

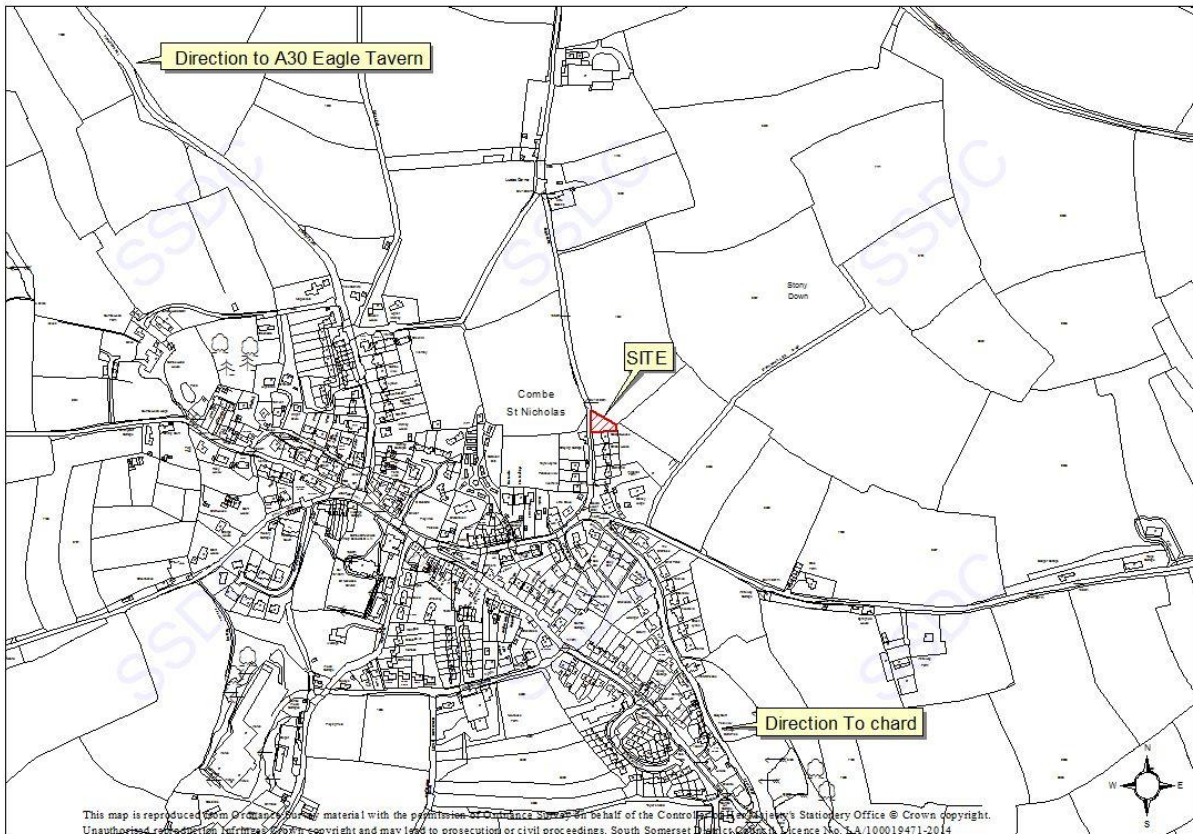
Officer Report On Planning Application: 14/05030/FUL

Proposal:	The erection of 1 No. detached dwellinghouse (revised application). (GR 330434/111420)
Site Address:	Land North Of Classet House Frog Lane Combe St Nicholas
Parish:	Combe St Nicholas
BLACKDOWN Ward (SSDC Member)	Cllr R Roderigo
Recommending Case Officer:	Linda Hayden Tel: 01935 462534 Email: linda.hayden@southsomerset.gov.uk
Target date:	5th January 2015
Applicant:	Mrs Julie Gray
Agent: (no agent if blank)	Greenslade Taylor Hunt 1 High Street Chard Somerset TA20 1QF
Application Type:	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

This application is referred to Committee at the request of the Ward Member, with the agreement of the Chairman to enable the issues raised to be fully debated.

