



JOINT AREA COMMITTEES IN SOUTH SOMERSET

Officer Report on Planning Application

08/04583/REM
(Excepted Business)



Proposal :	Residential development, details of siting, design and external appearance (Reserved Matters of 05/02818/OUT) (GR 342783/127549)
Site Address:	Bartletts Elm Field Road Huish Episcopi
Parish:	Huish Episcopi
Ward : (SSDC Member)	LANGPORT AND HUISH Mr Roy Mills (Cllr)
Division (SCC Member)	LANGPORT Mr Derek Yeomans (Cllr)
Recommending Case Officer:	Adrian Noon Tel: 01935 462370 Email: adrian.noon@southsomerset.gov.uk
Target date :	19th June 2009
Applicant :	Yarlington Homes
Application Type :	Major Dwlg's 10 or more or site 0.5ha+

REASON FOR REFERRAL TO COMMITTEE

This application is referred to the Committee at the discretion of the Planning Team Leader, with the support of the Chairman, due to its significance for Huish Episcopi.

BACKGROUND

This application and the associated full application (08/04579/FUL) for three houses on the western side of the development that are outside the red line of the outline application, were considered by the May Committee. Both applications were deferred for further clarification on:-

- The location of the on-site affordable housing provision
- Clarification of the measures to protect the trees on site during construction
- Appropriate design and location of car parking spaces
- The level of amenity space provided
- The provision of lifts in the 3 storey sheltered housing building

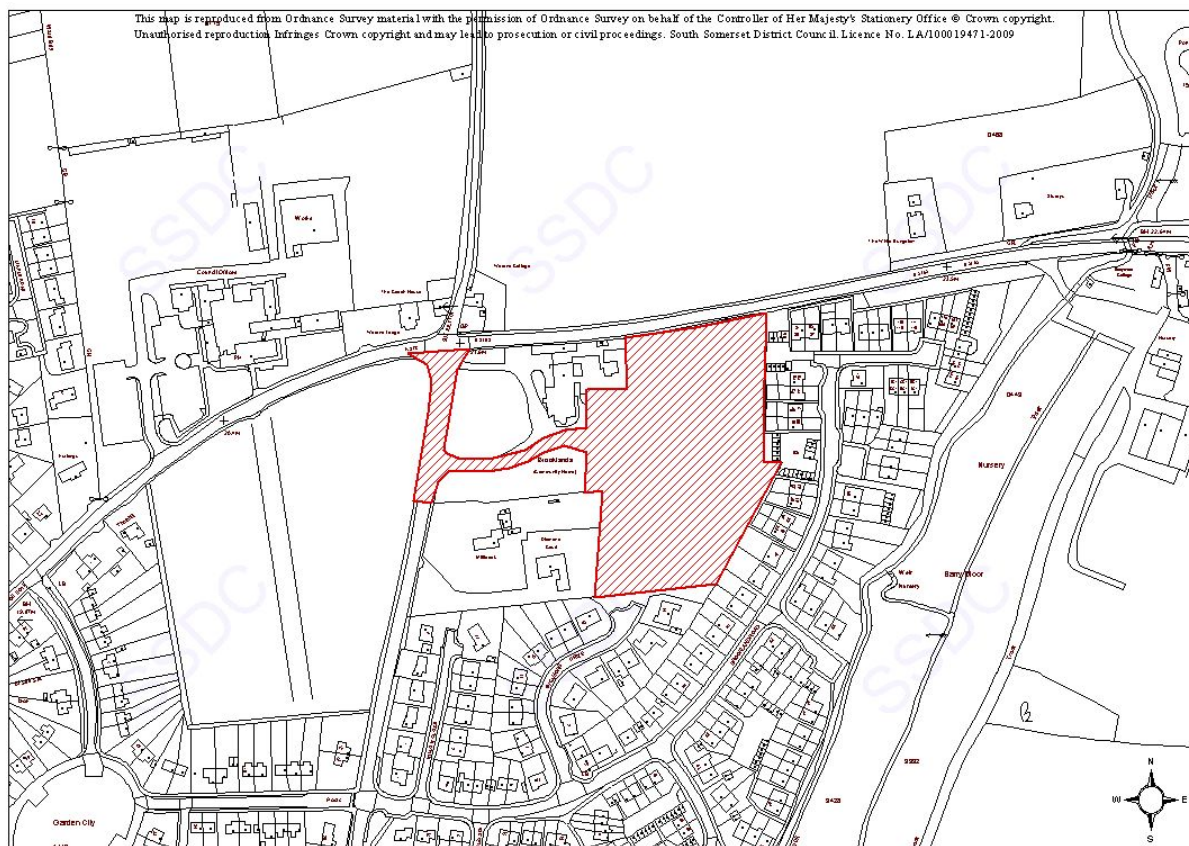
Subsequently a meeting was held to allow Members to clarify their concerns and the applicant agreed to revise the scheme in an attempt to address these concerns. The changes include:-

