

Area North Committee – 28 May 2014

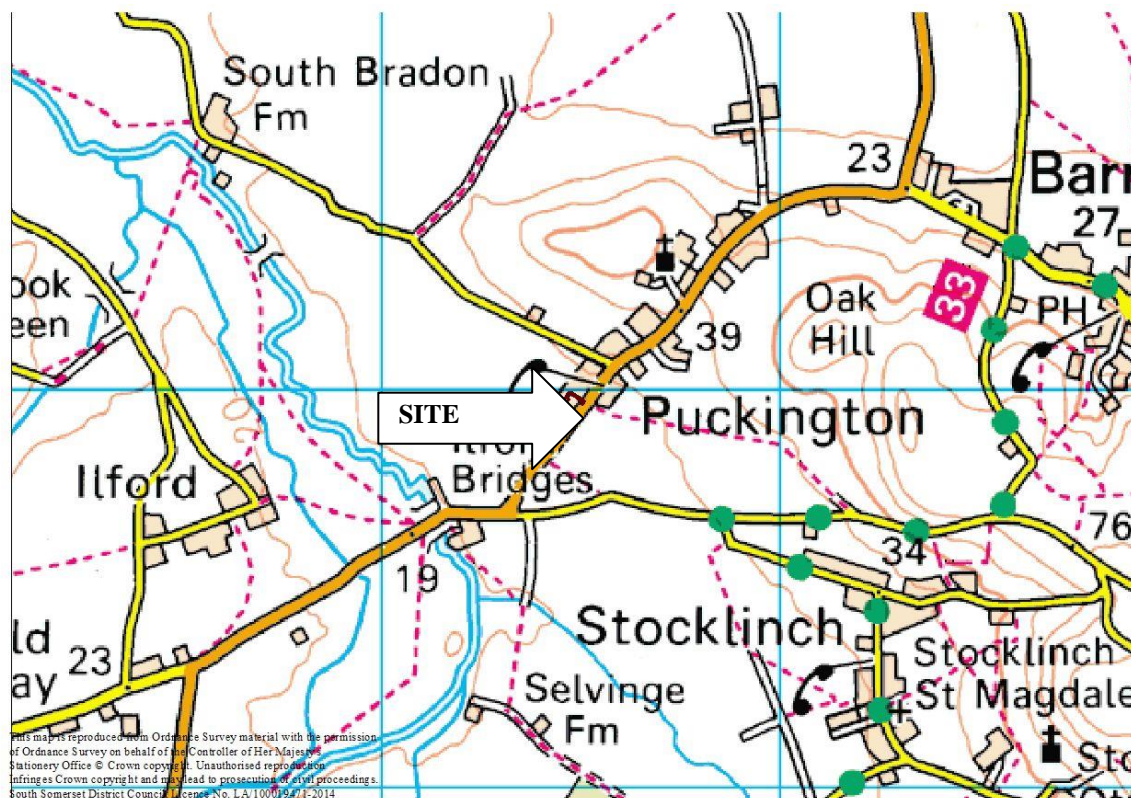
## Officer Report On Planning Application: 14/01405/FUL

