

Area North Committee – 27 February 2013

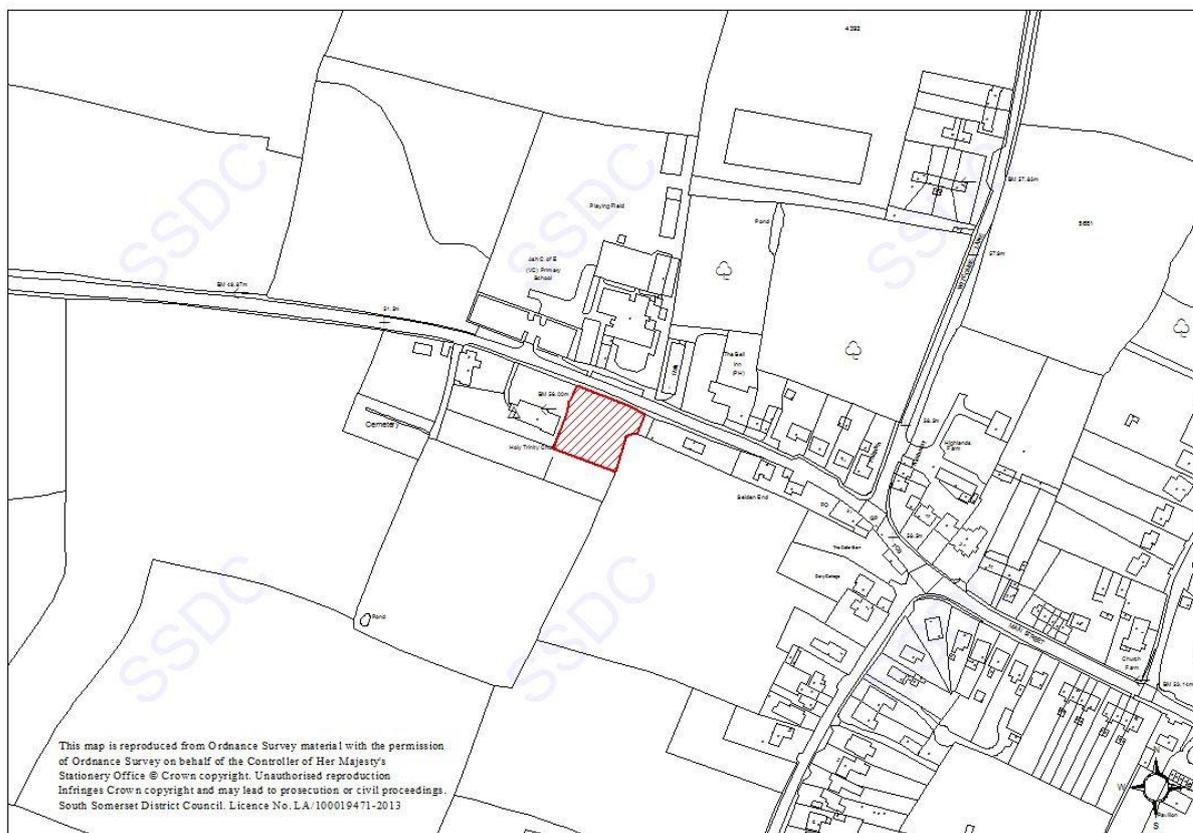
Officer Report On Planning Application: 12/04563/FUL

Proposal :	The installation of a new pair of gates (GR 347297/120709)
Site Address:	4 Main Street, Ash, Martock.
Parish:	Ash
MARTOCK Ward (SSDC Members)	Cllr G Middleton Cllr P Palmer
Recommending Case Officer:	Anuska Gilbert Tel: 01935 462159 Email: anuska.gilbert@southsomerset.gov.uk
Target date :	16th January 2013
Applicant :	Mrs L Humberston
Agent: (no agent if blank)	Orme Ltd Mr T Gascoyne, 2 Farm Road, Street, Somerset BA16 0BJ
Application Type :	Other Householder - not a Change of Use

REASON FOR REFERRAL TO COMMITTEE

The application is before the committee, at the request of the ward member and the Area Chair, as the comments of the parish council do not accord with the officer recommendation.

SITE DESCRIPTION AND PROPOSAL



The grade II listed detached property is located on the southern side of Main Street, a classified un-numbered highway and Ash's main thoroughfare. It is located just outside the village's development area to the east. According to the listing the two storey property dates from 1841, and is constructed of ham stone under a slate roof. It is sited within a generous plot with a gravel parking area on the eastern side of the plot, served by an access from the road comprised of ham stone gate piers set into a boundary wall along the northern side of the site. To the rear is a generous garden area. The surrounding area is comprised of the parish church to the west, primary school, village hall and pub opposite the site and residential properties to the east.

The application seeks the installation of a new pair of gates in the existing open access in the site's northern boundary. They are to be constructed of timber and inward opening. According to the design and access statement, the gates would be electrically operated so as to be operable from a distance. In terms of height, the proposed gates would measure approximately 1.385 metres in height.

There is a concurrent application for listed building consent for the scheme - 12/04564/LBC.

HISTORY

None recent

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 decisions 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:

Saved policies of the Somerset & Exmoor National Park Joint Structure Plan (April 2000)

STR1 - Sustainable Development

Saved policies of the South Somerset Local Plan (April 2006)

Policy ST5 - General Principles of Development

Policy ST6 - The Quality of Development

Policy EH3 - Character of Listed Building

Policy EH5 - Setting of Listed Building

Policy 9 - The Built Historic Environment

Policy 49 - Transport Requirements of New Development

National Planning Policy Framework - March 2012

Chapter 7 - Requiring good design

Chapter 12 - Conserving and Enhancing the Historic Environment

South Somerset Sustainable Community Strategy
Goal 8 - Quality Development

CONSULTATIONS

Ash Parish Council - The Parish Council have no objections. The highway authority's concerns are noted but I would point out that traffic will be stationary near this property when the build-out is in position for the proposed traffic calming scheme.

