

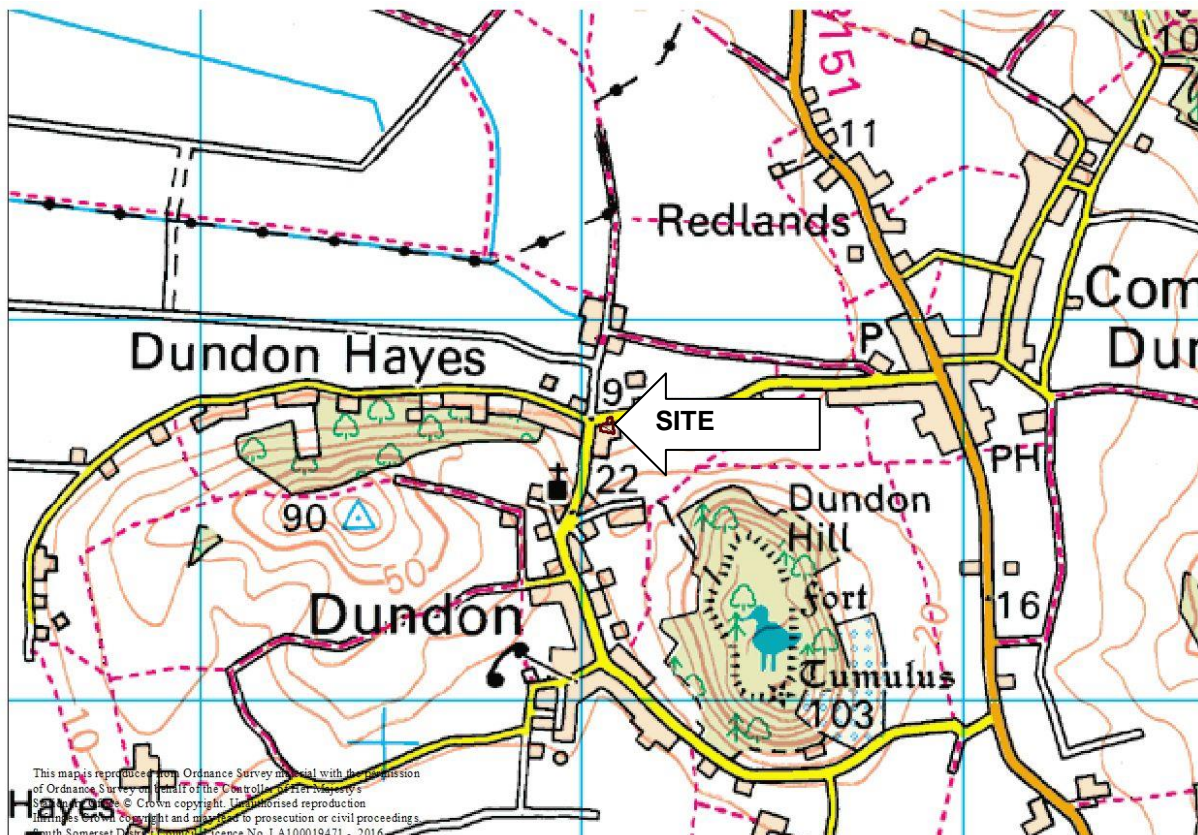
## Officer Report On Planning Application: 15/05581/REM

