

OFFICER: Lee Walton (01935) 462324

APPL.NO: 07/01806/FUL APPLICATION TYPE: Full Application

PARISH: Huish Episcopi WARD: LANGPORT AND HUISH

DESCRIPTION: Demolition of existing dwelling and the erection of 10 dwellings and associated garages (GR 342302/127638)

LOCATION: Bedwyn, Newtown Road, Huish Episcopi, Langport, Somerset TA10 9SE

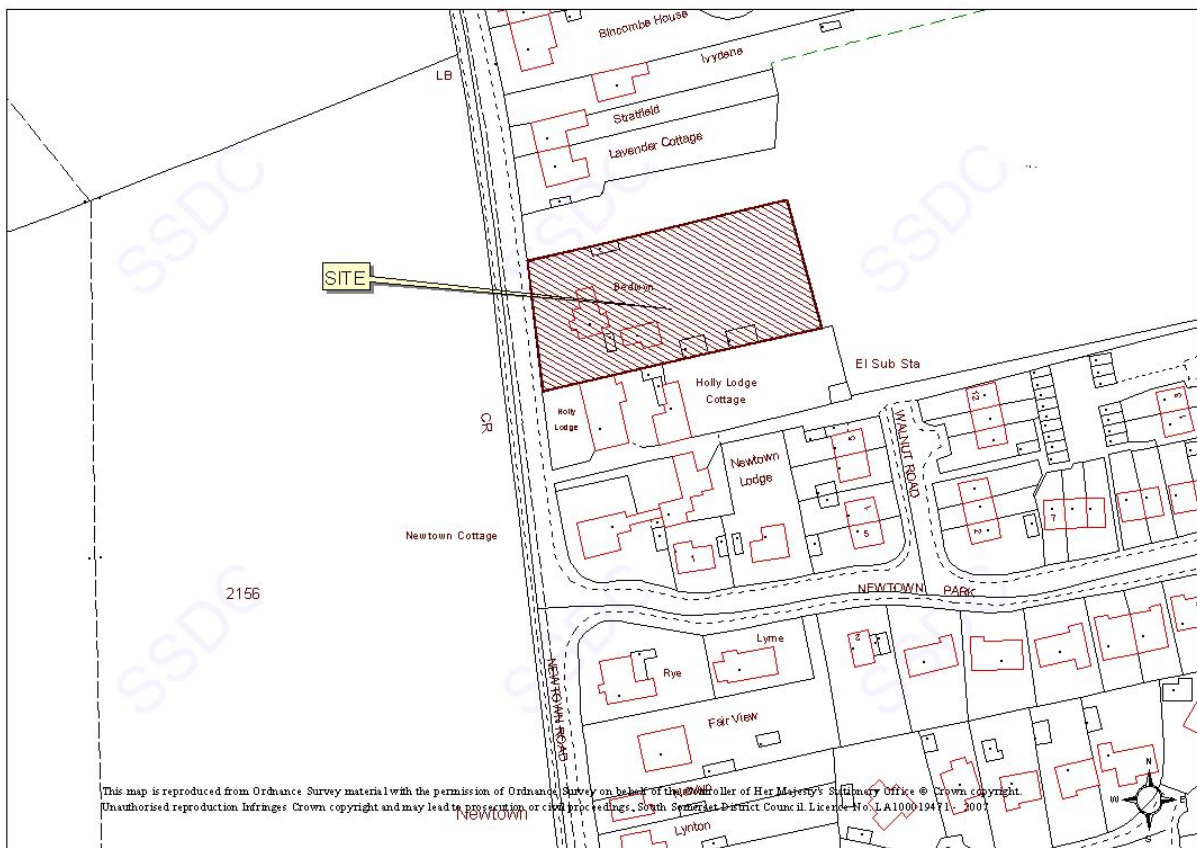
APPLICANT: Greatworth Properties Plc

AGENT: Boon Brown Architects (FAO: J Paterson), Motivo, Alvington, Yeovil, Somerset BA20 2FG

DATE ACCEPTED: 16 April 2007

Reason For Referral

The Ward Member supports the objections raised by the Parish Council.



Site Description And Proposal

The proposal forms a resubmission following refusal of the earlier application ref: 07/00329/FUL by Area Committee. The current proposal differs having deleted 2 proposed dwellings from the site now totalling 10 dwellings.

Designated Development Area alongside other property that front on to the highway (north side) with a residential estate found two plots away to the south of the site. Designated residential site (HG/HUEP/1) located immediately to the rear of the applicant's site.

History

07/00329/05/02334/OUT - Erection of six dwellings. Approved.

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

Regional Spatial Strategy:

EN4 - Quality of Built Development

VIS2 - Future Development

Somerset and Exmoor National Park Joint Structure Plan

STR1 - Sustainable Development

49 - Transport Requirements...

