

Officer Report On Planning Application: 15/01314/FUL

Proposal :	Erection of a natural stone wall to divide garden. Formation of vehicular access through existing wall and pedestrian access onto Angel Lane. Replace rendered wall to natural stone (GR 371388/128562)
Site Address:	Acorn House, 7 Lansdowne Place, Wincanton.
Parish:	Wincanton
WINCANTON Ward (SSDC Members)	Cllr N Colbert Cllr C Winder
Recommending Case Officer:	Emma Meecham Tel: 01935 462159 Email: emma.meecham@southsomerset.gov.uk
Target date :	20th May 2015
Applicant :	Mr And Mrs D Smith
Agent: (no agent if blank)	Mr G Adlem, Little Hains, Hains Lane, Marnhull, Dorset DT10 1JU
Application Type :	Other Householder - not a Change of Use

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 by Members.

SITE DESCRIPTION AND PROPOSAL





The site is located in the middle of Wincanton and is a Grade II listed building. It is close to a church which is also Grade II listed. The property is within a conservation area.

The dwelling is constructed of stone rubble with freestone dressings and the roof is constructed of Clay Bridgwater tiles with coped gable ends.

The applicant has recently purchased some land to the north east of their property for use as a general amenity area for their property and the proposed works are to allow access to and the enjoyment of this amenity area.

This application originally sought full consent for the formation of a pedestrian access onto Angel Lane, the formation of a vehicular access from Acorn House to the recently purchased land to the rear, replacement of the rendered wall to the front of the dwelling with a natural stone wall, erection of a dividing wall at the boundary of the new land and the erection of a triple garage.

Amended plans have been received in response to representations that have removed the proposed garage and pedestrian access to Angel Lane.

This application has a full planning application and a listed building consent running parallel to one another.

RELEVANT HISTORY

- 08/02636/LBC The replacement of certain existing flat iron casement windows on south elevation and the installation of an air vent on east elevation.
- 07/01374/LBC The installation of shelving (retrospective application) - Permitted with conditions.

- 04/00085/LBC The conversion of upper two floors into parish flat with access in accordance with existing planning permission (02/00198/FUL) - Permitted with conditions (the lower two floors remained as meeting rooms and supporting service accommodation)
- 03/02196/LBC The demolition of garages and the conversion of part of priory to provide two no dwellings - Permitted with conditions.
- 02/00198/FUL The conversion of Priory House into 3 no. houses and the erection of 15 no. houses with parking, new presbytery garage and improved access to South Street - Permitted with conditions. Subsequent to this application an amendment was received on 11 October 2004 to include a gated access and parking to 7 Lansdowne Place which was agreed.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF indicate it is a matter of law that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

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.

On this basis the following policies are considered relevant:-

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

Policy SS1 - Settlement Strategy

Policy SD1 - Sustainable Development

Policy EQ2 - General Development

Policy EQ3 - Historic Environment

Policy TA5 - Transport Impact of New Development

Policy TA6 - Parking Standards

National Planning Policy Framework (2012)

Chapter 7 - Requiring Good Design

Chapter 12 - Conserving and enhancing the historic environment

CONSULTATIONS

Wincanton Town Council - Initially the town council recommended refusal as they considered the proposal was not in keeping with policy EQ3 - Historic Environment.

Following the amended plans the Town Council recommended refusal for the following reasons:

EQ2 General Development

Failed to conserve and enhance the landscape character of the area. Failed to reinforce local distinctiveness and respect local content.

EQ3 Historic Environment

Failed to safeguard or enhance the significant character setting and local distinctiveness of the historic assets. Failed to make a positive contribution to it's character through a high standard of design which reflect and compliment it through the use of appropriate materials and techniques.

County Highways - Standing Advice applies: for a house this size there is a requirement for three parking spaces, which must comply with the prescribed dimensions (4.8 metres by 2.4 metres); an area in which vehicles can turn to enable them to enter and exit the site in forward gear and the creation of an access (minimum 3 metres wide).

SSDC Highways Consultant - No significant highways issues - no objection.

SSDC Tree Officer - Notes the concerns expressed regarding the Weeping Ash tree, but has no arboricultural objections.
An informative is suggested

County Archaeology - Initially there was a requirement for an archaeological survey, following the amended plans no further comments have been received.