- The omission of 3 flats above garages (plots 18, 19 and 46) reducing the number of dwellings to 94 (97 in total including application 08/04579/FUL)
- The loss of three parking spaces;
- Plots 1 – 5 are moved by approximately 3 m to the west to provide curtilage parking for plot 6;
- Garage block to the rear of plots 12 – 17 reduced and curtilage parking provided for plot 17;
- Garage building and larger gardens provided for new plots 43 and 44;
- 2 parking spaces removed below tree canopy to the rear of plot 4 thereby providing a larger garden to this unit; and
- Parking space in front of new plot 52 removed.

All plots and parking spaces have been re-numbered accordingly on the amended drawings and a supplementary arboricultural report has been provided to clarify the tree protection measures during construction.

The revisions, which are not considered to materially alter the nature of the proposal have been the subject of re-notifications and any comments will be reported to the Committee. The previous report, updated as necessary, is reproduced below.

SITE DESCRIPTION AND PROPOSAL



This application relates to a 1.6 ha site to the rear of the original Bartletts Elm school building, backing onto Brooklands Road to the east and bounded by the B3153 to the north. The northern part of the site, which has been prepared for development, was used as a sports ground and there was a sports hall, now demolished, on the eastern part. The southern part of the site comprises a large area of mostly self-sown scrub land, with some ornamental species left over from when the area was a managed garden.

There is a substantial stone boundary wall to the B3153 with chain link fences to the south and east boundaries. There are many mature trees on the site including a number of protected specimens.

The properties to the east, which back onto the site, are modern two-storey dwellings dating from the 1970s. To the south bungalows in Sycamore Drive are separated from the site by a strip of land owned by a third party. To the west is a large detached property (Diamond Court) and the former school building and coach house, now converted to 14 flats.

This reserved matters application, as amended, seeks approval for the erection of 94 flats and houses (including 34 sheltered units) comprising:-

- 28 one bedroom flats
- 19 two bedroom flats
- 27 two bedroom houses
- 18 three bedroom houses
- 1 four bedroom house
- 3 five bedroom houses

35% of the units would be 'affordable' in accordance with the S.106 planning obligation attached to the outline approval.

34 apartments would be provided in a 3-storey building, arranged around a courtyard, as a sheltered housing scheme; the flats would be as 'flats over garages' (FOG). The dwellings are mostly 2 storey mixed with some 3 and 2½ storey buildings. A mix of render, stone, slate and tile is proposed.

The access, via a new mini-roundabout on the A372, was agreed at the outline stage as were various 'no build' zones around the protected trees. The application is nevertheless supported by an updated arboricultural report to which a supplementary report has been added to cover the additional specifications requested by the tree officer.

The application is supported by a Planning Statement (including a Statement of Community Involvement) and a Design and Access Statement. It has been invalidated during the course of determination due to the withdrawal of the initially submitted arboricultural details. This information has been updated and resubmitted along with amendments to provide parking on the basis of 2 spaces per dwelling and 1 space per flat/apartment and to address matters of detail raised with the applicant. The revalidated application has been the subject of further consultations.

HISTORY

05/02818/OUT Outline permission granted for residential development of land to rear of main school building.

05/02831/FUL Planning permission approved for conversion of former school building and coach house to 14 flats

Both these permissions require the formation of a mini-roundabout on the A372 to provide access prior to commencement.

A reserved matters application and linked full application were received in July 2009, but were subsequently withdrawn following concerns about impact on trees.

08/03510/S73 Application approved to vary condition 2 of 05/02831/FUL to delete the requirement for the formation of mini-roundabout prior to commencement in favour of a requirement to agree junction improvements prior to occupation.

08/04806/FUL Planning permission granted for alternative car parking layout in relation to the converted school building and coach house.

There is an associated application (08/04581/FUL) to erect 3 dwellings on land outside red line of 05/02818/OUT.

