

TRUSTEES OF THE A S TURNER WILL TRUST

ERECTION OF 2 NO. TWO STOREY DETACHED DWELLINGS WITH ASSOCIATED GARAGES ON LAND TO THE SIDE OF CHERITON CLOSE, CURDLEIGH LANE, BLAGDON HILL AS AMENDED

Grid Reference: 321212.118207

Full Planning Permission

RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval

The proposal, for residential development, is located within defined settlement limits where the principle of new housing is considered acceptable and the development would not have a significant detrimental impact upon visual or residential amenity or important views of the AONB and is therefore considered acceptable. Therefore, the scheme accords with Policies DM1 (General Requirements), CP8 (Environment) and SP1 (Sustainable Development Locations) of the Taunton Deane Core Strategy and retained Policy M4 (Residential Parking Provision) of the Taunton Deane Local Plan.

RECOMMENDED CONDITION(S) (if applicable)

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: In accordance with the provisions of Section 91 Town and Country Planning Act 1990 (as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

(A3) DrNo 1974-4 Access Plan
(A3) DrNo 1974-1 Location Plan

Sun Path Windows Photos
(A3) DrNo1974-2A Site Plan
(A3) DrNo1974-3A Block and Roof Plan
(A3) DrNo1974-5A Indicative Site Sections
(A3) DrNo1974-6A Unit A Ground and First Floor Plans
(A3) DrNo1974-7A Unit A Second Floor Plan
(A3) DrNo1974-8A Unit A Front and Rear Elevations
(A3) DrNo1974-9A Unit A Side Elevations
(A3) DrNo1974-10A Unit A Garage and Store

- (A3) DrNo1974-11A Unit B Front and Rear Elevations
- (A3) DrNo1974-12A Unit B Side Elevations
- (A3) DrNo1974-13A Unit B Garage and Store
- (A3) DrNo1974-15 Unit B Ground and First Floor Plans
- (A3) DrNo1974-16 Unit B Second Floor Plans

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

3. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out and thereafter retained as such, in accordance with the approved details as above, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not harm the character and appearance of the area in accordance with Policy DM1 of the Taunton Deane Core Strategy.

4. No wall construction, excluding site works, shall begin until a panel of the proposed stone/brickwork measuring at least 1m x 1m has been built on the site and both the materials and the colour and type of mortar for pointing used within the panel have been agreed in writing by the Local Planning Authority. The development shall be completed in accordance with the agreed details and thereafter maintained as such, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not harm the character and appearance of the area in accordance with Policy DM1 of the Taunton Deane Core Strategy.

5. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The agreed boundary treatment shall be completed before **the building(s) is/are occupied** and thereafter maintained as such, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not harm the character and appearance of the area in accordance with Policy DM1 of the Taunton Deane Core Strategy.

6. (i) Before any part of the permitted development is commenced, a landscaping scheme, which shall include details of the species, siting and numbers to be planted, shall be submitted to and approved in writing by the Local Planning Authority.
- (ii) The scheme shall be completely carried out within the first available planting season from the date of commencement of the development, or as otherwise extended with the agreement in writing of the Local Planning Authority.

- (iii) For a period of five years after the completion of each landscaping scheme, the trees and shrubs shall be protected and maintained in a healthy weed free condition and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of similar size and species, or the appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not harm the character and appearance of the area in accordance with Policy DM1 of the Taunton Deane Core Strategy.

- 7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) the first floor windows to be installed in the west elevations of the new dwellings shall be obscured glazed and non-opening (unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed). The type of obscure glazing shall be submitted to and agreed in writing by the Local Planning Authority prior to its installation and shall thereafter be so retained. No additional first floor windows shall be installed in these elevations without the need for planning permission.

Reason: To protect the amenities of nearby dwellings in accordance with Policy DM1(E) of the Taunton Deane Core Strategy.

- 8. The development hereby permitted shall not be commenced until details of a strategy to protect and enhance the development for wildlife has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be based on the advice of Country Contract's submitted report, dated January 2013 and include:

- 1. Details of protective measures to include method statements to avoid impacts on wildlife during all stages of development;
- 2. Details of the timing of works to avoid periods of work when nesting birds could be harmed by disturbance.
- 3. Measures for the enhancement of places of rest for bats.

Once approved the works shall be implemented in accordance with the approved details and timing of the works, unless otherwise approved in writing by the Local Planning Authority.

Thereafter the resting places and agreed accesses shall be permanently maintained

Reason: To protect wildlife and their habitats from damage.

- 9. The accesses, parking and turning areas shall be properly consolidated and surfaced (no loose stones or gravel) in accordance with details, which shall have been submitted to and approved by the Local Planning Authority or unless otherwise agreed with the Local Planning Authority and carried out prior to occupation.

Reason: In the interests of highway safety in accordance with Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review.