Conservation Officer - The initial comments from the Conservation Officer indicated that in principle he could see no harm in the proposals. The opening to be created is considered modest by the Conservation Officer and as such acceptable; it is considered that the remaining wall will mean the two spaces will remain defined as separate entities. The Conservation Officer considered the replacement of the render wall with a natural stone wall will work in isolation as it will be read against the existing building as its backdrop. Following the submission of the amended plan the Conservation Officer noted that the elevation drawings of the new boundary wall, as revised, show an appropriate solution that will enhance the setting of the listed building. The new garden wall between the newly formed garden and the remaining garden to Ash House is now shown as stone faced on both sides. It is confirmed that he supports the development subject to conditions to agree the details.

REPRESENTATIONS

2 representations of support were received, in summary the points are:

- The materials and proposed works will enhance the area and should be encouraged
- Confident that the integrity and character of the area will be maintained

15 representations of objection to the proposal were received, in summary the objections are:

- Concerns over rights of access and covenants
- The impact on the street scene of the materials
- The impact on the historic environment
- Traffic related concerns

Following the submission of the amended plans a further 7 representations of objection were received reiterating the concerns originally raised.

CONSIDERATIONS

Amended plans have been received which have removed the proposed garage and the pedestrian access to Angel Lane. The proposed area of hardstanding does not require

planning permission, the alterations to the boundary wall to access the acquired land does require permission, as does the replacement of the block and render wall at the front of the property with a local natural stone wall and the erection of a new boundary wall between the acquired land and the land to the rear of Ash House, constructed from natural stone.

As such this planning application is for -

- The alterations to the wall to create access to the acquired land
- The alterations to the front boundary wall
- The erection of a new boundary wall between the acquired land and the land to the rear of Ash House

There have been several objections to the proposal, most of the comments made relate to the impact on the visual amenity and the historic environment and as such these will be the main considerations for this application.

Visual Amenity

The proposed vehicular access would be approximately 3000mm wide and includes the installation of an electric sliding black iron gate. The detailing for the sliding gates is yet to be confirmed with the Conservation Officer and as such will be conditioned accordingly, but it is considered that the use of black metal railing type gate would be appropriate as black metal railings are visible elsewhere within the estate.

The existing wall to the front of No 6 and No 7 Lansdowne Place is constructed of rendered block work and is approximately 500mm high outside No 6, stepping several times to a height of approximately 1930mm at the junction with the gates, the wall continues on the other side of the gates, stepping twice more to a final height of approximately 2300mm. The proposed replacement natural stone wall to the front of the property would be approximately 900mm high outside No 6 Lansdowne Place, with a sweep up to approximately 1930mm where it would meet with the gates, on the other side of the gates the wall would continue with a further sweep up to a maximum height of 2300mm where it would meet the natural stone original wall to the north east.

The new dividing wall would be constructed of natural stone and would run West-East at a height of approximately 1660mm and would divide the acquired land from the land still belonging to Ash House. The wall would be capped off using square edge natural stone copings overhanging the wall by 30mm either side.

It is considered that the materials for the replacement front boundary wall and the new boundary wall are such that they will blend well with the surrounding area, particularly considering the building itself is constructed of natural stone, as are the walls either side of the entrance to Lansdowne Place.

The planting to happen in the new garden area is also to be confirmed at a later date and will also be conditioned accordingly.

Due to the design and materials proposed it is considered that there will be no substantial adverse affect on visual amenity in accordance with policy EQ2 of the South Somerset Local Plan (2006-2028).

Historic Environment

The plot is a listed building in a conservation area and accordingly advice has been sought

from the Conservation Officer. He is content that the historic environment has not been harmed with the proposals and has been involved in preapp discussions with the applicant regarding the various aspects of this application and has taken the numerous comments received into account when making his recommendations. The applicant has supplied details regarding the height of the proposed wall to the front of the property, which is not significantly different to the existing wall and has agreed to the changes suggested by the Conservation Officer regarding the design of this wall and the materials to be used for the new boundary wall to be erected in the garden.

Accordingly it is considered that there would be no substantial adverse effect on the historic environment in accordance with policy EQ3 of the South Somerset Local Plan (2006-2028).