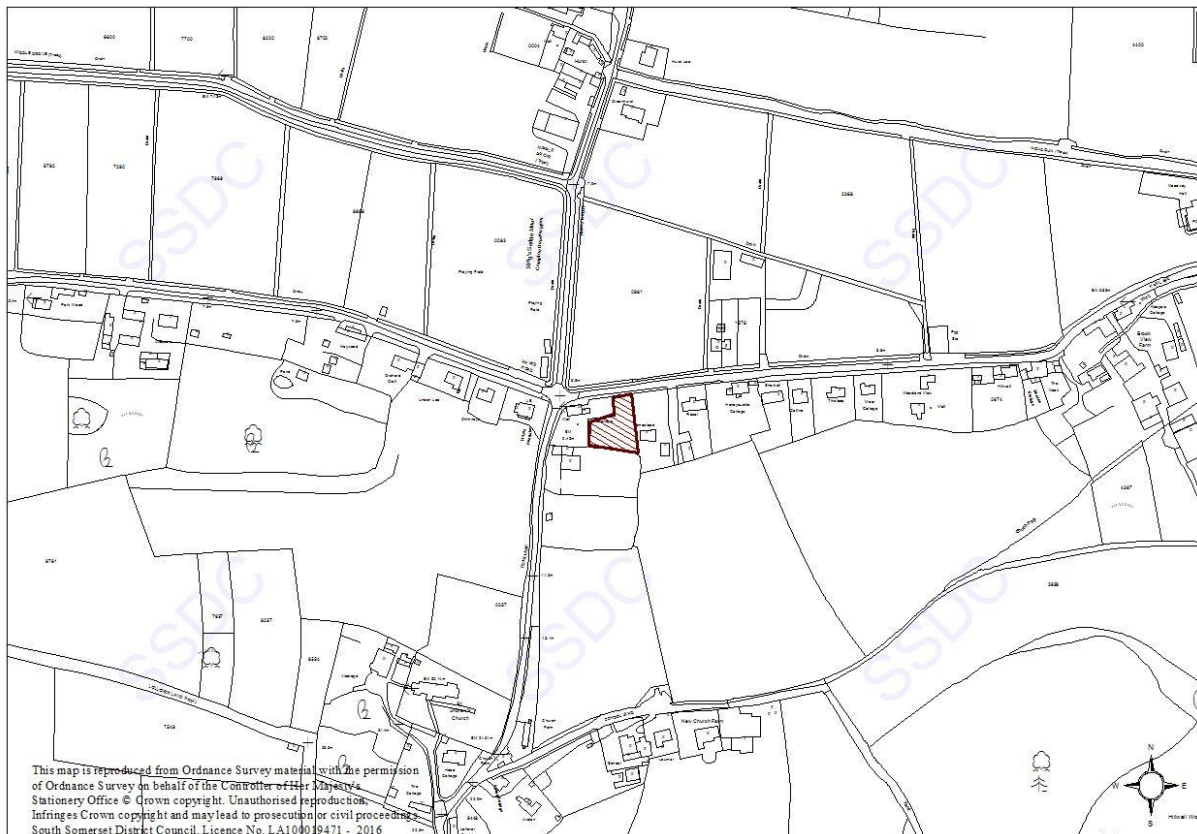
<b>Proposal :</b>	Erection of a single dwelling with associated access (reserved matters) (GR:348064/132714)
<b>Site Address:</b>	Land Adj Homestead, Ham Lane, Compton Dundon.
<b>Parish:</b>	Compton Dundon
<b>WESSEX Ward (SSDC Member)</b>	Cllr Stephen Page Cllr Dean Ruddle
<b>Recommending Case Officer:</b>	Nicholas Head Tel: (01935) 462167 Email: nick.head@southsomerset.gov.uk
<b>Target date :</b>	9th February 2016
<b>Applicant :</b>	Rooke Developments
<b>Agent: (no agent if blank)</b>	Mr J Venton Tamlyns, 56 High Street, Bridgewater, Somerset TA6 3BN
<b>Application Type :</b>	Minor Dwellings 1-9 site less than 1ha

### REASON FOR REFERRAL TO COMMITTEE

The report is referred to the Committee at the request of a Ward Member, to enable a full discussion of the issues raised by residents and the Parish Council.

### SITE DESCRIPTION AND PROPOSAL





The site is located on the south side of Ham Lane, to the east of the intersection with Peak Lane. It formed part of the garden area of an existing bungalow, which is situated immediately to the east of the application site. To the west of the site is a single dwellinghouse, Crossways, fronting directly onto Ham Lane; to the south-west are the buildings of a workshop/maintenance business taking access off Peak Lane.

Outline permission was granted for the erection of a dwellinghouse with access onto Ham Lane. The current application seeks approval of the reserved matters: landscaping of the site, layout and scale of development.

