it includes many elements of poor design that should be avoided. There are also unacceptable omissions in a number of the application supporting documents.
- The design and layout of the proposal fails to accord with the characteristic architectural and spatial character of Martock, particularly the historic core of the village. It is stated that the proposal "recognises the setting and character of the settlement...and ensure it harmonises with the existing village". Despite this the homes are identical to those being built all over the country by the developer. As a result, numerous features are identified that are not characteristic of Martock or the wider area.
- Consideration should be given to omission of garaging to ensure that the full quota of parking is available and will also lead to other benefits.
- Concerns about the future ownership and maintenance of the SuDS system.

CONSIDERATIONS

Principle of Development

As a reserved matter application this proposal seeks approval for the layout of the development, the design, detailing and scale of the houses and the landscaping of the site. The principle of a 95 unit residential development in this location, the means of access from Coat Road and the planning obligations have been established with the grant of outline planning permission 13/02474/OUT. As such, while objections received in relation to the principle of the development are noted, alongside Parish Council Concerns over the delivery of agreed section 106 contributions, it is not considered appropriate to revisit these matters.

Layout of Development

The outline permission for this site limits the development to the proposed 95 dwellings, which creates a site wide density of just over 20 dwellings per hectare. The layout of the site accords with the indicative plans in that it includes a central spine road from the proposed access to the north to the south of the site, with side roads branching to the east and west. The built development is mainly concentrated on the north and south of the two fields, which are separated by an existing ditch. It is proposed to provide a central area of open space, which will contain the formal play area, informal open space and also two new surface water attenuation ponds.

Following the approval of outline consent, the applicant has carried out pre-application negotiations with officers and the submitted scheme is in line with those discussions. The resulting scheme is considered to be a to provide a quality residential development with a good mix of public open space, which offers opportunities to create a green buffer with Coat Road and also to provide a green focal point at the centre of the site.

The proposed layout allows for an overall level of parking to the satisfaction of the County Council Highway Authority. Open market houses include one or two parking spaces plus garage, depending on size and occupancy of the property. The largest five bedroom houses have up to 6 parking spaces, including garages and the one bedroom units have 1.5 spaces (3 spaces shared between two dwellings). The layout also includes a further 19 visitor parking spaces within the highway.

Concerns have been raised about the proximity of dwellings along the east boundary of the southern part of the site, in respect to residential amenity and overlooking. Taking into account the position of the proposed dwellings and the orientation of the adjoining dwellings, the back to back distances between properties are mainly around 24 to 25m, which exceeds that which is generally recognised as causing unacceptable harm by way of direct overlooking.

Appearance

The proposed dwellings are orientated to form attractive formal street scenes within the site. The dwellings are of a scale, proportion and design that relate to the nearby residential extensions to the village, such as the adjoining Hills Orchard.

The proposed design and detailing has drawn criticism from some objectors, as it is not considered that it reflects the traditional characteristics of Martock, however it is considered unreasonable to object on these grounds. The design and finish of the proposed development is considered to be appropriate by the Conservation Manager and in the objection in this respect is not considered reasonable.

The materials comprise a mix of yellow and buff brick and some reconstituted stone. There are no objections in principle to this, subject to approval of samples to ensure an appropriate colour mix to complement the locality.

Landscaping

The proposal is supported by a comprehensive hard and soft landscaping scheme. The hard landscaping includes the use of brick walls, railings, in addition to low hedging, for boundaries onto the public domain, which will soften the overall appearance of the site and maintain a high quality finish in the long-term. Amendments were made to reduce the amount of timber fencing used in prominent locations within the site, following comments received from the Council's Conservation Manager.

The Council's Landscape Officer supports the detailed landscaping proposal, which is in line with pre-application discussions. Some suggestions were made to amend some of the plant species and subsequent revisions have been made to take this into account.

Concerns have been received from some residents within adjoining properties in Hills Orchard, which back onto the site as it is proposed to retain existing hedgerows as the boundary treatments between existing and proposed dwellings in the southern part of the site. Where no hedgerow currently exists, it is proposed to fill in the gaps with new planting. The concerns relate to the lack of additional fencing and the possibility that the boundary treatment could be removed or managed in a way that would limit privacy between residences. This is a relevant consideration, however it is noted that the existing hedges are within the application site and but have been managed in the past by adjoining residents to allow views over the application site. The enhancement and management of a hedge boundary should offer an appropriate boundary treatment on the edge of the site, which should offer acceptable levels of privacy between sites, without compromising security. A number of the existing properties do also have a secure fence boundary onto the site; however the option is available to provide improved boundary treatments under permitted development rights.

Other Issues

In regard to other matters the following comments are offered:-

Discharge of Conditions - The proposal includes details submitted to seek discharge of outline planning conditions, in relation to drainage, access, archaeology, management of watercourse buffer zone, landscaping and badger monitoring. At this point additional detail and/or consultation is required for a number of the conditions so will be dealt with by way of a separate letter in due course. Details of landscaping and badger sett monitoring are acceptable and can be discharged at this point.

