

Officer Report On Planning Application: 16/01259/FUL

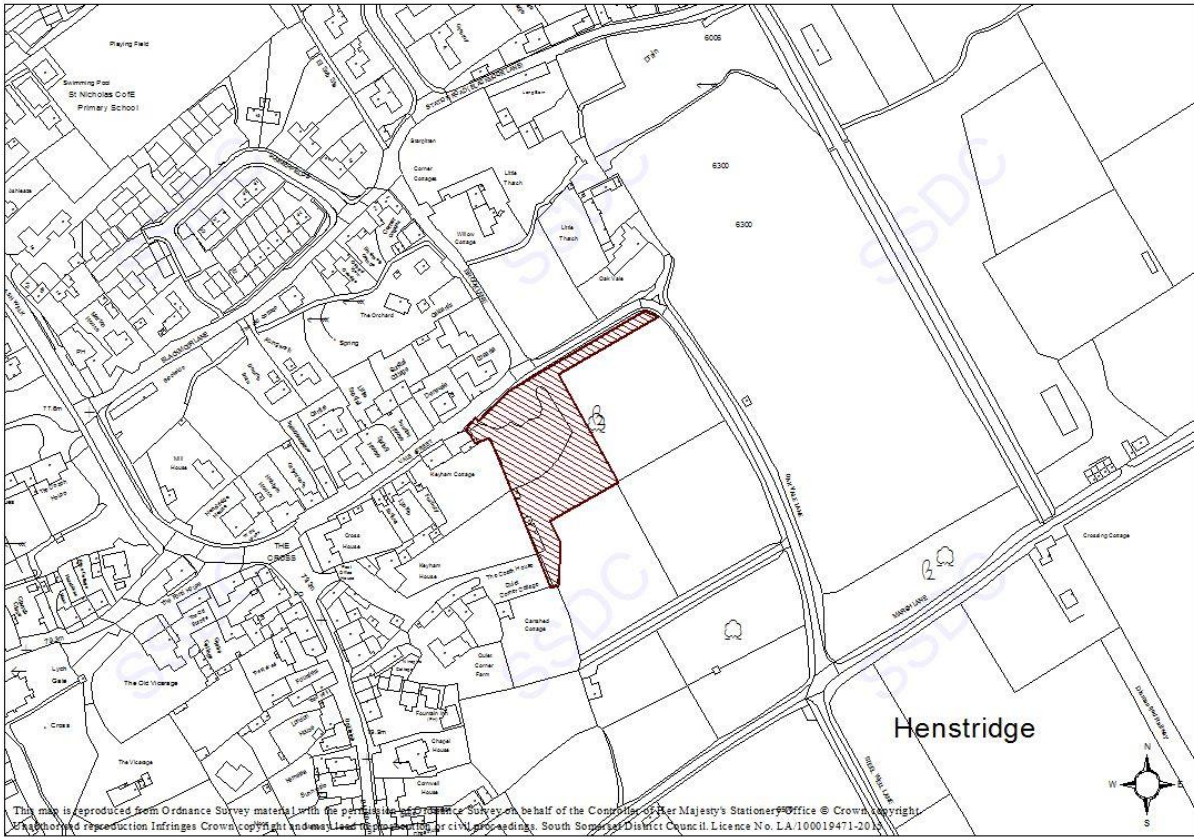
| | |
|--|--|
| Proposal : | Erection of a new dwelling (Revised Scheme) (GR 372566/119897) |
| Site Address: | Land Adjoining Keyham Cottage Vale Street Henstridge |
| Parish: | Henstridge |
| BLACKMOOR VALE Ward (SSDC Member) | Cllr Tim Inglefield Cllr William Wallace |
| Recommending Case Officer: | Lee Walton Tel: (01935) 462324 Email: lee.walton@southsomerset.gov.uk |
| Target date : | 9th May 2016 |
| Applicant : | Mr & Mrs R Kearley |
| Agent: (no agent if blank) | |
| Application Type : | Minor Dwellings 1-9 site less than 1ha |

REFERRAL FOR REFERRAL TO COMMITTEE

The application has been referred to committee at the request of the Ward Members and agreement of the Area Chair in order that the issues raised by the adjoining neighbours can be discussed further.

SITE DESCRIPTION AND PROPOSAL





The application site is located at the eastern edge of Henstridge's built form that forms the setting of the Conservation Area and the setting of a listed building (grade 2).

The proposal seeks the erection of a two storey detached dwelling with rooms in the roof, having a principal elevation with a ridge height of 8.9m and eaves 5m above ground level, with a subservient flank wing comprising dormers and stepped down ridge and eave heights of 7.2m and 3.5m respectively. Natural stone elevations are shown.

The application is supported by a Design and Access Statement, and Tree Survey. An amended drawing is received that reduces the area of the red outline. The Devon bank is removed from the proposal and the use of natural stone confirmed rather than the originally proposed brick elevations.

