

OFFICER: Louisa Brown (01935) 462391

APPL.NO: 07/04194/FUL APPLICATION TYPE: Full Application

PARISH: Tintinhull WARD: ST MICHAELS

DESCRIPTION: The erection of 3 No. dwellings with garages (GR: 350103/119738)

LOCATION: 8 Farm Street, Tintinhull, Yeovil, Somerset BA22 8PZ

APPLICANT: I A D UK Ltd

AGENT: Brimble Lea & Partners (FAO: Diccon Carpendale) Wessex House, High Street, Gillingham, Dorset

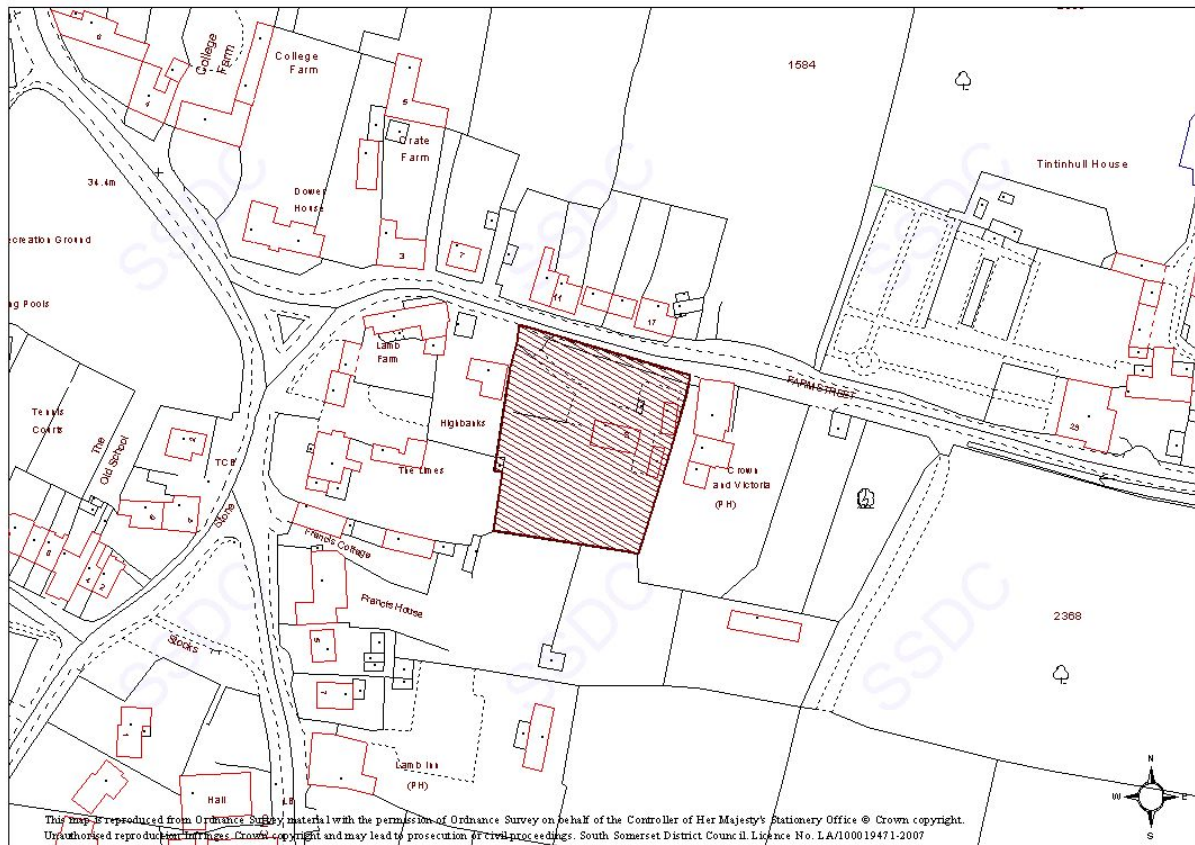
DATE ACCEPTED: 6 September 2007

Reason For Referral To Committee

The Chairman, Cllr Patrick Palmer, has accepted this application onto the Area North Committee at the request of Cllr Jo Roundell Greene who would like to have the opportunity for the following issues to be explored in more detail;

- Over development of the site
- Access and increased traffic
- Drainage and flooding
- Overlooking
- Design of development

Site Description and Proposal



This is an application seeking full planning consent for the erection of 3 no. dwellings with garages. The site is located on the southern side of Farm Street, within the village of Tintinhull. Currently there is a detached 1950's bungalow with a garage/outbuildings and stables.