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

Draft Regional Spatial Strategy for the South West (Proposed Changes June 2008):

Development Policy C - Development at in Small Towns and Villages

Development Policy E - High Quality Design

Development Policy G - Sustainable Construction

Development Policy H - Reusing Land

H2 - Housing Densities

Somerset and Exmoor National Park Joint Structure Plan (adopted April 2000):

STR1 - Sustainable Development

Policy 48 - Access and Parking

Policy 49 - Transport requirements of new development

South Somerset Local Plan (adopted April 2006):

Policy ST1 - Rural Centres

Policy ST5 - The Quality of Development

Policy ST6 - Landscape and Architectural Design

Policy ST9 - Crime Prevention

Policy HG1 - Provision for New Housing Development

Policy HG4 - Housing Density

Policy HG6 - Affordable Housing Target

Policy HG7 - Affordable Housing

Policy CR4 - Amenity Open Space

Policy TP1 - Pedestrian Provision

Policy TP4 - Road Design

Policy TP7 - Car Parking

Policy-related Material Considerations

None relevant

National Guidance

PPS1 - Delivering Sustainable Development

PPS3 - Housing

PPG13 - Transport

PPS25 - Flooding

South Somerset Sustainable Community Strategy

Goal 3 - Healthy Environments

Goal 4 - Services and Facilities

Goal 8 - High Quality Homes

Goal 9 - A Balanced housing Market

Parish/Town Plan - Huish Episcopi
No conflict

Other Relevant Documents:
None

CONSULTATIONS

Huish Episcopi Parish Council - no objection to the scheme as amended and is please to note the reduction in height of the semi-detached houses (plots 47 & 48) and the slight reduction (by 3) of the overall number of dwellings. The PC wish to maintain their objection to the access arrangements agreed at outline stage.

Langport Town Council - comments awaited at the time of writing.

Landscape Architect - no objection subject to a condition to require the submission of a detailed landscaping scheme based on the submitted layout.

Tree Officer - Initially expressed concerns about the detail of the supporting arboricultural information. Concerns have been maintained regarding the level of detail in relation to tree planting, the vagueness of the Arboricultural Method Statement and Tree Protection Plan. Since the May Committee the applicant has liaised with tree officer and a supplementary report has been provided which is understood to address previous concerns. An oral update will be necessary to report his formal comments.

Highways Officer - initially concerned about the proximity of certain plots to the highway and the width of the some pavements; a number of conditions are recommended. His comments, which generally relate to matter of detail and adoption, have been relayed to the applicant to be addressed.

Area Engineer - requires drainage details to demonstrate that surface water run-off will be controlled to existing 'greenfield' run-off rate as required by PPS25.

Climate Change Officer - objects to the failure to include provision for renewable energy.

REPRESENTATIONS

One letter received in relation to the original submission raising the following concerns:-

- Overlooking from plots 30 and 31 to garden and dining room of 14 Sycamore Drive
- Proximity of rear wall of plot 26 to boundary of 14 Sycamore Drive.

A further letter has been received making the following comments:-

- the application should not be determined until a full set of drawings has been submitted.
- many trees have already been removed

CONSIDERATIONS

As this is a reserved matters application no opportunity is afforded to revisit the assess arrangements that were approved at outline stage. However it is acknowledged that from the time of the approval of the outline application there is a strong desire locally for a full roundabout to be provided at the junction of the A372/B3153. Whilst there is no 'planning' obligation on the developer to provide this they are willing to facilitate it; accordingly applications 08/04806/FUL and 08/03510/S73 have been approved to facilitate the development of this site without prejudicing the future provision of the desired roundabout.

The key issues are therefore those matters which were 'reserved', namely:-

- Layout (including Parking and Impact on Amenity)
- Appearance and Scale (i.e. Visual Impact)
- Landscaping (including Impact on Trees)

Layout

It is accepted that the overall number of units (100, including the 3 dwellings proposed by the associated application) is significantly more (double) that envisaged by the outline proposal. However no restriction was imposed on the outline approval to limit the level of development. Accordingly it is accepted that the number of units now proposed falls within the scope of the outline permission.

The level of development (62.5 per hectare) is undoubtedly high, but is considered to be within the parameters set by PPS3 and policy HG4. It is pointed out that this high density includes the block of 34 sheltered apartments. Taking this out of the equation the development comprises 66 houses and flats on a site of 1.45ha, a density of 45 per hectare.

