

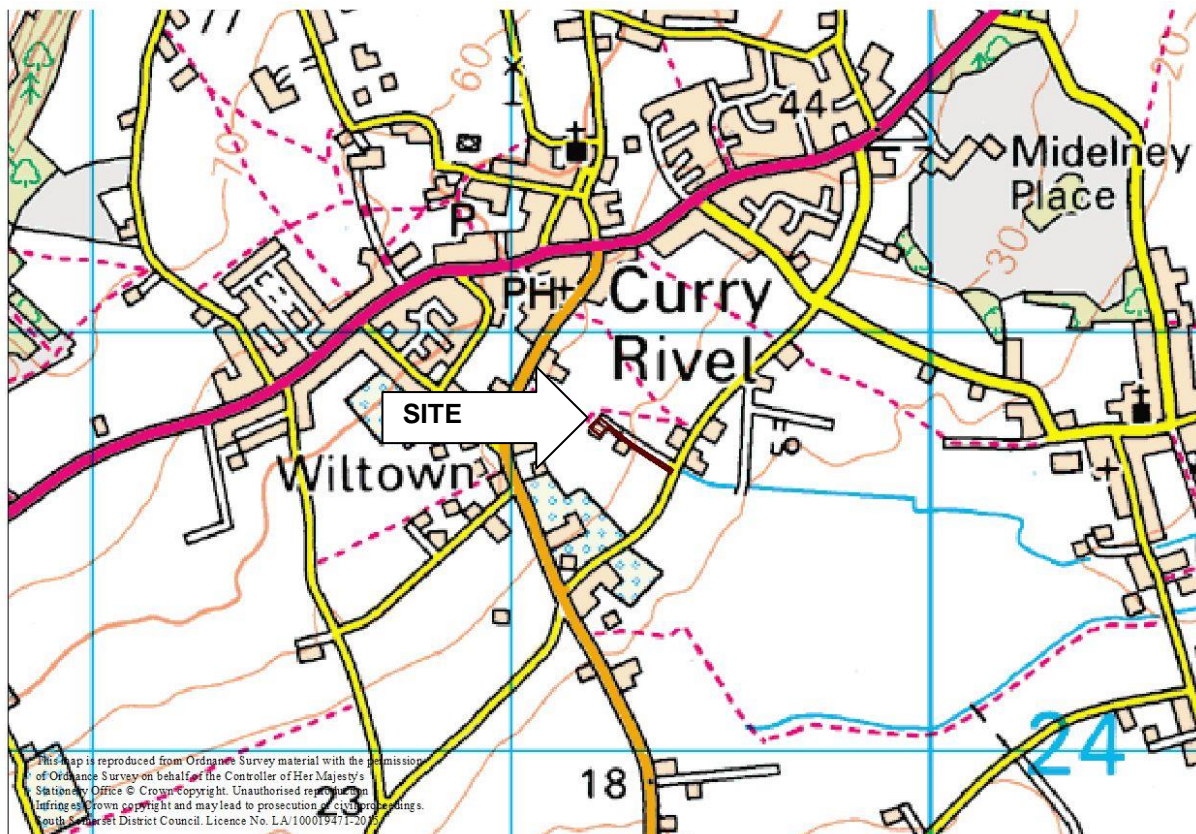
Officer Report On Planning Application: 15/03046/FUL