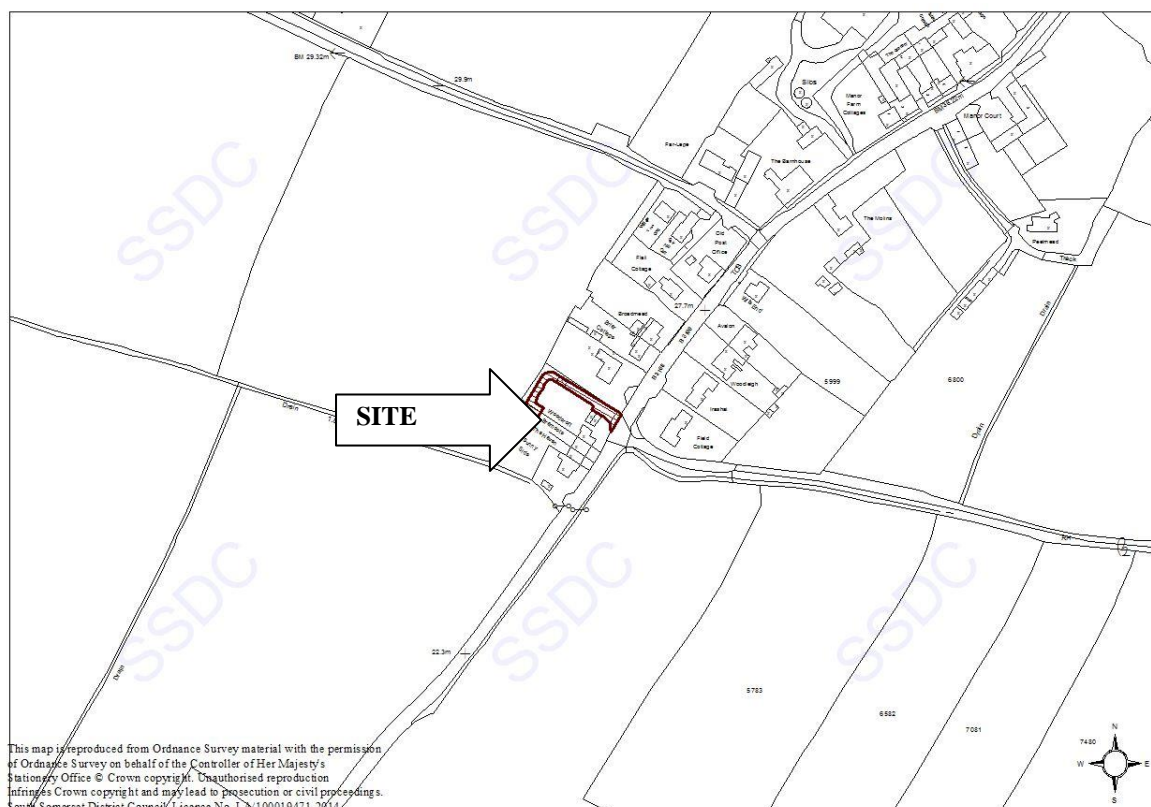
<b>Proposal :</b>	Continuation of private driveway and provision of a total of 6 parking spaces and turning area, at the rear of and to serve Woodcroft, Bramcote and The Haven (GR 337494/117956).
<b>Site Address:</b>	Woodcroft, The Haven And Bramcote, Puckington, Ilminster.
<b>Parish:</b>	Puckington
<b>BURROW HILL Ward (SSDC Member)</b>	Cllr Derek Yeomans
<b>Recommending Case Officer:</b>	John Millar Tel: (01935) 462465 Email: john.millar@southsomerset.gov.uk
<b>Target date :</b>	14th May 2014
<b>Applicant :</b>	Mrs Barbara Dean
<b>Agent: (no agent if blank)</b>	Greenslade Taylor Hunt, 1 High Street, Chard TA20 1QF
<b>Application Type :</b>	Minor Other less than 1,000 sq.m or 1ha

### REASON FOR REFERRAL TO COMMITTEE

This application is referred to Area North Committee, in accordance with the Council's adopted scheme of delegation, as the proposal is recommended for approval but does not fully accord with the County Council Highway Authority's Standing Advice and access is gained from a major classified road (B3168). It is therefore necessary for the highway safety issues raised to be fully debated by Members. It should also be noted that neighbour objections have been received that will also need consideration.

### SITE DESCRIPTION AND PROPOSAL





The site is located at the south west end of the village of Puckington, and comprises an area of domestic land to the rear of a terrace of four properties known as Sunnyside, The Haven, Bramcote and Woodcroft. The latter of these three properties are owned by the applicant, with Sunnyside in separate ownership. At present there is vehicular access and off road parking, including garaging for Woodcroft, with the other two properties having no parking provision and being reliant on parking on the public highway, which is a classified 'B' road (B3168). The site is on the north west side of the B3168 at the village edge, with open countryside to the on three sides. It is also within the village conservation area. The majority of the land is approximately 2m higher than the highway, although set well back beyond the existing roadside dwellings.

