

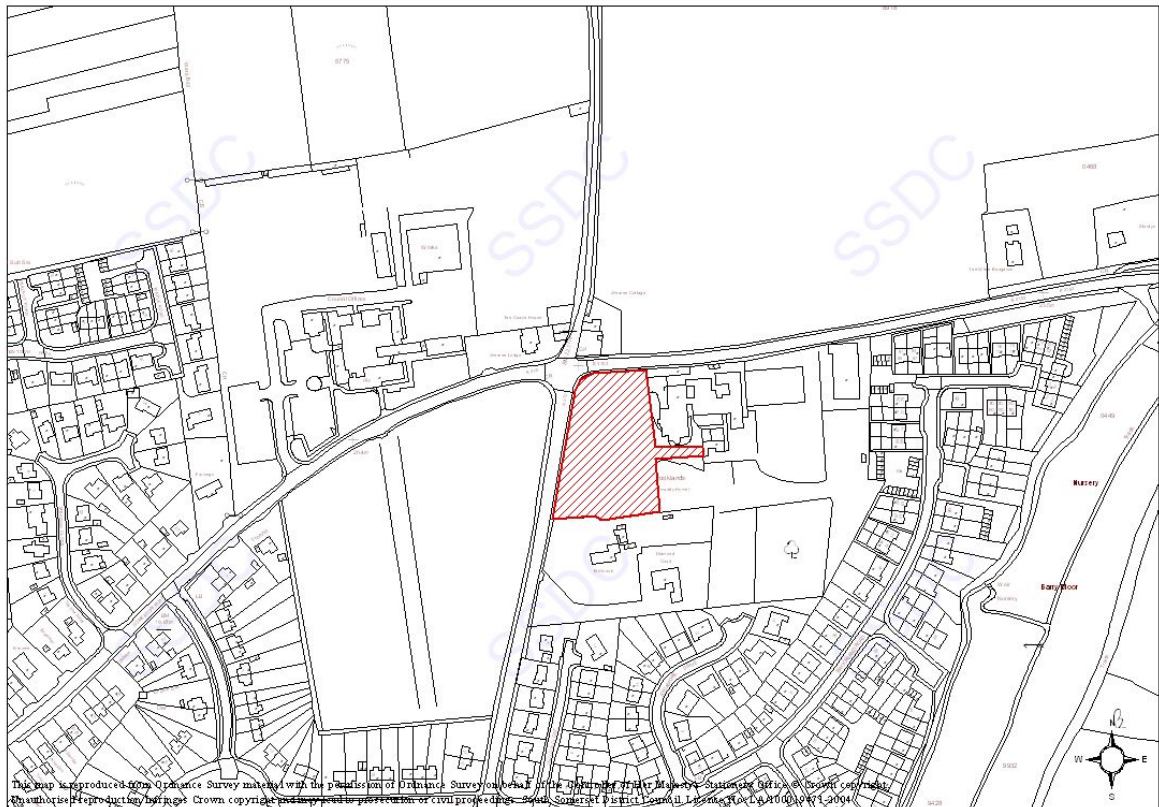
Officer Report On Planning Application: 10/02424/FUL

Proposal :	New vehicular access and estate road to serve residential development (GR: 342725/127539)
Site Address:	Land at Bartletts Elm, Huish Episcopi
Parish:	Huish Episcopi
LANGPORT AND HUISH Ward (SSDC Member)	Mr Roy Mills (Cllr)
Recommending Case Officer:	Adrian Noon Tel: 01935 462370 Email: adrian.noon@southsomerset.gov.uk
Target date :	13th August 2010
Applicant :	Yarlington Homes Ltd
Agent: (no agent if blank)	Mr Matt Frost Boon Brown Architects Motivo, Alvington, Yeovil, Somerset BA20 2FG
Application Type :	Minor Other less than 1,000 sq.m or 1ha

REASON FOR REFERRAL TO COMMITTEE

This application is referred to Committee, with the agreement of the Chairman, due the level of local interest that the development of this site has generated.

SITE DESCRIPTION AND PROPOSAL



Former special school site at junction of A372/B3153. The original building and coach house have been converted to 14 units, now known as Redwood Grange. There is a large development site to the rear, where a development of 97 houses is currently underway. The site as a whole has numerous protected trees, including a large cedar in front of Redwood Grange. There is a substantial boundary wall to the north, alongside the B3153, and a low stone wall along the A372, Field Road. There is also a former gate post at the north-west corner of the site. This is a substantial stone structure and is something of a local landmark.