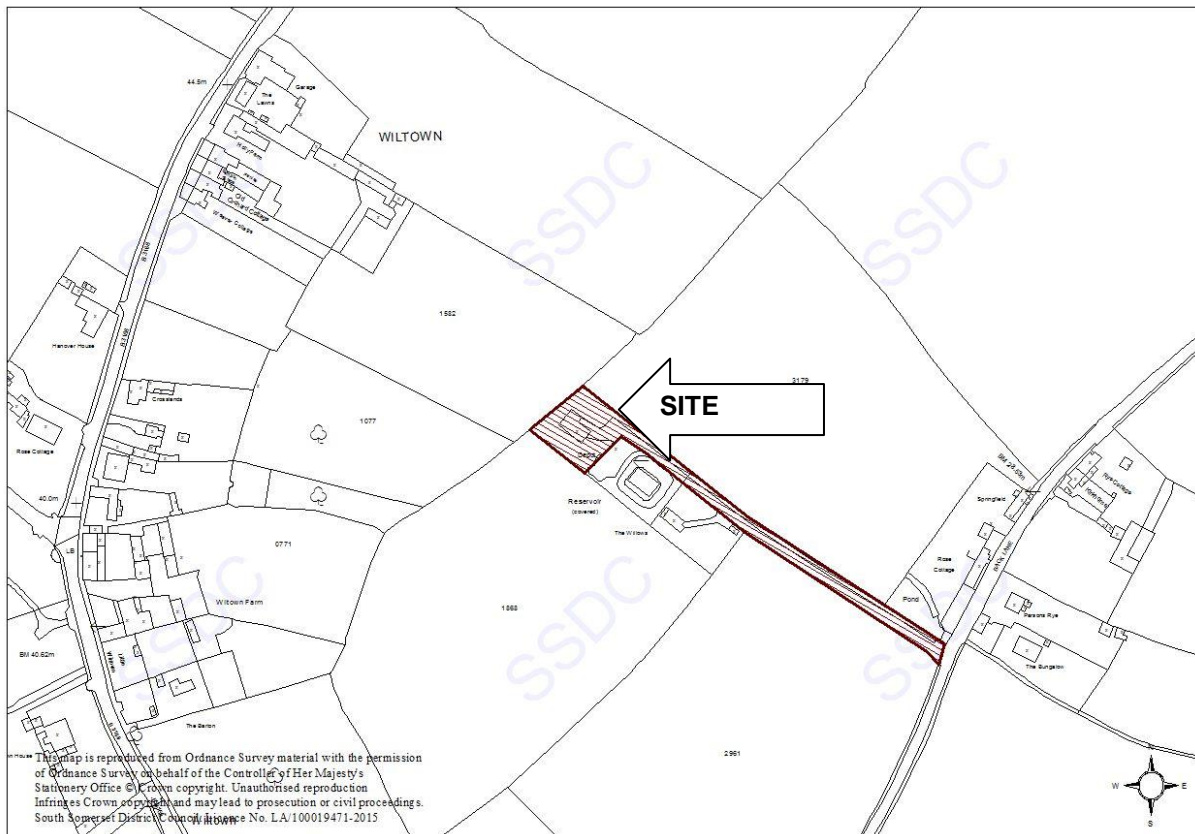
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| Proposal : | Proposed conversion and extension of former waterworks depot into residential dwelling including the erection of a double garage and carport (GR 339210/124771). |
| Site Address: | Former Environment Agency Depot, Back Lane, Curry Rivel. |
| Parish: | Curry Rivel |
| CURRY RIVEL Ward (SSDC Member) | Cllr Tiffany Osborne |
| Recommending Case Officer: | Nicholas Head Tel: (01935) 462167 Email: nick.head@southsomerset.gov.uk |
| Target date : | 26th August 2015 |
| Applicant : | Mr & Mrs J Conway |
| Agent: (no agent if blank) | Mr Dathan Trent, Lake View, The Maltings, Charlton Estate, Shepton Mallet, Somerset BA4 5QE |
| Application Type : | Minor Dwellings 1-9 site less than 1ha |

REASON FOR REFERRAL TO COMMITTEE

The report is referred to the Committee at the request of the Ward Member to enable a full discussion of the issues raised by the application.

SITE DESCRIPTION AND PROPOSAL





The site is located in open countryside to the south west of the village. It is surrounded on three sides by open fields. It is the north-westernmost portion of land previously used as a waterworks depot. On the site is a brick depot building with a pitched slate roof. The remainder of the depot site, to the south east of the application site, comprises a disused reservoir, and a two-storey brick dwellinghouse. Access to these sites is taken along a private paved driveway off the north west side of Back Lane.

Permission is sought for the conversion and extension of the waterworks depot building to form a dwellinghouse.

HISTORY

No relevant recent history.