The site has vehicular access off of Farm Street, which runs upwards to the site, which is at a much higher level than the main road. There are numerous trees and hedging on the North, East, south and west boundary. There are residential properties to the North, and West, with a public house immediately to the east and gardens and fields to the south. The site is within a conservation area; there are listed buildings to the Northwest.

History

06/04063/FUL: Erection of double garage - approved 21/12/06
06/03491/CON: Demolition of existing chalet bungalow and outbuildings - approved 12/02/07
06/03255/FUL: the erection of 3 no. detached dwellings with garages - withdrawn
05/02833/FUL: Erection of one and a half storey detached dwelling with detached double garage and vehicle turning area for existing property - Approved 23/01/06
42867/C: the erection of a stable block - approved 16/02/73
42867/B: the erection of a dwelling and private garage - Refused 11/08/71
42867/A: Erection of an outbuilding incorporating a carport and a store - Approved 15/11/63
42867: Erection of a house and formation of vehicular access - Approved 01/11/58

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:

Policy VIS 1 - Expressing the Vision
Policy VIS 2 - Principles for Future Development

Somerset and Exmoor National Park Joint Structure Plan Review 1991-2011:

Policy STR1 - Sustainable Development
Policy STR3 - Rural Centres and Villages
Policy STR5 - Development in Rural Centres and Villages
Policy 9 - The Built Historic Environment
Policy 49 - Transport Requirements for New Development

South Somerset Local Plan (Adopted April 2006):

Policy ST2 - Villages
Policy ST3 - Development Areas
Policy ST5 - General Principles of Development
Policy ST6 - The Quality of Development
Policy EH1 - Conservation Area
Policy EH5 - Development Proposals Affecting the Setting of Listed Buildings

Consultations

Tintinhull Parish Council - object
Highways - no objections
Area Engineer - surface water disposal to be via soakaways
Landscape Officer - principle acceptable
Conservation Manager - no objection

Representations

Fourteen neighbours were notified and a site notice put up. Six letters of objection have been received, the issues raised were;

- Over-development of site
- The 4 and 5 bed properties are not in keeping with the other houses in Farm Street, out of character with the area.
- Increase in traffic
- Would be exposed to substantially raised dwellings, one having a full-length glass window, more sympathetic screening needed.
- Visibility splays have not been clearly identified in the site layout, dangerous access.
- Ambience of street should be maintained.
- Wiring should be underground.
- Buildings should be in local Ham Stone.
- May set a precedent (Officer Comment: not planning consideration, each application assessed on its individual merit)
- Impact on Global Warming, developers should pay a forfeit, in carbon offset terms. (Officer Comment: Currently there is not a policy within the local plan to assess this on, as such it is not a material consideration.)

Considerations

A previous application (06/03255/FUL) for the proposal of 3 no. dwellings was withdrawn due to the design being unacceptable and highway concerns over getting the necessary visibility splays. This application is for the erection of 3 no. dwellings with garages, following pre-application advice from the Conservation Manager and County Highways. There will be a detached 5 bed property with an attached open fronted garage, which will be in the form of a traditional farmhouse. The other two properties will be semi-detached with an open fronted garage each and are in the form of a converted barn/outbuilding. Each garage will provide two covered parking spaces for each dwelling.

Tintinhull is classed as a village, which is in principle an appropriate location for development. The majority of the site is within the development area, a small part of the site on the south boundary is outside it, however all the proposed dwellings will be within it.

The Parish Council object to the application:

"After much discussion and site visits, the Parish council do not support the applications for the reasons as follows;

The Parish Council has reviewed this application and acknowledges the actions and consultations undertaken by the applicant. The Parish council does not support this application for the reasons stated below;

1. Over Development. It is the Parish council's opinion that the erection of three 4/5 bedroom dwellings on this site is over development of the area; a similar scheme 05/02833/FUL that is already granted is far more acceptable.

2. Traffic Problems. This proposed development in Farm Street which will have at least two cars per household, would increase the already over use of the road and exacerbate the unacceptable congestion currently experienced. Parish Council wish to point out to the Highways representative that Tintinhull house entertains in excess of 22,000 visitors each year, who arrive by coach, (which cannot access the parking area) and car. Add to that the daily passage of milk tankers and associated agricultural and delivery vehicles which serve the working dairy farm at the end of Farm Street, and the clientele associated with the Crown & Victoria Public house/Restaurant. From a safety aspect, there is already a danger that

Emergency Service Vehicles would be unable to pass up Farm Street, as width of Farm Street at the entrance to the site is very narrow.