RELEVANT HISTORY

16/00273/FUL - Erection of a new dwelling, Withdrawn to enable the applicant to consider the consultation responses received resulting in the current application.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF state that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.

Sections 16 and 66 of the Planning (Listed Building and Conservation Areas) Act 1990 require authorities considering applications for planning permission or listed building consent for works that affect a listed building to have special regard to certain matters, including the desirability of preserving the setting of the building.

For the purposes of determining current applications the local planning authority considers that the adopted development plan comprises the policies of the South Somerset Local Plan 2006 2028 (adopted March 2015).

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

EQ2 - General development

EQ3 - Historic Environment

Regard shall also be had to:

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

National Planning Policy Guidance

Other Relevant Documents

Somerset County Council Parking Strategy, adopted March 2012 and re-adopted September 2012 following corrections made.

Somerset Highways Standing Advice - June 2015.

Henstridge Village Design Statement 2001

Henstridge, Yenston and Bowden Parish Plan 2015

CONSULTATIONS

Henstridge Parish Council - supports this application but does not favour the use of a Devon bank along the boundary with Vale Street as this would impact negatively on neighbouring properties. Instead, the Parish Council feels that any existing trees that are in poor condition should be removed and replaced with indigenous species.

The Parish Council further requests that a S106 agreement should be put in place to protect the area of undisturbed woodland to the east of the site to ensure it is maintained into the long-term future.

Finally, as the site backs onto the Conservation Area, the Parish Council asks that the Village Design Statement is taken into account in terms of the exterior of the dwelling and that the majority of the exterior is constructed of stone rather than brick.

County Highway Authority - Standing advice applies to consider visibility, parking and turning and secure by condition properly consolidation and surfacing (not loose stone/gravel) of the first 6.0m of access, and the implementation of suitable surface water drainage measures.

County Archaeologist - No objections

SSDC Landscape Architect - the application site lays at the east edge of Henstridge, adjacent residential form to north and west, and has about it a degree of residential character where it abuts residential land to the west. Conversely, it lays to the east of a distinct village edge, demarcated on site by a stone wall, and is part of a matrix of small pastures/copses that buffer the village edge from the wider countryside, and this edge is part of the character of the setting of the conservation area, which lays to the west. Consequently, the landscape position is finely balanced, though given the undeveloped character of the plot, and the part that this open land plays in providing a setting to both the CA, and the wider countryside, then I consider there is a case for refusal, and am unable to offer landscape support.

SSDC Conservation Officer - I have no objection to this scheme. If you are minded to grant permission then I suggest conditions covering external material and details.

SSDC Tree Officer - The better quality trees on-site are proposed to be retained and an indicative scheme of tree protection fencing has been included upon the site layout plan. The area of woodland to the East has some particularly high quality mature Beech trees present, but their distance away from the proposal, along with some simple tree protection measures for the duration of the construction phase of the development ought to be sufficient to protect their health. If consent is to be granted, I would be very grateful if you would consider imposing a simple scheme of tree protection measures.

REPRESENTATIONS

Following neighbour notification there have been 10 neighbour notification letters received. Of these 9 are objections and there are 4 letters of support.

The letters objecting are concerned that:

- This house would be built outside the existing boundary of the village which is naturally marked by the stone wall at the bottom of Keyham House,
- This may set a precedent for further building opening up the possibility of a developer building on land at Quiet Corner Farm and potentially further south beyond Marsh Lane.
- Too much new housing built in Henstridge in the last few years
- Brick is not an appropriate material given the style of the other houses in the area,
- Each additional house reduces the tranquillity of the area.
- The route of a quiet country walk enjoyed by a very large number of the residents of Henstridge, many of whom walk their dogs along Vale Street, Oak Vale Lane and Marsh Lane daily.
- Narrow street
- The proposed house stands too high in relation to other houses in the area, to be too dominant when looking back at Henstridge from the East and South-East. Its proposed height also appears to be at variance with the Henstridge Council's design statement of 2001 and its parish plan of 2015.
- Out of context with the surroundings
- 'Woodland', really just overgrown brambles with few mature trees
- Light pollution

The letters in support welcome the proposal that

- tidies the plot
- one dwelling would have negligible impact on traffic and access
- the house is carefully designed and located to fit well on the plot.

CONSIDERATIONS

Principle of Development

Policy SS2 of the local plan does not act as a constraint to housing development given the current situation with the Council's lack of a demonstrable 5 year housing land supply (para.49 of the NPPF). However, in accordance with para.14 of the NPPF there continues to be an issue where any adverse impacts that arise would significantly or demonstrably outweigh the benefits of providing the house. The site location lays adjacent to the development area for Henstridge, a settlement with access to a range of services and facilities considered a sustainable location, and on this basis there is support in principle. Accordingly the main considerations include character and appearance, the setting of historic assets, highway safety and neighbour amenity.