It is considered that the layout is acceptable and respects the 'no build' zones agreed at outline stage to protect the trees. The crescent of houses and associated cul-de-sac form of development reflects the general layout of the Brookfield Road development to the east. The overall layout is also acceptable to the highways authority (subject to the minor changes to detail initially recommended by the highways officer). With regard to crime prevention it is considered that all parking areas would be adequately overlooked and that rear gardens and entrances would be secure.

On this basis the layout and level of development is considered compatible with the locality and compliant with policies ST9, HG4, SR5 and ST6.

Parking Provision

It is considered that the proposed levels of parking (2 spaces per dwelling and 1 space per flat/apartment) is appropriate to the location and compliant with policy TP7. The relationship with some of the houses with their allocated spaces has been queried - plots 6-11 appear unnecessarily divorced from their allotted spaces. The applicant has been asked to reconsider/justify this and an update will be made to the committee.

Residential Amenity

Within the development it is considered that adequate amenity would be created for future occupiers. With regard to any impact on existing adjoining residents it is considered that adequate separation would be maintained so as to the amenities of properties to the east of the site. Amendments to the proposal have included reductions in height (plots 47 &48) and the omission of first floor windows to east elevations (plot 50). It is considered that this have adequately addressed any potential for any undue loss of privacy.

The neighbours comments with regard to impact on 14 Sycamore Drive are noted, however it is considered that their amenities would be undiminished given the separation of 16m between their property boundary and the nearest proposed facing property (plots 30 & 31). There is an undeveloped strip of land, in third party ownership, that would act as a buffer between the site and the northern end of Sycamore Drive.

The blank rear wall of plot 26 (a FOG) would face Sycamore Drive. This would be to the north of, and partially forward of, the north gable end of no.14, the only window that would be affected is a secondary one. Then the separation and orientation it is not considered that the proposal would have an effect that could justify withholding planning permission.

Accordingly, subject to safeguarding conditions to prevent the subsequent insertion of first floor windows to certain plots, the proposal is considered acceptable in terms of its impact on residential amenity and would comply with policy ST6.

Visual Impact

It is considered that the design and detailing of the proposed structures is of a high standard that would be locally distinctive. The 3-storey apartment building would reflect the general design and detailing of the Old Kelways buildings to the northwest. The proposed mix of render, stone, slate and tile is considered acceptable subject to the agreement of samples to ensure appropriate quality. On this basis the development is considered to comply with policies ST5 and ST6.

Landscaping

The landscape architect considers the layout and indicative planting to be acceptable in principle. Accordingly a condition to require the detail to be subsequently submitted is considered appropriate.

Impact on Trees

There are a number of protected tree on this site, both individually and collectively. The proposed layout respects the 'no build' zones agreed at the outline stage which also effectively agreed which trees would be retained. It is understood that the trees which have been removed are in areas that have been agreed for clearance.

The applicant's arboriculturist has worked closely with the Council's tree officer who is understood to be broadly supportive of the proposal as amended by the revised tree survey and report submitted during the application. Nevertheless an oral update will be needed to report his formal observations.

Other Issues

The neighbour's comments with regard to the 'fullness' of the drawings is not supported. The application is supported by a full set of drawings which are considered to properly and accurately portray the application. It is considered that some confusion may have arisen at other offices which have muddled the revised drawings with the original, and now superseded, drawings. Whilst this would be regrettable it cannot justify holding back an acceptable proposal.

Open space would be provided to the front of the site as agreed at outline stage. Whilst the highways officer and engineer have recommended conditions, these were applied to the outline permission and it is not therefore considered necessary to re-impose them. Finally, with regard to the climate change officer's comments members are reminded that at this reserved matters stage it would not be reasonable introduce a new demand of development.

CONCLUSION

It is accepted that there remain concerns about the junction of the A372/B3153. Whatever the shortcomings, perceived or otherwise, of this junction, the fact remains that there is no onus on this reserved matters application to provide anything other than the approved mini-roundabout on the A372.

The proposal is simply for the approval of reserved matters relating to layout, appearance, landscaping and scale, the access have already been approved at outline stage. For the reasons outlined above this aspects are considered acceptable and would comply with policies ST5, ST6, ST9, HG1, HG4, CR4, TP1, TP4 and TP7.

RECOMMENDATION

That subject to the formal comments of the tree officer these reserved matters be conditionally approved.