The County Council currently has advanced plans to create a new 5-arm roundabout at the A372/B3153 junction and hopes to commence construction later this summer. This application seeks planning permission to create a new access to the Bartletts Elm site from the fifth arm of the new roundabout. This would require a new road to be formed through the open space to the front of Redwood Grange, passing around the protected cedar (which would be retained), connecting the new roundabout to the approved estate road to the south of the main building. This would serve as an alternative to the approved access, via a mini-roundabout on Field Road, which would not then be formed.

The application is supported by a Planning/Design & Access Statement and an Arboricultural Report. A landscaping plan has also been received.

HISTORY

05/02818/OUT Outline planning permission granted for residential development of site to the rear.

Condition 3 of this permission states:-

No works shall be undertaken on the site until a roundabout has been constructed at the junction of the proposed new access road and the A372, and improved visibility from the A372 onto the B3153 in an easterly direction with no obstruction higher than 300mm and which has been carried out in accordance with a design and specification to be first approved in writing by the Local Planning Authority and to be fully implemented to the satisfaction of the said Authority.

Reason: In the interests of highway safety and to accord with Policy 49 of the Somerset Structure Plan.

05/02831/FUL Planning permission granted for conversion of existing building and coach house to 14 units. An identical condition was attached.

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.

08/04583/REM Reserved matters approved for the erection of 99 houses and flats.

08/04879/FUL Planning permission granted for the erection of 3 dwellings on land outside red line of 05/02818/OUT. This permission is also subject to a requirement for the mini-roundabout to be formed prior to commencement.

- 08/04806/FUL Planning permission granted for a revised parking layout for 17 spaces and bin store to serve the 14 approved flats.
- 10/00055/TPO Consent given for tree removal works in front of former school building to facilitate formation of new roundabout at junction of A372/B3153.
- 10/00848/S73 Approval granted to vary condition 3 of planning approval 05/02818/OUT dated 03/04/07 to require provision of roundabout access prior to occupancy
- 10/00489/S73 Approval granted to vary Condition 2 of planning approval 08/04879/FUL dated 11/08/09 to require access improvements prior to occupation

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 Somerset and Exmoor National Park Joint Structure Plan Review and the saved policies of the South Somerset Local Plan.

The policies of most relevance to the proposal are:

The Somerset and Exmoor National Park Joint Structure Plan Review
Policy 49 – Transport Requirements of New Development

The South Somerset Local Plan (adopted April 2006)
ST5 - Principle of Development
ST6 - Quality of development
TP4 – Road Design

CONSULTATIONS

Huish Episcopi Parish Council – recommend approval including the proposed necessary removal of identified graded trees, soil remediation and care for the remaining trees and the planned replanting tree programme. Although the southernmost gate pier is missing it is requested that:-

“the northern pier be carefully removed and rebuilt at the end of the new northern boundary wall. I have received this request from two different local residents who tell me that they would like to see this bit of history retained for future generations. They would also like to see the southern one replaced but that might be just too expensive. I offer this as a reasonable compromise.”

Langport Town Council (neighbouring TC) – support “wholeheartedly”.

Highway Authority – no highway objection subject to conditions. The following comment is offered:-

“...in light of the recent planning approvals, this application, which relates to the missing section of estate road linking the existing 'approved' Bartlett's Elm estate road with the new 5 legged SCC LTP roundabout scheme (replacing the existing A372 / B3153 junction) is welcomed by the Highway Authority as it provides a suitable alternative means of access to serve the entire Bartlett's Elm site and effectively removes the need to construct the mini roundabout on the A372 Field Road (subject of course to the LTP roundabout scheme going ahead and being fully completed).”

Tree Officer – accepts the findings and recommendations within the submitted Arboricultural Report submitted with the application. Notes that the protected Cedar referred to as T49 requires a radial Root Protection Area [RPA] of 10.8 metres; drawing No. T5241/SK20 Rev P1 allows this.