The proposal is made to continue the existing vehicle access to the land to the rear of the terrace of houses and the laying out of a parking area to allow two spaces per dwelling and adequate space to turn within the site. No alterations are proposed to the existing access onto the B3168.

## HISTORY

None

## 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

South Somerset Local Plan 2006:

ST3 - Development Areas

ST5 - General Principles of Development

ST6 - The Quality of Development

EC3 - Landscape Character

EH1 - Conservation Areas

EH5 - Development Proposals Affecting the Setting of Listed Buildings

EH12 - Areas of High Archaeological Potential and Other Areas of Archaeological Interest

## Policy-related Material Considerations

National Planning Policy Framework (March 2012):

Chapter 4 - Promoting Sustainable Transport

Chapter 7 - Requiring Good Design

Chapter 11 - Conserving and Enhancing the Natural Environment

Chapter 12 - Conserving and Enhancing the Historic Environment

Somerset County Council Parking Strategy (September 2013)

Somerset County Council Highways Development Control - Standing Advice (June 2013)

## CONSULTATIONS

**Parish Council:** No objections in principle, however the following observations should be given consideration:

- Following the division of the land to the 3 properties there appears to be a potential problem with the 'no-man land' between the new roadway and the adjoining property (Puck Hall) and the hedge at the rear of the properties. No mention is made of who will be responsible for this and there is a possibility of this becoming unkempt. The Parish Council believe that the responsibility for this should be designated.
- It is stated in the GTH's letter of 17th March 2014 that the north western boundary between the residential curtilage and the field beyond is formed by a mature hedgerow, however this is not a continuous hedge and there are gaps with easy access to the field. Again, as in the previous point, who will be responsible for the maintenance of the hedge that does exist?
- What provision has been made for the maintenance of the roadway and parking spaces?

**County Highway Authority:** County Council Standing Advice should be applied, specifically provision of appropriate visibility splays (2.4m x 43m), properly consolidated access, positive drainage arrangements to ensure no surface water runoff onto the public highway and appropriate parking and turning provision on-site.

**SSDC Rights of Way:** No comment.

**County Archaeology:** No objection on archaeological grounds.

**SSDC Landscape Architect:** I have no concerns with the proposal, providing the current NW field boundary has a robust hedge along its length - Bing Aerial infers there

may be a partial hedge. Consequently, if we are to entertain this proposal, then the application should come with either a spec for gapping-up the hedge, or a proposal for new native species hedging, if there is no hedge currently defining this boundary. Aside from that, no landscape issues.

## REPRESENTATIONS

One letter of objection has been made for the owner of the property to the north east of the site (Puck Hall). The main points raised are as follows:

- The development is within a conservation area and it is totally unsuitable to have cars driven into this pleasant and peaceful area, adjoining the contributor's garden.
- The access will require a drop of approximately 8 feet from the site to the road level, which will make the boundary unstable.
- Water will run off onto the road during heavy rainfall. This could also freeze, spreading ice across the road.
- The development is being undertaken to increase the value of the properties at the expense of adjacent properties.
- An alternative solution could be to create additional parking closer to the road by removing existing garages and some garden to extend the current driveway.

## CONSIDERATIONS

### Principle of Development

The proposal is made for the extension of the existing drive, to the side of Woodcroft, to the land at the rear and for the provision of a parking and turning area to provide off-road parking provision for Woodcroft, Bramcote and The Haven. The latter two properties do not have any off-road parking at present, the occupiers of which rely on parking on the adjoining highway, which is a classified 'B' road. In principle, it is recognised that the provision of off-street parking would be beneficial for highway safety, although consideration has to be given to the highway safety impact on increased use of the existing access, as well as impact on the setting of the conservation area, local landscape character and residential amenity.