01. The proposed development would be provided with adequate parking and would not be prejudicial to highways safety, residential amenity, the well-being of the retained trees or the visual amenities of the locality. As such the proposal complies with policies ST5, ST6, ST9, HG1, HG4, CR4, TP1, TP4 and TP7 of the South Somerset Local Plan (adopted April 2006).

SUBJECT TO THE FOLLOWING:

01. No dwelling hereby permitted shall 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. 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 policies ST5 and ST6 of the South Somerset Local Plan, adopted 2006.

02. No dwelling hereby permitted shall 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. 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 policies ST5 and ST6 of the South Somerset Local Plan, adopted 2006.

03. No dwelling hereby permitted shall be commenced until particulars of the design, material and external finish to be used for all windows and doors shall be approved in writing by the local planning authority. 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 policies ST5 and ST6 of the South Somerset Local Plan, adopted 2006.

04. No dwelling hereby permitted shall be commenced until particulars 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. 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 policies ST5 and ST6 of the South Somerset Local Plan, adopted 2006.

05. No dwelling hereby permitted shall be commenced until particulars of all boundary treatments and hard surfacing materials have been submitted to and approved in writing by the local planning authority. Such details shall include the use of porous materials to the parking and turning areas. Once approved such details shall be fully implemented unless agreed otherwise in writing by the local planning authority.

Reason - In the interests of visual and residential amenity and to ensure the adequate drainage of the site and to mitigate any flood risk in accordance with policies ST5 and ST6 of the South Somerset Local Plan, adopted 2006 and the advice of PPS25.

06. The first floor window to the east elevation of plot 50 shall be obscurely glazed and only operable in a manner to be submitted to and agreed in writing by the local planning authority prior the first occupation of the dwelling. Once approved such details shall be fully implemented unless agreed otherwise in writing by the local planning authority.

Reason - To safeguard residential amenity in accordance with policy ST6 of the South Somerset Local Plan, adopted 2006.

07. 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 shall be formed above ground floor level to the to the west elevation of plot 91, the east elevation of plot 50 or the south-east elevation of plots 41, 32 or 31 without the prior express grant of planning permission.

Reason: - To safeguard residential amenity in accordance with policy ST6 of the South Somerset Local Plan, adopted 2006.

08. The areas allocated for parking, including the garages, shall be kept clear of obstruction and shall not be converted or used other than for the parking of vehicles in connection with the development hereby permitted

Reason - To ensure that adequate parking is provided and maintained to meet the needs of the development in accordance with policy TP7 of the South Somerset Local Plan, adopted 2006

09. Before any part of the permitted development is commenced, a landscaping scheme, which shall include details of the species, siting and numbers to be planted, shall be submitted to and approved in writing by the Local Planning Authority.

The scheme shall be completely carried out within the first available planting season from the date of commencement of the development, or as otherwise extended with the agreement in writing of the Local Planning Authority.

For a period of five years after the completion of the planting scheme, the trees and shrubs shall be protected and maintained in a healthy weed free condition to the satisfaction of The Local Planning Authority and any trees or shrubs that cease to grow

shall be replaced by trees or shrubs of similar size and species, or the appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development makes a satisfactory contribution to the preservation and enhancement of the local character and distinctiveness of the area in accordance with policies ST5 and ST6 of the South Somerset Local Plan (adopted April 2006).

10. Prior to implementation of the planning permission, site vegetation clearance, demolition of existing structure, heavy machinery entering the site or the storage of materials, the protective fencing as detailed within the Arboricultural Report by Brynley Andrews Associates received the 26/07/09 and updated by the supplementary Arboricultural Report by Brynley Andrews Associates received 6/7/09 and the construction installation of any required hard surfacing or below ground services as detailed within these agreed Arboricultural Reports shall be installed. During the course of installation direct supervision shall be provided by an arboriculturist the protective fencing shall remain undisturbed in the position detailed within the tree protection plan for the duration of implementing the planning permission including any hard or soft landscaping works, unless prior consent is obtained in writing from SSDC.

The protective fencing and special engineering measures as detailed within the Arboricultural Reports, shall be confirmed as being installed, maintained and monitored as specified and in accordance with British Standard 5837:2005, throughout the course of implementing the planning permission by the provision being made to SSDC of a certificate of supervision, monitoring and compliance by said arboriculturist.

Reason - To ensure the long term retention of trees in accordance with Policy ST6 (The Quality of Development; Parts 2 & 8) of the South Somerset Local Plan.