Area Engineer - No comment

Conservation Officer - You will be aware that this is a listed building which along with the adjacent listed Parish Church, old school and barn which has been incorporated into the new school form an important grouping. The proposal is to reinstate a pair of entrance gates to the drive to the house. This property clearly has historically had a gate or pair of gates. The gateposts evidence this. It is not clear when they were removed. Any replacement gates should quite clearly be within the historic gateway. To set any gate back by 5m as usually required by the Highway Authority would in itself be detrimental to the setting of the listed building. I am happy with the proposal as submitted; the only matters I don't see covered are the finish for the timber gates, the rear elevation of the gate, a detailed section, and details of the electric openers which can sometimes be quite clumsy.

SCC Highways - Main Street is a classified unnumbered highway and the highway authority would seek that gates fronting a classified highway are set back a minimum distance of 5m from the carriageway edge to enable vehicles to pull clear of the highway whilst the gates are opened or closed and as to avoid vehicles having to wait/stop/park on the adjoining public highway whilst the gates are opened or closed, causing a hazard/obstruction to other road users. Even with electrically operated gates there will still be an element of stopping on the highway (depending on the range of what is assumed will be a remote control operating system) and by visitors for example when there may be a fault with the electrically operated system etc. Therefore taking the above into consideration I would recommend refusal of the proposal on highway safety grounds.

[The highways officer provided further comments in respect of the proposed traffic calming works due to take place along Main Street - 'These proposed works do not alter my observations which remain to be applicable'.]

Tree Officer - The gateway is framed by an imposing pair of trees - a Lime and a Beech. The Beech is referred to as T1 within the YDC (Ash No 1) Tree Preservation Order. The proposed gates appear quite conventional and as they are to be mounted upon existing pillars, are unlikely to be damaging. I understand that it is intended to operate the gate electronically. This is likely to require the installation of a below-ground electricity cable. Potentially, trenching could be damaging to the root systems of the trees. However, a degree of reasonable care ought to be able to prevent this from happening. Whilst I have no objection to the proposal, I would be grateful if you would include an advisory note, something along the following lines might be appropriate:

The Council are aware that implementing this consent will require the installation of an electric cable in close proximity to the roots of a protected tree. Prior to carrying out the works, we would be grateful if you could contact the Council's Tree Officer (Phillip Poulton - 01935 462670 or 07968 428026), who will endeavour to assist with the project.

REPRESENTATIONS

4 neighbours notified - no representations received

CONSIDERATIONS

The application site is located outside the development area as defined by the South Somerset Local Plan. The main considerations of the application are visual impact, residential amenity and highway safety.

Visual Impact

In accordance with the conservations officer's comments, the proposed gates are considered to be of a suitable design and scale that would have an appropriate relationship with the main listed property. The finish of the gates along with details of the rear elevation of the gate, a sectional drawing and details of the electric openers can be acquired and agreed by a condition on any approval. The position of the gates, located within an existing opening, where gates were almost certainly in situ historically, is considered appropriate. As such, there are no issues in terms of visual impact on the listed property or the surrounding streetscene.

Residential Amenity

The scheme does not have a detrimental impact on residential amenity and would not give rise to undue overlooking / loss of privacy or an overbearing relationship with neighbouring properties. Therefore the proposal would not harm residential amenity.

Highway Safety

Whilst the gates are to be inward-opening, the highways officer has raised an objection to the scheme on highway safety grounds, on the basis that Main Street is a classified highway. As such, whether electronically operated or otherwise, gates should be set back at least 5 metres from the road to avoid stopping and waiting on the highway which in turn presents an obstacle to other road users. The site is opposite the village's primary school and as such Main Street is subject to a high volume of traffic movements at the beginning and end of the school day. This was particularly evident during the planning officer's site visit at the beginning of the school day when traffic was observed parking along Main Street, opposite the application site. It is considered that the proposed scheme would add to this congestion. Whilst the parish council have mentioned the proposed traffic calming works due to take place along Main Street in the near future, this does not alter the views of the highway officer. Moreover, the application can only be decided based on the conditions at the time of application.

Conclusion

There are no objections to the proposed gates in terms of residential or visual amenity. As suggested by the conservation officer, the proposed location is both the most and only appropriate siting in terms of the impact on the listed building. It is however the highway safety aspect of the proposal that is the cause of concern. The application states that the impact of setting the gates 5 metres back from the carriageway would have a serious and detrimental impact on the listed building and that the impact of the proposed positioning adjacent to the highway can be overcome through installing electronic gates.

Whilst the conservation officer is of the opinion that this is the most appropriate location for the gates in terms of impact of the listed building, it is considered that the installation of gates, electronic or not, in this position would compromise the safety of other road users by causing obstruction to the classified highway when entering and exiting the site. As such the proposal is contrary to Policy ST5 of the South Somerset local Plan and Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan and is therefore must be recommended for refusal.

RECOMMENDATION

Refuse permission

FOR THE FOLLOWING REASON:

01. The installation of gates in this location would, by reason of their position adjacent to the classified highway, result in an obstruction to other road users whilst entering and exiting the site. As such the proposal would be prejudicial to highway safety contrary to Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan and ST5 of South Somerset Local Plan and the guidance of the National Planning Policy Framework.
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