South Somerset Local Plan (Adopted April 2006)

HG4 - Housing Densities

ST5 - Principles of Development

ST6 - Quality of Development

TP8 - Residential Parking Provision

CR2 - Provision of Outdoor Playing Space

CR3 - Off Site Provision

EC8 - Protected Species

Consultations

Parish Council

Huish Episcopi Parish Council considered this latest application now for ten dwellings at Bedwyn at its meeting today. All Councillors felt that this application did not differ materially from the previous one for twelve dwellings - in fact the new "footprint" is virtually indistinguishable from that one.

The concerns raised at the outline planning stage for six dwellings remain valid. The Parish Council has always felt that any more than six would be inappropriate for this site. Parking provision, which appears minimal, and services, particularly sewerage/drainage, must be carefully considered in the light of continuing problems in Newtown Park, while archaeological and ecological impact studies should also be required.

From the map the overwhelming intrusion on neighbouring dwellings is unmistakable. This Council believes that government planning targets for housing density are guidelines and should not be followed slavishly without due regard to the aesthetics of what is suitable in a Somerset village. The Council was mindful that approval on this scale might well set a dangerous precedent for the demolition and high density over-development of any number of other properties along Newtown Road, which would be resisted strenuously.

The Council strongly recommends refusal and that, in view of the local environmental impact and points made, this application should again be determined at Area Committee level.

Highways

To be Reported at Area Committee

Ecologist

There is reasonable likelihood of bats being present at this site. The extensive gardens may also have potential to support reptiles (slow worms, grass snake). Further information is required in the form of a bat and reptile survey report

Area Engineer

No comment.

Leisure and Culture

Commuted sum payments required in accordance with policies CR2 and CR3

Representations

A site notice was posted on site (Major Development). Five neighbour notification letters were issued.

Considerations

The previous application was recommended by officers for approval and refused by area committee on the basis of over development out of character with the area setting a precedent for further similar development.

The current proposal is for an additional four dwellings compared with the extant outline permission for six dwellings. The applicant has deleted two units to address the recent refusal. This generates a density of about 45 dwellings per hectare compared to 54 dwellings per hectare under the application that was refused by committee. Government targets encourage higher densities as appropriate. 'Appropriateness' is considered in terms of sites located in sustainable locations and reflecting character in terms of their orientation, relationship to existing dwellings and plot size compared to others in the immediate area. There is no dispute that the site is in a sustainable location given that the site forms part of the development area recognised in the local plan.

The proposed development is designed around a courtyard arrangement. It differs from that refused in terms of a pair of dwellings replacing a third, and the loss of an apartment over garaging. Otherwise mass and scale remains with only the loss of two residential units and by implication reduced parking demand.

The design is considered acceptable and details such as overlooking and loss of privacy for adjoining occupiers is addressed in the design/ layout. The loss of two units is a positive response to the earlier refusal. The proposed dwellings fronting the main road come slightly forward of the existing dwellings found to either side. This arrangement is considered acceptable in terms of visual amenity. The neighbour response refers to the building line - planners refer to street scene. Street scene permits greater discretion and appreciation rather than a hard and fast line drawn with a ruler on plans that constrain each plot leading to a repetitive and possibly boring sequence of buildings. The current proposal is not considered to detract from the street scene of the main road frontage.

Within the site parking provision is acceptable and access onto the main highway follows previous details that were approved by the County Highway Authority.

It seems that the main issue relates to the character of the development in terms of the site's density, its orientation - building to the rear of properties fronting the main road and to their plot size compared with others in the immediate area. The immediate area is made up

showing a series of older properties primarily to the north of this site that front onto the main road with sizeable plots extending back from the highway. The applicant's site sits at the southerly end of this row of properties and itself is separated by one plot from a not dissimilar type of residential development that also maximises land use and develops the site away from the main road.

Further proposed residential housing is identified in the local plan at the rear of the applicant's site. This seeks approximately 53 dwellings on a site of approximately 1.5 hectares. The immediate area to south and east shows a closer relationship that has a significantly higher density compared with the remainder of properties to the north of the applicant's site that front on to the main road.

Increased density is clearly encouraged by central government policy (PPS3) notwithstanding that 'character' remains an issue to be considered in considering individual applications. Policy HG4 requires at least 30 dwellings and higher and the lead guidance in considering this application is the more recent Planning Policy Statement 3 (Housing). The site forms part of the development area the principle of development is therefore accepted. This leaves character and the character of the immediate area is mixed. The current proposal seeks a lower density than is 'planned' for on the allocated site to the rear.

Recommendation

APPROVE

JUSTIFICATION

01. The proposal, by reason of its size, design, materials and location, represents an appropriate use of land within the development limits which is carefully designed and respects the character of the area, causes no demonstrable harm to residential amenity and does not foster growth in the need to travel in accordance with the aims and objectives of policies ST2 and ST6 of the South Somerset Local Plan 2006.

SUBJECT TO THE FOLLOWING CONDITION(S):

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. Prior to the commencement of any works hereby approved, the proposed access to the highway shall be constructed in accordance with the details shown on drawing no. 2600 201 Rev. B date stamped 16th April 2007.

Reason: In the interests of highway safety in accordance with policy 49 of the Somerset and Exmoor National Park Joint Structure Plan.