Area Engineer – no comments

REPRESENTATIONS

One letter received from a resident of Redwood Grange. No objection to the creation of the new roundabout but the following objections are raised with regard to the connection of the Bartletts Elm site to the fifth arm:-

- Impact on large tree to front of Redwood Grange;
- The fifth arm to be used by 100s of vehicles accessing the estate would be unsafe and worse than the current situation due to very tight angle with the B3153.
- A mini-roundabout or traffic lights on the A372 would provide further traffic calming
- Cost of removing existing road and building new one should be considered;
- Impact on amenities of residents of Redwood Grange due to loss of green space/recreation area and introduction of very busy road;
- There is no provision for replacement facility in new plan
- Will create pressure for further development.

The consultation period runs to 22/07/10 and any further observations will be reported to the committee.

CONSIDERATIONS

It is considered that this proposal raises issues of:-

- Highways Impact.
- Residential Amenity.
- Visual Amenity.
- Impact on Trees

Highways Impact

Notwithstanding the local objection the highways officer considers that the proposal would provide a suitable means of access to serve the entire Bartlett's Elm site. The proposed roundabout, including the fifth-arm, have been designed by the County Council and has been through the normal safety audit process. On this basis it is not considered

reasonable to raise an objection on the grounds of highways safety. Accordingly the proposal is considered to comply with policy TP4 of the South Somerset Local Plan and policy 49 of the County Plan and the concerns raised could not be sustained.

Residential Amenity

The proposed new access across the front of Redwood Grange would be closer to these residential properties than Field Road and it is accepted that this would have an effect on the amenities of the occupiers of this property. However the resulting relationship, with a separation of 24-30m between the road and the façade of redwood Grange, with the road into the site some 3m off the side of the building (as originally approved) is not considered unreasonable and would be commonplace on many developments.

The existing approved parking arrangements would be retained, as would the protected cedar, creating a buffer between Redwood Grange and the proposed road. Any 'loss' of open space would be mitigated by the stopping up of the existing access and the reversion of the existing road to green space. The details of this could be required by condition.

On this basis it is not considered that the objections raised on the grounds of adverse impact on residential amenity can be supported, as in this respect the proposal complies with policy ST6.

Visual Amenity

It is not considered that the proposed fifth arm would be visually incongruous in the context of the new roundabout. Whilst the proposed access road would introduce a new feature to the front of Redwood Grange it is not considered that this would be unduly prominent and the omission of the mini-roundabout would obviate the need for additional signage and highways engineering. The proposal would retain the protected cedar and sufficient open-space from replacement landscaping to mitigate the loss of trees agreed by 10/00055/TPO. It is considered that this would acceptably mitigate any visual impact and therefore comply with policies ST5 and ST6.

The Parish Council's request for the existing gatepost to be retained has been put to the applicant who has provided a plan indicating that it could be relocated to the south side of the new access road, opposite side elevation of Redwood Grange. It is considered that this is a reasonable solution and could be secured by condition.

Impact on Trees

The tree officer has been closely involved with the development of the Bartletts Elm site and has worked with both the County Council and the applicants in the evolution of the roundabout. At an early stage the importance of the protected cedar was identified and its retention is welcomed. Whilst other unprotected trees would be lost as a result of this application, the proposal is supported by a detailed replacement planting and landscaping proposal which is supported by the tree officer. The implementation of this could be governed by condition.

The tree officer considers that the proposed road would not adversely affect the cedar, subject to careful construction and recommends a condition to ensure that an appropriate method is agreed. On this basis it is considered that the welling of this tree would be safeguarded and the proposal complies with policy ST6.

Other Issues

Any future development of this site would be subject to further applications and is not a material planning issue in the determination of this application. Whilst cost is not a planning issue in this instance, it is pointed out that both this application and the approved

scheme would incur the cost of constructing a new road. The current proposal would negate the need for the mini-roundabout.

Conclusion

Notwithstanding the objections raised by the resident of Redwood Grange it is not considered that the proposal would have any adverse affect on highways safety, residential or visual amenity. The protected cedar would be safeguarded and provision is made for replacement planting and landscaping. On this basis it is considered that the proposal complies with policies ST5, ST6 and TP4.

RECOMMENDATION

Grant planning permission subject to the following conditions

Justification

The proposal would have no adverse impact on highways safety, residential or visual amenity or the protected cedar and provision is made for replacement planting and landscaping. As such the proposal complies with policies ST5, ST6 and TP4.