Other issues

Some of the comments made are considered to be of a civil nature so therefore cannot form part of the considerations of this application; these comments include those referencing rights of access across land and local covenants, however, whilst considering this application research into the original permission has discovered that there is permission for vehicle access to the current parking area. Other comments received which are not considered relevant to this application include previous works done on the property or the development of the estate, including any conditions that may have been applied, and mapping issues where property names are written in the wrong place. With regard to the comments received regarding policies ST4, ST5 and EH5 these policies were from the old South Somerset Local Plan and have been replaced, as noted the policies to consider in this application are EQ2, EQ3, SS1, SD1, TA5 and TA6 of the South Somerset Local Plan (2006-2028).

Several of the comments received relate to residential amenity concerns, although most of these have been addressed by the removal of both the garage and the pedestrian access onto Angel Lane. The size of the plot and any attached concerns regarding future development of the site should not be a concern when addressing this application, any future development applications would be assessed separately on their own merits. It has been confirmed that there was a mistake in the Design and Access statement, the opening in the wall is to be approximately 3 metres wide once complete, not the 4 metres as mentioned in the statement. Accordingly it is considered that there will be no substantial adverse affect on residential amenity.

The Highway Authority has advised that Standing Advice applies to this application. The current parking for the property provides two spaces which is not sufficient for a property of this size, the proposals supply a parking and turning area of approximately 19.4 metres by 12 metres, this area is sufficiently large to address the issue, providing plenty of parking for three or more cars to turn around and park, thus allowing them to enter and exit in a forward gear. The opening in the wall is to be 3 metres wide which is the minimum as required by the Highway Authority. It is considered that the proposals adhere to Standing Advice from the Highway Authority. Accordingly it is considered that there will be no substantial adverse effect on Highway Safety and the application is compliant with policies TA5 and TA6 of the South Somerset Local Plan (2006-2028).

Conclusion:

The proposal by virtue of scale, location, design and materials does not adversely affect the historic environment, visual or residential amenity or highway safety in accordance with policies EQ2, EQ3, TA5 and TA6 of the South Somerset Local Plan (2006-2028) and the NPPF Chapters 7 and 12.

RECOMMENDATION

Approve with conditions

01. The proposal by virtue of scale, location, design and materials does not adversely affect the historic environment, visual or residential amenity or highway safety in accordance with policies EQ2, EQ3, TA5 and TA6 of the South Somerset Local Plan (2006-2028) and the NPPF Chapters 7 and 12.

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 approved plans Nos 14.03, 14.04A, 14.01C.

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

03. No work shall be carried out to fit any gates unless details of the design, materials and external finish of these elements have been submitted to and approved in writing by the Local Planning Authority. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: in the interests of the special architectural and historic interests of the listed building and in accordance with the saved policy EQ3 of the South Somerset Local Plan (2006-2028).

04. No work shall be carried out on site unless particulars and details of the materials (including the provision of samples where appropriate) for the following are supplied. The work shall be carried out in accordance with the agreed details, and the sample panel shall remain available for inspection throughout the duration of the work.

- Full details of the new boundary walls, including details of the making good and the materials, coursing, bonding and coping; mortar profile, colour, and texture along with a written detail of the mortar mix.
- Hard standing.

Reason: in the interests of the special architectural and historic interests of the listed building

05. Prior to the commencement of the development hereby permitted a scheme of tree and shrub planting shall be submitted and agreed in writing by the local planning authority. Upon completion of the hereby permitted development the approved planting scheme shall be implemented in the next planting season and should, within a period of five years from the completion of the development, any of the trees or shrubs planted in accordance with this condition, or any tree or shrub planted as a replacement for any of those trees or shrubs, is cut down, removed, damaged or dies another tree or shrub of the same species shall be planted at the same location, at a time agreed in writing by the Local Planning Authority unless the Local Planning Authority agrees in writing to dispense with or vary the requirement.

Reason: In the interests of visual amenity and landscape character and to accord with Policies EQ2 and EQ3 of the South Somerset Local Plan (2006-2028).

Informatives:

01. You are advised of the need to ensure that construction activities do not adversely affect the protected Weeping Ash tree in the adjoining garden.
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