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)

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| SD1 | Sustainable Development |
| SS5 | Delivering New Housing Growth |
| SS7 | Phasing of Previously Developed Land |
| HG2 | The Use of Previously Developed Land (PDL) for New Housing Development |
| HG3 | Provision of Affordable Housing |
| HG4 | Provision of Affordable Housing - Sites of 1-5 Dwellings |
| TA5 | Transport Impact of New Development |
| TA6 | Parking Standards |
| EQ2 | General Development |
| EQ4 | Biodiversity |
| EQ7 | Pollution Control |

National Planning Policy Framework (March 2012):

4. Promoting sustainable transport
6. Delivering a wide choice of high quality homes
7. Requiring good design
11. Conserving and enhancing the natural environment

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.

South Somerset Sustainable Community Strategy (2008-2026)

CONSULTATIONS

Parish Council: No objections.

Highways Authority: Standing Advice applies.

SSDC Highways Consultant: *Traffic impact on Back Lane unlikely to be significant. Consider extent of visibility splays at the site access - acknowledge former use of building but dwelling is likely to increase the use of the access on a daily basis. On-site parking to accord with SPS standards.*

SSDC Landscape Officer: *the site is a singular location, laying between Wiltown and Back lane within open fields to the south of the main village. Whilst the site is host to the functional depot building, it is not a domestic presence, and it is of relatively modest scale. Whilst there is a single residence accessed off the same track as the depot building - 'Springfield', to the southeast - its presence is singular, and set outside the village envelope, and thus does not provide precedent for further development. The character of the application plot is not residential.*

The proposal before us abuts pasture fields on all sides, apart from the narrow boundary with 'Springfield'. It is large scale, and as viewed from Wiltown, will appear incongruous in form and scale, and at variance with its open field surround. Consequently I view the proposal to erode

local character and advise a landscape case for refusal.

SSDC Tree Officer: *The primary tree features appear to be the two groups of Willow - one adjoins the track leading to the site (proposed to be retained), the other (proposed to be removed) adjoins the North-East boundary. Whilst possible improvements to the access road could be dealt with by the use of special engineering measures, the likely installation of below-ground services could still be rather damaging.*

I also have concerns that the footprint of the development is too close to the retained trees on-site. It appears unlikely that the relationship between those retained trees and the development would be sustainable.

Furthermore, the proposed scheme of landscaping fails to mitigate for the proposed tree losses.

I would recommend revising the proposal, perhaps seeking to retain and manage the existing Willows by a traditional pollarding approach; whilst devising an improved scheme of tree and shrub planting (employing cell-grown and container-grown stock) that would complement the new dwelling within the surrounding landscape.

As the proposal currently stands, I object on the basis that I believe the proposal to be contrary to the Council's aims to preserve landscape features (trees) in accordance with The Town & Country Planning Act, 1990 (as amended)[1] and the following policies as stated within The South Somerset Local Plan (2006 - 2028); EQ2: General Development, EQ4: Bio-Diversity & EQ5: Green Infrastructure.

SSDC Ecologist: No objection subject to condition relating to bats.

SSDC Environmental Protection Officer: No objection, subject to condition relating to possible contamination.

Wessex Water: No objection is raised. Information is given about future drainage arrangements.

REPRESENTATIONS

Three letters of representation have been received.

1. Two letters of objection have raised the following concerns:

- the house is too large for the location and the site;
- it will cause overlooking of farm to the west (Wiltown Farm);
- as a result of the design and scale it would dominate the local landscape and have an undue impact on the countryside;
- it will have detrimental impacts on local flora and fauna.

2. Support for the proposal is offered, raising the following points:

- the site is well suited for residential use, with existing access;
- impact on any neighbours would be minimal;
- a home would be provided for an additional family on brownfield land in a sustainable location.

CONSIDERATIONS

Principle of Development

The site, although adjacent to a single dwellinghouse, is in a countryside locality remote from services and facilities where development is not encouraged. Paragraph 55 of the NPPF advises that isolated homes in the countryside should be avoided unless special circumstances indicate otherwise, such as the re-use of redundant or disused buildings where this would lead to an enhancement to the immediate setting. Policy EQ2 of the Local Plan seeks to maintain the District's local distinctiveness, preserving or enhancing its inherent character. The principle of the development would therefore depend upon it being demonstrated that the setting would be enhanced by conversion and re-use of the existing building.