Conditions

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

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

02. Before any building or engineering works are carried out on the site, the construction access and contractors' parking/compound area shall be provided, surfaced and drained in accordance with a detailed scheme, which shall include tree protection measures and should indicate the eventual use of that area. Such scheme shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highways safety and to safeguard the existing trees in accordance with policy ST6 of the South Somerset Local Plan and policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review

03. The applicant shall ensure that all vehicles leaving the site are in such condition as not to emit dust or deposit mud, slurry or other debris on the highway. In particular (but without prejudice to the foregoing), efficient means shall be installed, maintained and employed for cleaning the wheels of all lorries leaving the site, details of which shall have been agreed in advance in writing by the Local Planning Authority and fully implemented prior to commencement of the development hereby approved and thereafter maintained until the use of the site discontinues

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

04. The proposed road and associated footpaths, tactile paving, cycle ways, street lighting, sewers, drains, and any street furniture and retaining walls shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.

Reason: In the interests of highways safety and visual amenity in accordance with policies ST5 and ST6 of the South Somerset Local Plan and policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review

05. The existing vehicular access to the site from the A372 (Field Road) shall be stopped up and its use permanently abandoned within one month of the estate road link hereby approved being first brought into use (i.e. open to traffic) with the verge/footway crossing reinstated in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority.

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

06. No work shall commence on the development site until details of the design, detailing, provision and future maintenance of the proposed 450mm high boundary wall (as shown generally in accordance with submitted plan T5241/SK20 P1) have been submitted to and approved in writing by the Local Planning Authority, such works to be fully implemented to the local planning authorities satisfaction within one month of the development hereby approved being first brought into use and constructed in accordance with the approved details.

Reason: In the interests of highways safety and visual amenity in accordance with policies ST5 and ST6 of the South Somerset Local Plan and policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review

07. Prior to implementation of the planning permission, site vegetative clearance, demolition of existing structures, ground works, heavy machinery entering site or the on-site storage of materials, a Tree Protection Plan and Arboricultural Method Statement relating to all trees on or adjoining the site within 15 metres of the site boundaries, shall be drafted so as to conform to British Standard 5837: 2005 and British Standard 3998: 1989. The Tree Protection Plan and Arboricultural Method Statement details shall be submitted to and agreed in writing with the Council and shall specify the following details:

Required tree works, root protection areas, construction exclusion zones, special tree protection and engineering measures for any required installation of built structures, below-ground services and hard surfacing within the root protection areas of retained trees, the installation of protective fencing and arboricultural on-site supervision & monitoring.

Once approved the agreed Tree Protection Plan and Arboricultural Method Statement shall be implemented in its entirety for the duration of implementation of the planning permission, inclusive of any landscaping operations

Reason: To preserve and retain existing trees in accordance with the objectives within Policy ST6 (*The Quality of Development*) of the South Somerset Local Plan

2006, National Planning Policy Statement 1: *Delivering Sustainable Development* [Section 19] and the statutory duties defined within the Town & Country Planning Act, 1990 (as amended).

08. Upon completion of the new vehicular access and estate road, the scheme of tree and shrub planting as specified and shown upon the submitted 'Replacement Tree Planting Drawing SPP.1590.1B' details, shall be installed and implemented in its entirety. If in the opinion of the Council, any of the specified trees or shrubs die, are removed, become damaged or diseased within a period of five years from the time of initial planting;
- a. the Council shall be notified as soon as reasonably practicable; and
 - b. another replacement tree or shrub of the same size and species specification shall be installed at the same location within the first available planting season;

unless the Council agrees in writing to dispense with or vary the requirement.

Reason: To ensure the planting of new trees in accordance with the statutory duties defined within the Town & Country Planning Act, 1990 (as amended)[1] and in accordance with objectives within National Planning Policy Statement 1: *Delivering Sustainable Development* [Section 19] and Policy ST6 (*The Quality of Development*) of the South Somerset Local Plan 2006.

09. The stone gate pier at the former entrance shall be dismantled and re-erected within the Bartletts Elm site in a location and in accordance with a method statement to be submitted to and agreed in writing with the local planning authority prior to the commencement of development. Once approved its relocation shall be fully completed prior to the road hereby approved being brought into use.

Reason: To safeguard this local feature in the interests of the visual amenities of the locality in accordance with policies ST5 and ST6 of the South Somerset Local Plan.