Character and Appearance

While the Landscape Architect offers a guarded response, considering the landscape position finely balanced, having implications for the setting of both the Conservation Area and the wider countryside, their response does not seek refusal and the support of the Parish Council is noted. This isolated dwelling set back from the highway finished in natural stone is considered acceptable without any significantly detrimental impact in terms of character and appearance.

Setting of historic assets

The Conservation Officer does not raise any objections and proposes the use of conditions that would be applied to any permission. Natural stone finishes are envisaged and supported by the applicant.

Highway Safety

Access is off a quiet road at the edge of the historic built form. It is considered that the proposal accords generally with the standing advice. Conditions are proposed to require consolidated surfaces and for surface water not to enter into the highway.

Neighbour Amenity

The proposal is not considered to have any detrimental impact for adjacent occupants.

Other Matters

The neighbour responses are noted and generally are considered as part of the officer considerations. There is arguably a natural break with the stone wall aligned with the application's western boundary that is breached and this is in part taken up by the Landscape Officer's response, but whether a precedent is created is another matter, with each planning application considered on its individual merit. The landscaping condition seeks to secure valuable enhancement in establishing a wooded presence, reinforcing the character of the immediate locality.

The Parish Council refers to the use of a legal agreement to secure the woodland identified within the blue outline. The proposed landscape condition seeks to agree a detailed planting scheme that would reflect works to the boundary (previously referred to as the Devon Bank that will not be pursued), as well as the area within the blue outline. Following implementation of the landscape planting a level of interest would be invested in the land. The landscape condition offers a similar level of long term control to that of a S106 that otherwise offers a 'belts and braces' approach that Inspectors have considered excessive when a planning condition will suffice.

RECOMMENDATION

Approve

01. The proposal, by reason of its location, represents appropriate residential development associated with a recognised sustainable settlement and does not foster growth in the need to travel and is therefore sustainable development in accordance with the aims and objectives of the South Somerset Local Plan 2006- 2028, and the NPPF.

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: LOC 01 Rev D and LOC 02 Rev D received 12 May 2016, 02B, 03B, 04B, 05B, 06B, 07B, and 10 RevA received 14 March 2016.

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

03. The development hereby permitted shall not 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. Elevations shall be constructed in natural stone, details of which shall be agreed as part of this condition.

Reason: In the interests of character and appearance and the setting of heritage assets further to Policy EQ2 and EQ3 of the South Somerset Local Plan 2006- 2028.

04. No development shall commence, before details of the proposed finished ground floor level of the dwelling hereby permitted, in relation to the natural and finished ground levels of the site, have been submitted to and agreed in writing by the Local Planning Authority. Thereafter, the development shall be implemented in accordance with any details as may be agreed in writing by the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain adequate control over proposed floor levels, in the interests of neighbour amenity, further to policy EQ2 of the South Somerset Local Plan 2006- 2028.

05. The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping to cover both red and blue outline areas, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, as well as details of any changes proposed in existing ground levels; all planting, seeding, turving or earth moulding. All works shall be carried out in the first planting and seeding season following commencement of the development. Any trees which 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: In the interests of character and appearance further to Policy EQ2 of the South Somerset Local Plan 2006- 2028.

06. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway,

Reason: In the interests of highway safety to accord with policy TA5 and EQ2 of the South Somerset Local Plan 2006- 2028.

07. Prior to first occupation of the dwelling hereby permitted a properly consolidation and surfaced (not loose stone/gravel) access over the first 6.0m, measured from the highway edge shall be provided and thereafter retained.

Reason: In the interests of highway safety further to Policy TA5 and EQ2 of the South Somerset Local Plan 2006- 2028.

08. Prior to commencement of this planning permission, site vegetative clearance, demolition of existing structures, ground-works, heavy machinery entering site or the on-site storage of materials, a scheme of tree protection measures, including tree protection fencing and signage; shall be prepared, installed and made ready for inspection. A site meeting between the the appointed building/groundwork contractors and the Council's Tree Officer (Mr Phillip Poulton - 01935 462670) shall then be arranged at a mutually convenient time. The locations and suitability of the tree protection measures shall be inspected by the Tree Officer and confirmed in-writing by the Council to be satisfactory prior to commencement of the development. The approved tree protection requirements shall remain implemented in their entirety for the duration of the construction of the development and the protective fencing may only be moved or dismantled with the prior consent of the Council in-writing.

Reason: To preserve the health, structure and amenity value of existing landscape features (trees) in accordance with the Council's policies as stated within The South Somerset Local Plan (2006 - 2028); EQ2: General Development, EQ4: Bio-Diversity & EQ5: Green Infrastructure.