03. The development hereby permitted shall not be commenced until particulars of the materials (including the provision of samples where appropriate) to be used for external walls and roofs have been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the character and appearance of the area and accord with Policy ST6 of the South Somerset Local Plan 2006.

04. Prior to first occupation of the development hereby permitted the surfacing materials

of the access drive and turning and parking areas shall be provided and such areas properly drained, consolidated and surfaced in accordance with details submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety in accordance with policy 49 of the Somerset and Exmoor National Park Joint Structure Plan and to safeguard the visual amenity of the area and accord with Policy ST6 of the South Somerset Local Plan 2006.

05. All of the windows hereby approved shall be traditional side hung balanced casements (with equal sized panes of glass) and shall permanently be retained as such.

Reason: In the interests of visual amenity in accordance to policy ST6 of the South Somerset Local Plan 2006.

06. The windows and doors comprised in the development hereby permitted shall be recessed in accordance with details to be submitted to and approved in writing with the Local Planning Authority before any work on the development hereby permitted is commenced.

Reason: In the interests of visual amenity in accordance with policy ST6 of the South Somerset Local Plan 2006.

07. No development shall commence, before details of the proposed finished ground floor level of the dwellings hereby permitted, in relation to the natural and finished ground levels of the site, have been submitted to and agreed in writing by the Local Planning Authority. Thereafter, the development shall be implemented in accordance with any details as may be agreed in writing by the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain adequate control over proposed floor levels, in the interests of neighbour amenity, further to policy ST6 of the South Somerset Local Plan 2006.

08. Before the development hereby permitted shall be commenced details of all eaves/fascia board detailing, guttering, downpipes and other rainwater goods shall be submitted to and approved in writing by the Local Planning Authority. Such details once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In the interests of visual amenity in accordance to policy ST6 of the South Somerset Local Plan 2006.

09. 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 to policy ST6 of the South Somerset Local Plan 2006.

10. No additional window opening, or other similar external alteration is to be made to the elevations facing Holly Lodge.

Reason: In the interests of neighbour amenity and avoidance of loss of privacy, further to policy ST6 of the South Somerset Local Plan 2006.

11. No development shall commence, before plans and particulars showing precise details of any gates, fences, walls or other means of screening or enclosure, to be erected around or within the site to include existing walls enclosing the site to be retained have been submitted to and agreed in writing by the Local Planning Authority. Such details of screening or other means of enclosure as may be agreed in writing by the Local Planning Authority, shall be erected prior to the dwellings to which they relate first being occupied and thereafter maintained in the approved form.

Reason: To enable the LPA to retain adequate control over such details of screening and/ or means of enclosure, in the interests of visual amenity and the character and appearance of the Conservation Area, further to policies ST6 and EH1 of the South Somerset Local Plan.

12. The area allocated for parking on the submitted plan shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby approved.

Reason: In the interests of highway safety and pursuant to the character and appearance of the conservation area, in accordance with policy EH1 of the South Somerset Local Plan

13. Notwithstanding the provisions of Article 3, Schedule 2, Part 1 of the Town and Country Planning General Permitted Development Order, 1995 (or any order revoking and re-enacting that Order) the garages shown on the approved drawing shall be used solely for the parking of vehicles and for no other purpose incidental to the enjoyment of the dwelling, including conversion to habitable rooms.

Reason: In the interests of highway safety

14. Before the development hereby permitted is commenced, foul and surface water drainage details to serve the development, shall be submitted to and approved in writing by the Local Planning Authority and such approved drainage details shall be completed and become fully operational before the development hereby permitted is first brought into use. Following its installation such approved scheme shall be permanently retained and maintained thereafter.

Reason: In the interests of neighbour amenity, further to policy ST6 of the South Somerset Local Plan.

15. The development hereby permitted shall include serviceable chimneystacks for each residential unit.

Reason: In the interests of visual amenity and the character and appearance of the Conservation Area, further to EH1 of South Somerset Local Plan.

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted

Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), there shall be no extensions.

Reason: In the interests of visual amenity in accordance with policy ST6 of the South Somerset Local Plan 2006.

17. No development shall commence until bat and reptile survey reports have been received and agreed in writing by the Council's Ecologist. The surveys shall be undertaken by a licensed bat consultant, and proposed measures (sufficient to satisfy regulation 44(3)(b) of the Habitats Regulations in the case of bats) for the avoidance of harm, mitigation and / or compensation if any protected species are present and affected by the proposed development.

Reason: To ensure that any protected species is safeguarded in accordance with policy EC8 of the South Somerset Local Plan 2006.

18. The dwellings hereby approved shall not be occupied unless and until a legal agreement has been submitted to and approved in writing by the local planning authority that secures contributions towards the provision/improvement of off-site play areas and leisure facilities in the locality.

Reason. To ensure an appropriate level of leisure facilities is maintained and to accord with CR3 of the South Somerset Local Plan 2006.

NOTES (if any)

01. Pursuant to condition 17. Permission may not be possible dependent on the response from the Council's Ecologist based on the information provided and that the applicant would need to consider further applications in turn.
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