Design, Visual and Landscape Impact

The existing building on the site is a well-made brick structure with slate roof dating back to 1901. It was presumably erected as part of the same development as the two-storey house to the south-east ('The Willows') at the time of the establishment of this waterworks depot. Although a modest structure, it is of sound construction and good quality materials, with a total floor area of 140 sq m, and good internal volumes under a relatively high roof. It is well embedded in the setting, and of an appropriate scale and design for its former function.

The proposal largely overwhelms this building, demolishing some elements and building over and around it. Only small portions of the original building will protrude from the front and rear elevations of a very large, two-storey dwellinghouse. A substantial three-garage outbuilding is proposed for the north-eastern boundary. The scale of the development and positioning on site will require removal of much existing vegetation, and, as pointed out by the Tree Officer, would be unsuccessful in retaining any significant screening.

The net visual impact on the setting will be considerable. This is a large development in an open landscape, which will be clearly visible from various aspects. It will present an intrusive and incongruous large-scale modern feature in what is currently a low-scale, traditional rural setting beyond the developments of the settlement.

The Landscape Officer has clearly set out his concerns and recommended refusal of the application, as has the Tree Officer. It is not considered that the proposal would represent an enhancement of the immediate setting, or that it would respect the established rural character of that setting. Furthermore, it is a development on a much larger scale than is appropriate for the site and in relation to the building being considered for 're-use' and conversion. It is therefore not considered to accord with the aims of Paragraph 55 of the NPPF or Policy EQ2 of the Local Plan.

Impact on Residential Amenity

The proposed dwellinghouse is sufficiently distant from a neighbouring residential properties to avoid overlooking or other harmful amenity impacts that would warrant a refusal of the application.

Impact on Highway Safety

The existing access down a private drive is used by a single dwelling and was used by the depot. Whilst there could be some increase in usage with this change of use, it is not

considered that it is significant on this lesser road with relatively slow moving traffic. Reasonable visibility exists at the junction with Back Lane. Adequate parking and turning space can be achieved on site. It is considered that the proposal is generally in accordance with Standing Advice, and that there is no highway safety reason for refusal of the application.

Letters of Representation

The comments received from local residents have been considered. They are largely dealt with in the body of the report. The following additional points are made:

- Wiltown Farm is not close enough to the development for a primary amenity objection to be sustained, although it is accepted that the dwelling will be very visible from this vantage point.
- whilst the advantages of the proposal pointed out by a resident are noted, it is not considered that they singly or together outweigh the considerable harm to the landscape and countryside setting that would result from the proposal.

EIA Regulations

Not relevant.

Conclusion

The proposal is of a design, scale and massing that fails to respect the rural setting or the character of the building being re-used. It is not considered that it represents an enhancement of the immediate setting. On the contrary, it is considered that it represents significant harm to the character and appearance of the local landscape. Whilst no amenity, highway safety or other harm has been identified, it is not considered that the proposal complies with the aims of the NPPF or the Local Plan, and it is accordingly recommended for refusal.

S.106 AGREEMENT

Not relevant.

RECOMMENDATION

Refuse.

FOR THE FOLLOWING REASON:

01. The proposal, by reason of its design, scale and massing, and which is tantamount to a large new dwellinghouse in the open countryside, fails to respect the established character and appearance of the local landscape and the immediate setting, and would cause significant harm to this countryside setting, eroding its essential rural character, and harming existing landscape features (trees), contrary to the aims of the NPPF and Policies EQ2, EQ4 and EQ5 of the South Somerset Local Plan.

Informatives:

01. In accordance with paragraphs 186 and 187 of the NPPF the council, as local planning authority, takes a positive and proactive approach to development proposals focused on solutions. The council works with applicants/agents in a positive and proactive manner by;
- offering a pre-application advice service, and
 - as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions

In this case, the applicant/agent did not take the opportunity to enter into pre-application discussions and there were no minor or obvious solutions to overcome the significant concerns caused by the proposals.