### Highway Safety

As a starting point, there is currently parking provision for Woodcroft, comprising of an access, drive with space for several cars, as well as two garages. There is however limited space to turn safely within the site and the garages are not particularly accessible. This together with the lack of parking for the adjoining two properties, make the proposal a welcome one in principle.

In considering the highway safety issues, the County Council Highway Authority has referred to their Standing Advice. Generally, the requirements can be achieved, with the gradient of the drive to the rear being 1 in 10, a properly consolidated surface being proposed, increased parking spaces and appropriate turning facilities being provided. The neighbouring resident has raised an objection on the basis of surface water runoff, however the applicant will be required to put appropriate drainage provision in place to avoid this. It is proposed that the parking and turning area will be finished with a permeable surface, however a condition will be imposed to ensure that this is surface water is adequately controlled to avoid discharge onto the highway.

The area where the highway Standing Advice is not fully met is in the visibility from the existing access. While views are relatively good, it is noted that the Standing Advice requires a visibility Splay of 43m in each direction, which is not currently achieved and is not able to be achieved. Notwithstanding this, the existing access is not considered to be unsafe and the benefits of providing increased off-street parking and the ability to turn properly within the site are considered to offer a highway safety improvement that outweighs any negatives associated with increased usage of this access. As such, the proposal is not considered to have any detrimental impact on highway safety.

### **Landscape Character and Historic Context**

The proposed development is on land to the rear of the dwellings for which the proposed access is intended to serve, which adjoins open countryside and is also within the conservation area.

In regard to landscape character, the proposed parking area will have some impact due to the displacement of an undeveloped, grassed area to the rear of the existing formal gardens of the adjoining properties, however this is not considered to have a harmful impact on landscape character or on the visual amenity of the area as a whole. The applicant had previously carried out pre-application discussions with the Local Planning Authority and the application is submitted in line with those discussions. The Council's Landscape Architect has considered the proposal and raised no objection in principle, however it is noted that the hedge boundary with the adjoining land to the north west is only partially planted and should be enhanced by a new/infill hedge. This has been discussed with the applicant, who has agreed to reinforce this hedge line in accordance with the Landscape Officer's comments. A condition shall be included to this effect.

In respect to the conservation area, the neighbouring resident has objected on ground that the driving of vehicles onto this area of land will have an adverse effect on the conservation area and on the peaceful nature of the land. This has been given consideration, however it is not deemed that the proposed development will have an adverse impact on this heritage asset. The area of land where the vehicles are proposed to be parked is set well back from the road and will be to the rear of the existing terrace of houses. In this position, it is not considered that the parking area or the vehicles thereon, will be readily visible within the street scene or the wider conservation area. The associated works, such as provision of boundary fencing could be installed without the need for planning permission. The greatest visual impact will be the provision of the extended drive and the required retaining wall, due to the raised ground level of the road. The letter of objection cites a change in ground level of 8 feet (approximately 2.4m) from the highway, although this will be reduced at the point where the proposed drive will be extended. At the start of the drive, the change in ground level is approximately 1.4m, with this and the height of the required retaining wall reducing further into the site. It is considered that the access and retaining wall will be viewed as a continuation of existing, with limited visual impact. In order to preserve the character and appearance of the conservation area, a condition will be imposed to agree the finish of the retaining wall.

### **Residential Amenity**

The drive will run alongside the adjoining property, Puck Hall, with the parking area being on land level with the garden of this property, however both the drive and parking area are considered to be sufficiently distance to avoid causing any unacceptable harm to residential amenity by way of noise or other disturbance.