## HISTORY

13/04141/OUT - Outline application for a single dwelling with associated access - refused. The application was subsequently allowed on appeal on 9 September 2014.

## POLICY

The South Somerset Local Plan (2006 - 2028) was adopted on the 5th March 2015. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) and Section 70(2) of the Town and Country Planning Act 1990 (as amended), the adopted local plan now forms part of the development plan. As such, decisions on the award of planning permission should be made in accordance with this development plan, unless material considerations indicate otherwise. Legislation and national policy are clear that the starting point for decision-making is the development plan, where development that accords with an up-to-date local plan should be approved, and proposed development that conflicts should be refused, unless other material considerations indicate otherwise.

## **Policies of the South Somerset Local Plan (2006 - 2028)**

SD1	Sustainable Development
SS1	Settlement Strategy
SS2	Development in Rural Settlements
TA5	Transport Impact of New Development
TA6	Parking Standards
EQ1	Addressing Climate Change in South Somerset
EQ2	General Development

## **National Planning Policy Framework (March 2012):**

4. Promoting sustainable transport
6. Delivering a wide choice of high quality homes
7. Requiring good design

**National Planning Practice Guidance** - Department of Communities and Local Government, 2014.

## **Policy-related Material Considerations**

Somerset County Council Parking Strategy, March 2012 and September 2013.  
Somerset County Council Highways Standing Advice, June 2013.

## **CONSULTATIONS**

**Parish Council:** The Parish Council recommends refusal. After an initial objection relating to the scale, size, poor architectural design, drainage and proximity to the existing neighbouring business, amended plans were submitted by the applicant. In response to the amended scheme, the recommendation remains the same, for the following reasons:

- The proposed dwelling does not meet the Parish needs for modest, 3 bedroom, properties with smaller footprint and cottage feel.
- The scale of the proposed dwelling vastly exceeds that presented in the outline application.
- The scale of the proposed development dwarfs neighbouring dwellings,
- There is no evidence of sustainable drainage systems bearing in mind the live ditch on the plot that amongst others needs to support the adjacent yard and the extensive footprint of the dwelling roof.
- The Councillors also expressed concerns regarding the orientation of the dwelling relative to other properties and the visibility splays resulting from currently erected fencing and planted hedging.

**Highways Authority:** Standing Advice applies.

**SSDC Highways Consultant:** *Suggest point of access is located towards the western end of the site frontage to maximise visibility to the east - i.e. provide a 2.4m x 25m splay to the west and a 2.4m x 33m splay to the east (no obstruction higher than 600mm above adjoining road level within such splays). Culvert design to be agreed/approved by the drainage board. First 6.0m of access/drive must be consolidated and surfaced (not loose stone or gravel). On-site parking must accord with SPS optimum standards. On-site turning facilities must be provided.*

**SSDC Architect/Conservation Manager:** Concerns raised at initial submission, in relation to

local characteristics, and bulk of the proposal, which led to submission of amended plans. No objection to revised scheme.

**SSDC Landscape Officer:** Comments made on the original submitted landscape scheme, which has now been amended. No objection.

**SSDC Environmental Protection Officer:** (verbal) No objection.

**Somerset Drainage Board:** *I have checked the planning portal and the site lies just outside of the Board's operational area so outside the Board's consenting regulation. In the past as it is outside the Board's area I would have referred the details for Roger Meacham's approval who was SSDC Land Drainage officer but I know he retired sometime ago.*

*However the details appear satisfactory as the minimum pipe size required for an access gateway is 450 mm diameter pipe the details indicate a 600mm diameter pipe to be used. Headwalls are satisfactory and the details include some dry lean concrete bed layer to support the pipe. I have no specific information as to the need to increase capacity of the pipe or up rate bedding or pipe support design due to on-site ground conditions so in essence the details appear to be sound.*

**SSDC Engineer:** The submitted scheme included a crossing of the existing culvert along Ham Lane which incorporate a pipe to transmit flows (as set out in the consolation response from the Drainage Board). Given lack of information on the flows in this culvert, the Engineer was not supportive of the proposal. A revised scheme has been received, replacing the pipe design with a simple bridge structure which would allow unimpeded flows. Details are also supplied of on-site attenuation measures. No objections are now raised.