SITE DESCRIPTION AND PROPOSAL





The application site is a field situated to the north of a property called 'Classet House' to the east of Combe St Nicholas. The site is roughly triangular and sits at a higher level than the road rising upwards from the roadside with mature hedging to the north. There is a detached house immediately to the south, with agricultural fields and Frog Lane to the other boundaries.

This is an application for the erection of a single three bedroom dwelling with parking to the front. This is a revised application following the refusal of an early consent for a similar development (14/02626/FUL). The plans have been revised so that the height of the proposed dwelling is slightly lower than that previously proposed; the design has been simplified (a traditional cottage is now proposed); and the dwelling now sits angled to Frog Lane. The proposed dwelling would be constructed with rendered elevations and brick quoins with double Roman clay tiled roof.

The site is outside of but directly abutting the defined development area of the village.

HISTORY

14/02626/FUL - The erection of 1 No. detached dwellinghouse. Refused 28/8/2014 by Area West Committee for the following reason:

'The proposed development by reason of its siting, design and layout would have an adverse overbearing impact on the adjacent property known as 'Classet House' to the detriment of the amenities of these adjoining occupiers contrary to Saved Policy ST6 of the adopted SSLP.'

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 (2006):

ST3 - Development Areas
ST5 - General Principles of Development
ST6 - The Quality of Development
EC3 - Landscape Character

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

CONSULTATIONS

Combe St Nicholas Parish Council:

'The original planning application was rejected because the dwelling was too far in front of the current building line, Councillors still feel it projects too much. The angle now could be even worse. The Parish Councillors recommend refusal as it is not very much different to the original.'

County Highway Authority:

Standing Advice applies.

Landscape Officer:

Satisfied that the proposal works are within the parameters originally set out, and has no further issues to raise. However, suggests it may be worthwhile seeking a view from the Tree Officer with regard to safeguarding the hedgerow.

(Officer Note: The Tree Officer investigated this site at pre-application stage and advised that the hedge has been poorly maintained in recent years. He advised the applicants to restore the hedgerow back to a traditional regime of management (coppicing and relaying) as this would then significantly reduce the root protection area; the hedge would then present a minimal constraint to development of the site. The Design and Access Statement confirms that the hedge has been laid.)

REPRESENTATIONS

Two letters of objection have been received making the following comments:

- The previous application was unanimously refused due to being overbearing to Classet House.
- The revised plans have made little difference to the height in relation to Classet House.
- The size is just the same but just twisted to suit; it is still some 2 metres + in front of Classet House.
- There is the lack of parking area which makes it more dangerous entering onto the lane. Seems that there is not enough turning space which means reversing on a busy lane.
- Proposal would allow for a direct view to opposite property 'Grayling.'
- The plot due to its size/shape/position is not suitable for any development.
- Question the response of the Landscape Architect who originally supported a single storey solution.

CONSIDERATIONS

Principle of Development

The application site is located outside but immediately adjacent to the development area for Combe St Nicholas as defined by the South Somerset Local Plan where, under the requirements of Policy ST3, new residential development is usually strictly controlled. Beyond this it should be acknowledged that the 2006 plan is now out of date and only those policies that are compliant with the aims of sustainable planning as set out within the NPPF have been saved. Whilst the emerging local plan has yet to be adopted, Policy SS2 has not been queried by the local plan inspector or challenged in the course of the local plan suspension and was not debated at the recent re-opening of the local plan inquiry. Accordingly, for the purpose of this application, it is considered that the general thrust of Policy SS2 and the NPPF's support for sustainable development should be balanced against the historic interpretation of Policy ST3 which weighs heavily against unwarranted development outside settlement boundaries.

Given these circumstances, the proposal to construct a single dwelling should be considered on its own merits. From a sustainability perspective, the site is within walking distance of the centre of the village where services such as a village primary school, hall, shop and pub can be found. The site physically abuts the development area with existing built development immediately to the south. The current application site is not considered to be an important gap within the streetscene and its development raises no substantive landscape or visual amenity concerns. On this basis, the proposed development is considered to represent a sustainable form of development that raises no other significant harm and to therefore be acceptable in principle.