While not strictly, a residential amenity issues, the neighbour is concerned that the change in ground levels will cause the boundary to become unstable. At present, there is a retaining wall to the front of the site, which will be continued through alongside the

access. Details of the structural specifications will be addressed at the building regulations stage, however the site levels indicated on the proposed layout plan show that the difference in the ground levels at the start of the drive, where the retaining wall will be at its greatest height, and the higher ground is 1.4m. This is not considered to be a significant difference in levels and as such, there is no planning reason to assume that this cannot be constructed safely and to a specification to avoid making the adjoining land unstable. The ground level difference will then reduce as the new access drive continues into the site.

Overall, there is considered that there will be no unacceptable harm as a result of this development.

### **Other Issues**

The Parish Council have raised questions about who will maintain an area of land between the access and the adjoining neighbour, the boundary treatments and the drive and parking spaces, as no detail was included with the application.

In response, the applicant's agent has confirmed the intention is for the parking spaces and associated 'plot' of land to be allocated to the individual properties to which they relate, with shared maintenance responsibility for the access and turning area. The area of land to the side of the drive is expected to be allocated to just one property, most likely Woodcroft. As the properties are all currently under the ownership of one person, they will be responsible at this moment in time, however the maintenance responsibilities and ownership can easily be written into the deeds of future owners/occupiers, if the three properties are ever sold off separately. It is therefore not considered that this should raise any significant planning issues that need to be controlled as part of the planning process.

### **Conclusion**

To conclude, it is considered that the proposal, for the reasons covered above, is acceptable and will lead to an improvement in highway safety, preserve the character and appearance of the conservation area and cause no unacceptable harm to residential amenity or local landscape character.

### **RECOMMENDATION**

Approve with conditions

01. The proposed development, by reason of its size, scale and materials, respects and relates to the character of the area, maintains the character and appearance of the conservation area and causes no demonstrable harm to residential amenity or highway safety, in accordance with the aims and objectives of saved policies ST5, ST6, EC3 and EH1 of the South Somerset Local Plan 2006 and the provisions of chapters 4, 7, 11 and 12 and the core planning principles of the National Planning Policy Framework.

### **SUBJECT TO THE FOLLOWING:**

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 development hereby permitted shall be carried out in accordance with the following approved plans: '1284-PL-01' and '1284-PL-03', received 18th March 2014.

Reason: For the avoidance of doubt as to the development authorised and in the interests of proper planning.

03. No development shall be carried out on site unless particulars of materials (including the provision of samples) to be used for the external surface of the proposed retaining wall has submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to safeguard the character and appearance of the conservation area, in accordance with saved policies ST5, ST6 and EH1 of the South Somerset Local Plan 2006 and the provisions of chapters 7 and 12 of the National Planning Policy Framework.

04. The area allocated for parking and turning on approved plan '1284-PL-01', shall be kept clear of obstruction and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety, in accordance with saved policy ST5 of the South Somerset Local Plan and chapter 4 of the National Planning Policy Framework.

05. The new access and area allocated for parking and turning on the approved plan '1284-PL-01', shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details, which shall have been submitted to and approved in writing by the Local Planning Authority. Such approved works shall be provided and constructed prior to the development hereby approved first being brought into use and shall thereafter retained and maintained unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety, in accordance with saved policy ST5 of the South Somerset Local Plan and the provisions of chapter 4 of the National Planning Policy Framework.

06. 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. Such approved drainage details shall be completed and become fully operational before the dwellings hereby permitted are first brought into use. Following its installation such approved scheme shall be permanently retained and maintained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety, in accordance with saved policy ST5 of the South Somerset Local Plan and the provisions of chapter 4 of the National Planning Policy Framework.

07. No development shall be carried out on site unless 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 after the development hereby permitted is first brought into use; 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. The landscaping scheme shall specifically include details of the enhancement of the existing hedge line on the north west boundary of the site, as agreed in correspondence dated 14th April 2014.

Reason: In the interests of visual amenity and to safeguard the character and appearance of the conservation area, in accordance with saved policies ST5, ST6, EC3 and EH1 of the South Somerset Local Plan 2006 and the provisions of chapters 7, 11 and 12 of the National Planning Policy Framework.

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