## REPRESENTATIONS

Letters of representation have been received from 3 local residents, objecting to the proposal and raising the following main points:

- the orientation of the building is inappropriate, as it will face towards the neighbouring amenity space of Crossways, reducing privacy and harming residential amenity. The building should orientated to face the highway.
- the proposal is of an inappropriate scale (too large), being larger than the indicative dwelling shown in the outline application.
- the proposal represents over development.
- the positioning of the dwelling in relation to the existing vehicle repair business to the south west could give rise to complaints and be harmful to the continued existence of the business.

## CONSIDERATIONS

### Principle of Development

Outline permission has been granted for the erection of a dwellinghouse. The principle of development is accepted.

### Visual Impact

The proposed dwelling is set back from the highway by 18m. The originally submitted scheme

had a complex roof structure and was considered excessively tall and bulky. On the basis of comments by the Council's Conservation Manager, the scheme has been re-designed to produce a simpler form of dwelling with roof pitches and form more like those in the area. It is not considered that there is a particular local character, with dwellings of various types and spacing relationships. This is a sizeable site, and can accommodate the size of the building. Being well set back from the vantage point of the public highway, it is not considered that the size, design and placement of the building cause visual harm to a degree that would justify a refusal.

The detailed layout includes a landscaping scheme providing hedge boundaries on all sides (retained where they exist). Subject to appropriate materials, colours, etc., the scheme as amended is considered acceptable.

### **Impact on Residential Amenity**

The appeal Inspector approving the outline permission did not identify any concern in relation to the adjacent engineering workshop that would indicate refusal of permission for a dwellinghouse in principle. The engineering works site is subject to controls, particularly a limitation on the numbers of vehicles that may be worked on at any time. The current design and siting, which places the dwellings centrally on the site and reasonably detached from the workshop is considered to provide adequate separation of the two uses. The internal layout and orientation ensures that living rooms (family room, conservatory) do not directly face or overlook the site of the engineering works.

The building is single storey, and there are no elevated windows that would result in unacceptable overlooking of adjacent properties. The proposal is a good distance from nearby dwellings (15m and 17m) and will not result in any overbearing or unacceptably intrusive impact. It is not considered that there is any amenity harm suggested by the proposal that would indicate a refusal of the application.

### **Highway Safety**

Access was determined at the outline stage. With minor the detailed improvements made, and subject to conditions protecting visibility, the proposal is not considered to be harmful to highway safety. Adequate on-site parking of vehicles can be achieved in accordance with the Somerset Parking Strategy.

### **Drainage**

The submitted scheme provided inadequate surface water drainage details, and presented the possibility of restriction of flows along the existing drainage culvert along the northern (Ham Lane) boundary. In consultation with the Council's Engineer, a revised bridge arrangement as been proposed for crossing the culvert; and a scheme of on-site attenuation of runoff has been provided. The proposal is now considered to make reasonable provision for dealing with surface water.

### **Parish Council Concerns**

- There is no policy requirement to assess whether there is a need for a particular type or size of dwellinghouse; outline permission exists for a single dwellinghouse, which this proposal represents.
- The indicative layout submitted with the outline application does not set limitations on detailed submissions at reserved matters stage. The scale of this proposal should be assessed on its merits and within the limitations of the conditions attached to the outline

permission.

- The scale of the building, although large, is well related to the available site size and spacing between buildings. It is not located close enough to other dwellings to cause overshadowing of an overbearing presence.
- Drainage details have been submitted and additional detail provided to satisfy sustainable drainage requirements.
- It is not considered that the orientation of the building, to optimise use of the garden area for future occupants, creates a sufficiently adverse visual or amenity impact as to warrant refusal.
- Visibility splays are taken into account in the new setting out of the access, together with hedging and fences.