Drainage - The proposed drainage strategy is considered to be generally acceptable and is confirmed by the Council's drainage Engineer to be sound, however the level of detail submitted is not considered to sufficient at this stage to allow conditions to be discharged and further detail in respect to future maintenance is necessary. As approval of these details is still controlled by outline condition, the inability to formally approve at this stage is not a constraint on this development scheme.

On-site Play Area - The proposed LEAP accords with the appropriate requirements, in respect to size, however it is noted that two properties, plot 38 and 39, are just within the 30m buffer zone required to protect residential amenity. The applicant has confirmed that they will address this issue and at the time of writing this report are considering whether to

adjust the position of the LEAP or reposition the plots slightly.

Archaeology - The County Archaeologist has confirmed that there are unlikely to be any archaeological implications, of the development, however have confirmed that the re-submitted archaeological evaluation is insufficient to discharge the archaeological condition.

Highways - No objections have been raised to the proposed highway layout and associated infrastructure, subject to technical approval. An additional condition is needed to require submission and approval of the technical details.

Conclusion

The principle of developing this site was agreed by approval of outline planning permission. It is considered that the submitted reserved matters application comprises an appropriately designed scheme that will form an acceptable addition to Martock, without adversely impacting on local flood risk, ecology, archaeology, surrounding landscape character, residential amenity and highway safety.

RECOMMENDATION

Approve with conditions

Justification

The appearance, landscaping, layout and scale of the 95 houses proposed in this sustainable location is acceptable by reason that it respects the character and appearance of the area and would not be harmful to residential amenity, ecology, archaeology or highway safety and provides for appropriate drainage mitigation. As such the proposal complies with the saved policies of the South Somerset Local Plan and the aims and objectives of the National Planning Policy Framework.

CONDITIONS:

01. No development hereby approved shall be carried out until particulars of following have been submitted to and approved in writing by the Local Planning Authority;
 - a) details of the design, recessing, materials and finish (including door canopy, bay window and cill and lintel details) to be used for all new windows (including any roof lights) and doors;
 - b) details of the rainwater goods and eaves, verges and fascia details and treatments
 - c) details of position and colour finish of meter cupboards, gas boxes, soil and waste pipes (soil and waste pipes are expected to be run internally)

Once approved such details shall be fully implemented unless agreed otherwise in writing by the Local Planning Authority.

Reason: In the interests of visual amenity, in accordance with saved policies ST5 and ST6 of the South Somerset Local Plan and the provisions of Chapter 7 of the National Planning Policy Framework.

02. The proposed estate roads, footways, footpaths, tactile paving, cycleways, bus stops/bus lay-bys, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility

splays, accesses, carriageway gradients, drive gradients, car, motorcycle and cycle parking, and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.

Reason: In the interests of highway safety, in accordance with saved policy ST5 of the South Somerset Local Plan and the provisions of Chapter 4 of the National Planning Policy Framework.

03. The specifications, including position and material finish, of all boundary treatments, shall be carried out in accordance with details as indicated on approved plan '2942-100 Revision D'. The approved boundary treatments shall be installed prior to the first occupation of any of the dwellings hereby approved.

Reason: In the interests of visual and residential amenity, in accordance saved policies ST5 and ST6 of the South Somerset Local Plan 2006 and the provisions of chapter 7 and the core planning principles of the National Planning Policy Framework.

04. All obscurely glazed windows, as indicated on the approved plans shall be fitted with obscure glass (minimum level 3) and be non-opening below a height of 1.7m above the finished floor level of the rooms in which the openings are to be installed, and shall be permanently retained and maintained in this fashion thereafter.

Reason: In the interests of residential amenity in accordance with saved policy ST6 of the South Somerset Local Plan 2006 and the core planning principles of the National Planning Policy Framework.

05. The areas allocated for parking on the approved shall be kept clear of obstruction at all times and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety, in accordance with saved policy ST5 of the South Somerset Local Plan and the provisions of Chapter 4 of the National Planning Policy Framework.

06. The proposed landscape scheme shall be carried out in accordance with details as indicated on approved plans 'GL0027 14A' and 'GL 0027 15A', unless otherwise agreed in writing by the Local Planning Authority. All planting, seeding, turfing or earth moulding comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of any part of the development hereby permitted or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity, in accordance with saved policies ST5 and ST6 of the South Somerset Local Plan and the provisions of Chapter 7 of the National Planning Policy Framework.

07. No vehicular access shall be formed from the application site directly into Hills Orchard.

Reason: In the interests of highway safety and residential amenity, in accordance with saved policies ST5 and ST6 of the South Somerset Local Plan and the provisions of chapter 4 and the core planning principles of the National Planning Policy Framework.

Informatives:

01. The approval of these reserved matters maybe take as confirmation that condition 10 (landscaping) and 12 (badger sett) of the outline permission dated 24/07/14, ref. 13/02474/OUT has been discharged through the agreement on the basis of the submitted details and the plans approved above.
 02. The applicant is reminded of the need for the implementation and on-going compliance with the strategy for the monitoring and closure of the badger sett, as identified in the submitted letter from Michael Woods Associates, dated 15th July 2013.
-