Visual Amenity

Given the close relationship of the site with the existing built form to the south and west the principle of developing this site raises no strong landscape objection. Overall, given the proposed layout, orientation, size and amended design of the house, the scheme is considered to be in keeping with surrounding development. It is considered that provided an appropriate landscaping scheme is secured through a condition the development raises no significant visual amenity concerns.

Residential Amenity

The plans have been amended in order to address the issues raised in the reason for refusal. The design of the property has been amended to a more simple design with the removal of the rear gable projections and the integral double garage. The proposal is slightly lower than the original proposal and the dwelling has been rotated so that it now sits at an angle to Frog Lane and does not project so far in front of the adjacent property 'Classet House'.

Whilst it is noted that the proposed dwelling will still sit forward of the existing property 'Classet House', the distance has been reduced from the original proposal and the dwelling will be to the north of the existing dwelling. As such, it is not considered that there will be any unacceptable overshadowing of the existing property. With the proposed distance between the existing and proposed dwelling it is not considered that the impact of the new dwelling will be so overbearing as to justify refusal of the application.

There are no windows proposed on the elevation facing Classet House and whilst a set of steps are proposed to provide access to the higher rear garden it is not considered that these will result in unacceptable loss of privacy to the front garden of the neighbouring house, as all of the front gardens along the street are readily viewable from the street and neighbouring properties.

As such, it is not considered that the proposed dwelling would result in such a significant loss of amenity to the neighbouring dwelling as to justify refusal of this application.

Highways

It has been established that the site is within a sustainable location and as such the remaining issue relates to the acceptability of the proposed access to the site.

The Design and Access Statement notes that the proposed visibility to the south is below the normal standard for a 30mph road. However, it is considered that due to the narrowness of the road and its lightly trafficked nature, it would be inappropriate to require the full visibility requirements at this site. In all other respects the proposals comply with the relevant standards and with appropriate conditions it is considered that the proposal will not prejudice highway safety in the locality.

Conclusion

Notwithstanding the location of the site outside defined development limits, by virtue of its close physical relationship to existing built form and easy walking distance to nearby services it is considered to meet the aims of sustainable development as set out within the NPPF. For the reasons set out above, the development raises no substantive landscape, visual or residential amenity concerns and is not considered to be prejudicial to highway safety, in accordance with Policies ST5, ST6 and EC3 of the South Somerset Local Plan, and is therefore recommended for approval.

RECOMMENDATION

Approve

01. Notwithstanding the location of the site outside defined development limits, by virtue of its close physical relationship to existing built form and easy walking distance to nearby services it is considered to meet the aims of sustainable development as set out within the

NPPF. For the reasons set out above, the development raises no substantive landscape, visual or residential amenity concerns and is not considered to be prejudicial to highway safety, in accordance with Policies ST5, ST6 and EC3 of the South Somerset Local Plan, and the aims and objectives of the NPPF.

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

02. The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No.'s 2004-PL-001 Rev D, 2004-PL-002 Rev C, 2004-PL-003 Rev C and 2004-PL-004 Rev B received 10 November 2014.

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

03. No works shall be carried out unless particulars of the following have been submitted to and approved in writing by the Local Planning Authority;

- a) particulars of the materials (including the provision of samples where appropriate) to be used for all external walls, roofs and chimneys;
- b) particulars of all boundary treatments and hard surfacing materials. Such details shall include the use of porous materials to the parking and turning areas;
- c) details of the recess, design, materials and external finish for all external doors, windows, boarding and openings, including detailed sectional drawings where appropriate;

Reason: In the interest of visual amenity to accord with Policy ST6 of the South Somerset Local Plan.

04. The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of the development, as well as details of any changes proposed in existing ground levels. 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 the building 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 Policies ST5 and ST6 of the South Somerset Local Plan.

05. The area allocated for parking and turning on the submitted plan 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 interest of highway safety to accord with Policy ST5 of the South Somerset Local Plan.

06. There shall be no obstruction to visibility greater than 900mm above adjoining road level in advance of the visibility lines shown on Drawing No. 2004-PL-001 rev D received 10 November 2014. Such visibility shall be fully provided before the development hereby permitted is occupied and shall thereafter be maintained at all times.

Reason: In the interests of highway safety and in accordance with policy ST5 of the South Somerset Local Plan (2006).