3. Storm Water Drainage. There is already a problem with storm water drainage on Farm Street, due to the probability of collapsed drains. After heavy rains as have been experienced this summer, storm water drainage will be kept away from Farm Street, causes flooding in Queen Street. It is mentioned in the design statement that storm water drainage will be kept away from Farm Street; the Parish council would like sight of the proposals for the removal of storm water from the site. Any permission granted needs to include the removal of the earth bank at the front of the site back to its original position (it has over the years moved forward approximately ½ to 1 metre), to allow the drains to function correctly be part of this permission.

4. Existing Permissions. The Council wish to know if the granted permission for the garage remains, as it is not part of this application and how it fits with the proposal."

Details of the storm water drainage can be conditioned and will be part of the Building Regulations. If this application is carried out then none of the applications on the site will be able to be implemented.

The site is within a conservation area and is near to Listed Buildings. Having the correct design to enhance and preserve the character of the area has been one of the main issues to be dealt with.

The Conservation Manager/Architect has been consulted on this new application and has stated; "I confirm support for this design - no further comments.

I suggest that a condition is applied particularly to cover the front boundary detailed design, levels, stonework and pointing in order to ensure that this aspect is executed to the appropriate standard."

The proposed buildings will be built with natural ham stone with double roman roof tiles, with timber windows.

Part of the north boundary embankment will be altered slightly in order to obtain the necessary visibility to the east and west the access drive has been moved slightly to the East. This will necessitate the removal of a small area of existing banking and its retention with natural stone walling. It is considered that as the majority of the embankment will be retained the character of the conservation area will be retained.

Highways have no objection to the proposal and have stated; "As I am sure you are aware the Highway Authority recommended the previous application (No. 06/03244/FUL) for refusal on the grounds of the increased use made of the existing substandard access.

This current application proposes to alter to the existing access so as to cater for the additional traffic that the proposal is likely to generate. The Highway Authority is satisfied with the width of the proposed access shown to be 5.0m, as this will enable two vehicles to pass at the point of access, therefore prevent manoeuvring on the highway.

The level of visibility from the access shown as 16.0m to the west to a point 1.0m off the nearside carriageway edge and 16.0m to the east to the nearside carriageway edge is acceptable for the speed of the road at this point and is in line with the visibility requirements as set out in Manual for Streets.

There is also adequate room within the site to enable vehicles to enter and leave the site in a forward gear and as such it may be unreasonable to raise an objection to the proposal."

The proposed "barn" building will be set back from the main road by 26 metres and the north elevation of the "farmhouse" is no nearer to the road than the existing bungalow. Overall the "barn" is 34 metres from the existing house on the north side of Farm Street and the "farmhouse" is 29 metres from them. All of the dwellings are designed with a southerly outlook, with few principle room openings in the north elevations. There are no first floor openings on the west elevation of the "barn" and the two first floor openings on the east elevation of the "farmhouse" bathrooms, can be obscure glazed. Therefore it is considered that there is no adverse affect on neighbouring residential properties, by reason of overlooking.

The trees located on the north and south boundaries will be retained as part of the landscaping. The full-length windows on the north elevation of the "barn" building will be partially screened by the existing trees and hedging on the north boundary.

Previous approval has been given for an additional bungalow on the site and the retention of the existing bungalow; this proposal seeks to gain one more than has previously been approved. The scheme has been designed to provide a scale of development that reflects the typical characteristics of houses with groups of farm buildings found throughout the village.

It is considered that the proposal is appropriate development within a Village, preserves the character of the Conservation Area, does not have an adverse affect on the setting of a Listed Building, respects the form, character and setting of the locality to maintain its local distinctiveness, makes provision for satisfactory means of access into and within the site and traffic resulting from the development can be accommodated on the local transport network, and have no adverse impact on the residential and visual amenity in accordance with Policies STR1, STR3, STR5, 9 and 49 Somerset and Exmoor National Park Joint Structure Plan Review (adopted 2000) and Policies ST2, ST5, ST6, EH1 and EH5 of the South Somerset Local Plan (adopted April 2006).