### **Concerns of Neighbours**

- As mentioned above, there are no upper storey windows, and it is not considered that any overlooking would occur that would demonstrably harm residential amenity. The building is set back a reasonable distance from the boundary, with a hedge and fence being retained. It is not considered that privacy would be harmed by the development.
- Whilst it is accepted that the dwelling is large, there is adequate space on this large plot (900 sq m) to accommodate the building, its garage and garden space. It is not considered to be over-development of the site, or of unreasonable scale for the setting.
- Proximity of the site to the neighbouring vehicle repair business was a reason for refusal in the case of the outline permission, which was subsequently approved on appeal. It is not considered, for the reasons set out above, that the proposal would create amenity harm that could justify a refusal of this reserved matters application.

### **EIA Regulations**

Not relevant.

### **Conclusion**

Notwithstanding the concerns that have been raised, about the scale and detailed design of the building, It is not considered that a degree of demonstrable visual harm has been identified that would support a refusal of the application, which has already been significantly re-designed by the applicant. The proposal is considered to represent an acceptable design that respects the character and appearance of the setting, causing no demonstrable harm to residential amenity or highway safety. It is accordingly recommended for approval.

### **S.106 AGREEMENT**

Not relevant.

### **RECOMMENDATION**

Grant permission.

01. The proposal, by reason of its scale, design and siting, respects the character and appearance of the area and causes no demonstrable harm to residential amenity or highway safety, in accordance with the aims of the NPPF and Policies SD1, EQ2, TA5 and TA6 of the South Somerset Local Plan.

**SUBJECT TO THE FOLLOWING:**

01. The development hereby permitted shall be carried out in accordance with the following approved plans: the revised drawings ref. 191115 numbers 01B, 02A and 03C.

Reason: For the avoidance of doubt and in the interests of proper planning.

02. The area allocated for parking and turning on the submitted plan shall be kept clear of obstruction at all times 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 and to accord with Policy TA5 of the South Somerset Local Plan.

03. No development hereby permitted shall be commenced unless particulars of the following have been submitted to and approved in writing by the Local Planning Authority:

- a) materials (including the provision of samples where appropriate) to be used for external walls and roofs;
- b) full design details and material and external finish to be used for all windows, all external doors, lintels, entrance gates, boarding and openings;
- c) details of all eaves and fascia board detailing, guttering, downpipes and other rainwater goods;
- d) details of the surface material for the parking and turning area; and
- e) details of all boundary treatments.

Reason: To safeguard the character and appearance of the area and to accord with Policy EQ2 of the South Somerset Local Plan.

04. The landscape planting scheme shown on the submitted drawing ref. 191115-03C shall be fully implemented and thereafter retained and maintained. 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 area, and to accord with the NPPF and Policy EQ2 of the South Somerset Local Plan, 2006.

05. Before any of the development hereby permitted is commenced details of the internal ground floor levels of the buildings to be erected on the site shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the character and appearance of the area and to accord with Policy EQ2 of the South Somerset Local Plan.

06. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (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: In the interests of amenity and to safeguard the character and appearance of the area in accordance with Policy EQ2 of the South Somerset Local Plan.

07. The scheme of surface water attenuation indicated on the submitted plan ref. 191115-03C shall be fully implemented prior to the occupation of the dwellinghouse hereby permitted, and shall thereafter be permanently retained and maintained.

Reason: In the interests of sustainable drainage and to accord with the NPPF and Policy EQ1 of the South Somerset Local Plan.

08. The 'ditch crossing details' indicated on the submitted plan ref. 191115-03C shall be fully implemented prior to the occupation of the dwellinghouse hereby approved, and shall thereafter be permanently retained and maintained.

Reason: In the interests of sustainable drainage and general amenity and to accord with the NPPF and Policies EQ1 and EQ2 of the South Somerset Local Plan.

09. At the proposed access there shall be no obstruction to visibility greater than 300mm above the adjoining road level within the visibility splays shown on the submitted plan ref. 191115-03B. Such visibility splays shall be constructed prior to the commencement of the construction of the dwelling and shall thereafter be retained at all times.

Reason: In the interests of highway safety and to accord with Policy TA5 of the South Somerset Local Plan.

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