RECOMMENDATION

Approve

JUSTIFICATION

01. The proposal, by reason of location, design, density, form, scale, mass, height, proportions and access, is appropriate development within a Village, preserves the character of the Conservation Area, does not have an adverse affect on the setting of a Listed Building, respects the form, character and setting of the locality to maintain its local distinctiveness, makes provision for satisfactory means of access into and within the site and traffic resulting from the development can be accommodated on the local transport network, and have no adverse impact on the residential and visual amenity in accordance with Policies STR1, STR3, STR5, 9 and 49 Somerset and Exmoor National Park Joint Structure Plan Review (adopted 2000) and Policies ST2, ST5, ST6, EH1 and EH5 of the South Somerset Local Plan (adopted April 2006).

Application Permitted with Conditions

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 materials to be used in the construction of the external surfaces (external walls and roofs) of the development hereby permitted shall be as indicated in the Design and Access Statement dated 5 September 2007.

Reason: To safeguard the character and appearance of the Conservation Area and to accord with Policies ST6 and EH1 of the South Somerset Local Plan (Adopted April 2006) and policies STR5 and 9 of the Somerset and Exmoor National Park Joint Structure Plan Review (adopted 2000)

03. Before the development hereby approved is commenced, a sample panel of the local natural stonework, indicating colour, texture, coursing and pointing, for the approved detached dwelling and semi-detached dwellings shall be provided on site for inspection and agreed in writing by the Local Planning Authority.

Reason: To safeguard the character and appearance of the conservation area and in the interest of visual amenity, to accord with Policies ST6 and EH1 of the South Somerset Local Plan (Adopted April 2006) and Policies STR5 and 9 of the Somerset and Exmoor National Park Joint Structure Plan Review (adopted 2000).

04. Before the development hereby approved is commenced, a sample panel of the local natural stonework, indicating colour, texture, coursing and pointing, and detailed design and levels for the approved wall on the North boundary and either side of the driveway, shall be provided on site for inspection and agreed in writing by the Local Planning Authority.

Reason: To safeguard the character and appearance of the conservation area and in the interest of visual amenity to accord with Policies ST6 and EH1 of the South Somerset Local Plan (Adopted April 2006) and Policies STR5 and 9 of the Somerset and Exmoor National Park Joint Structure Plan Review (adopted 2000).

05. The windows 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: To safeguard the character and appearance of the conservation area and in the interest of visual amenity to accord with Policies ST6 and EH1 of the South Somerset Local Plan (Adopted April 2006) and Policies STR5 and 9 of the Somerset and Exmoor National Park Joint Structure Plan Review (adopted 2000).

06. All of the windows hereby approved shall be traditional side hung balanced casements (with equal sized panes of glass).

Reason: To safeguard the character and appearance of the conservation area and in the interest of visual amenity to accord with Policies ST6 and EH1 of the South Somerset Local Plan (Adopted April 2006) and Policies STR5 and 9 of the Somerset and Exmoor National Park Joint Structure Plan Review (adopted 2000).

07. Before the development hereby permitted is commenced details of the design (detailed drawings scaled 1:5), materials and external finish to be used for all windows, doors, boarding and openings shall be 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: To safeguard the character and appearance of the conservation area and in the interest of visual amenity to accord with Policies ST6 and EH1 of the South Somerset Local Plan (Adopted April 2006) and Policies STR5 and 9 of the Somerset and Exmoor National Park Joint Structure Plan Review (adopted 2000).

08. The development hereby permitted shall not be commenced until particulars of the design and materials (including the provision of samples where appropriate) to be used for the chimneys on the detached dwelling have been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the character and appearance of the conservation area and in the interest of visual amenity to accord with Policies ST6 and EH1 of the South Somerset Local Plan (Adopted April 2006) and Policies STR5 and 9 of the Somerset and Exmoor National Park Joint Structure Plan Review (adopted 2000).

09. All gas and electric meters shall be located within the garage/carports as indicated within the Design and Access Statement, dated 5 September 2007, and shall be maintained and retained as such.

Reason: To safeguard the character and appearance of the conservation area and in the interest of visual amenity to accord with Policies ST6 and EH1 of the South Somerset Local Plan (Adopted April 2006) and Policies STR5 and 9 of the Somerset and Exmoor National Park Joint Structure Plan Review (adopted 2000).

10. 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), no garages shall be erected other than those expressly authorised by this permission.

Reason: To safeguard the character and appearance of the conservation area and the approved development and in the interest of visual amenity to accord with Policies ST6 and EH1 of the South Somerset Local Plan (Adopted April 2006) and Policies STR5 and 9 of the Somerset and Exmoor National Park Joint Structure Plan Review (adopted 2000).

11. 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), no additional windows, including dormer windows, or other openings (including doors) shall be formed in the building, or other external alteration made (including new gas or electric meters) without the prior express grant of planning permission.

Reason: To safeguard the character and appearance of the conservation area and in the interest of visual and residential amenity to accord with Policies ST6 and EH1 of the South Somerset Local Plan (Adopted April 2006) and Policies STR5 and 9 of the Somerset and Exmoor National Park Joint Structure Plan Review (adopted 2000).

12. 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 to this building without the prior express grant of planning permission.

Reason: To safeguard the character and appearance of the conservation area and in

the interest of visual and residential amenity to accord with Policies ST6 and EH1 of the South Somerset Local Plan (Adopted April 2006) and Policies STR5 and 9 of the Somerset and Exmoor National Park Joint Structure Plan Review (adopted 2000).

13. Before the development hereby permitted shall be commenced details of all roof verge and 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: To safeguard the character and appearance of the conservation area and in the interest of visual amenity to accord with Policies ST6 and EH1 of the South Somerset Local Plan (Adopted April 2006) and Policies STR5 and 9 of the Somerset and Exmoor National Park Joint Structure Plan Review (adopted 2000).

14. Prior to the development hereby approved being first brought into use the two first floor windows in the East elevation of the detached dwelling shall be fitted with obscure glass and shall be permanently retained and maintained in this fashion thereafter.

Reason: In the interests of residential amenity and to accord with Policy ST6 of the South Somerset Local Plan (Adopted April 2006).

15. 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, including surfacing and boundary fencing, 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: To safeguard the character and appearance of the conservation area and in the interest of visual amenity to accord with Policies ST6 and EH1 of the South Somerset Local Plan (Adopted April 2006) and Policies STR5 and 9 of the Somerset and Exmoor National Park Joint Structure Plan Review (adopted 2000).

16. All existing hedges or hedgerows shall be retained, unless shown on the approved drawings as being removed. All hedges and hedgerows on and immediately adjoining the site shall be protected from damage for the duration of works on the site to the satisfaction of the Local Planning Authority in accordance with the recommendations in British Standard 5837 1991. Any part(s) of hedges or hedgerows removed without the Local Planning Authority's consent or which die or become, in the opinion of the Local Planning Authority, seriously diseased or otherwise damaged within five years following contractual practicable completion of the approved development shall be replaced as soon as is reasonably practicable and, in any event, by not later than the end of the first available planting season, with plants of such size and species and in such positions as may be agreed in writing with the Local Planning Authority.

Reason: To safeguard the character and appearance of the conservation area and in the interest of visual amenity to accord with Policies ST6 and EH1 of the South Somerset Local Plan (Adopted April 2006) and Policies STR5 and 9 of the Somerset and Exmoor National Park Joint Structure Plan Review (adopted 2000).

17. The proposed access over the first 5.0m of its length, as measured from the edge of the adjoining carriageway, shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details, which shall have been submitted to and approved by the Local Planning Authority.

Reason: In the interest of Highway safety to accord with Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review 1991-2011 and Policy ST5 of the South Somerset Local Plan (adopted April 2006).

18. The gradient of the proposed access shall not be steeper than 1 in 10.

Reason: In the interest of Highway safety to accord with Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review 1991-2011 and Policy ST5 of the South Somerset Local Plan (adopted April 2006).

19. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway details of which shall have been submitted to and approved by the Local Planning Authority.

Reason: In the interest of Highway safety to accord with Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review 1991-2011 and Policy ST5 of the South Somerset Local Plan (adopted April 2006).

20. 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 the parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interest of Highway safety to accord with Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review 1991-2011 and Policy ST5 of the South Somerset Local Plan (adopted April 2006).

21. At the proposed access there shall be no obstruction to visibility greater than 900mm above adjoining road level within the visibility splays shown on the submitted plan. Such visibility splays shall be constructed prior to the commencement of the development hereby permitted and shall thereafter be maintained at all times.

Reason: In the interest of Highway safety to accord with Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review 1991-2011 and Policy ST5 of the South Somerset Local Plan (adopted April 2006).

NOTES (if any)

01. The Conservation Manager has advised that the chimneys on the detached dwelling should be brick. You are also advised that the fascia should be narrow. The fascias, guttering and rain water goods should all be black.
02. It is unnecessary to condition that the retained trees not be cut down or uprooted or destroyed as the trees are within a Conservation Area, as such any works to them would require consent from the Local Planning Authority.