10. The area allocated for parking/turning on the submitted plan shall be kept clear of obstruction and shall not be used other than for the parking/turning of vehicles in connection with the development hereby permitted.

Reason: To ensure vehicles can leave the site in forward gear in the interests of highway safety in accordance with Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review.

11. The means of tree protection during construction and service provision shall be carried out as specified in the submitted Hellis tree consultants report and there shall be no variation thereto without the approval in writing of the Local Planning Authority.

Reason: In order to protect trees in the interests of the visual amenity of the area in accordance with policy DM1 of the Core Strategy.

Notes to Applicant

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the applicant and has negotiated amendments to the application to enable the grant of planning permission.
2. Wessex Water advise that their infrastructure crosses the site. Wessex Water normally require a minimum, three-metre, easement width on either side of their apparatus, for the purpose of maintenance and repair. Diversion of protection works may need to be agreed.
3. New water supply and waste water connections will be required from Wessex Water to serve this development. Application forms and guidance information is available from the Developer Services web-page at www.wessexwater.co.uk/developerservices. As from 1st October 2011, all sewer connections serving more than a single dwelling will require a signed adoption agreement with Wessex Water before the connection can be made. Further information can be obtained from our New Connections Team by telephoning 01225 526222 for Water Supply and 01225 526333 for Waste Water.
4. It should be noted that the protection afforded to species under UK and EU legislation is irrespective of the planning system and the developer should ensure that any activity they undertake on the application site (regardless of the need for planning consent) must comply with the appropriate wildlife legislation.

The condition relating to wildlife requires the submission of information to protect species. The Local Planning Authority will expect to see a detailed

method statement clearly stating how wildlife will be protected through the development process and be provided with a mitigation proposal that will maintain favourable status for the bats that are affected by this development proposal.

5. Any soakaways should be constructed in accordance with Building Research Digest 365 (September 1991).

PROPOSAL

Erection of two detached dwellings and garages in field to side of Cheriton Close together with access off Curdleigh Lane, Blagdon Hill. The field is on average 65m x 40m and is open to the countryside to the north.

SITE DESCRIPTION AND HISTORY

The site consists of a grass field within the settlement limits, outside of the Area of Outstanding Natural Beauty, and between the existing property known as Cheriton Close and the single storey building at East-o-brook and a two storey property at Little Bridges accessed off Adcombe Close. There are views of the site from Blagdon Green to the south west.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

PITMINSTER PARISH COUNCIL - Object

The dwellings are relatively large and a house adjacent to the small bungalow will have huge impact on the well being of the present and future residents. The majority of houses sited in a row will normally have a depth of about 7-8 metres and when sited adjacent to each other have little impact on each other. The west elevation of the proposed house is nearly 15m in depth. It will block an enormous amount of light into their property and also the garden, they will feel overwhelmed by such a very high building and of such vast proportions abutting their property.

The proposed drive entrance looks to be relatively narrow which may require the cutting back or removal of the beech hedge fronting Cheriton Close.

SCC - TRANSPORT DEVELOPMENT GROUP - No objection

The site lies within the development boundary of Blagdon Hill. Curdleigh Lane is an Unclassified Lane which has a variable width with a measurement of 3.5m at the site access. Cheriton Close is served by a private access and the proposal is to extend the private access road to serve the two new dwellings. The visibility is currently 2m x 33m to the East and 2m x 15m to the West. Due to the nature of the road vehicle speeds are slow and there have been no recorded accidents in the vicinity. There is a footpath which runs along the edge of the open field to the south of the application site which links Curdleigh Lane to the village.

The proposed parking and turning on site is considered acceptable and is consistent with the optimum outlined in the Somerset Parking Strategy for the area.

Given that the development proposals would result in more than two dwellings off a private drive, it is essential that the access is constructed to an appropriate standard. It should be noted that we would not require any amendments to the width of the access provided that the access would serve no more than the existing dwellings and the two additional dwellings which are proposed.

I would therefore raise no highway objection to the application subject to conditions.

DIVERSIONS ORDER OFFICER - No observations.

WESSEX WATER - Comment

New water supply and waste water connections will be required to serve this development. All new connections subject to new regulations will require a signed adoption agreement with Wessex Water before drainage works commence. A public sewer is shown on the records and it appears the development proposal will affect this. The applicant should contact Wessex Water Sewer Protection Team for further advice. No building will be permitted within the statutory easement width of 3m without agreement.

DRAINAGE ENGINEER - Comment

I note surface water is to be discharged to soakaways. These should be constructed in accordance with Building Research Digest 365 (Sept 91) and made a condition of any approval.

AONB PARTNERSHIP - Comment

Although outside the AONB boundary, the site is located adjacent to one of the main 'gateways' to the Blackdown Hills and to all intents this part of Blagdon Hill is seen in association with the AONB. I would therefore suggest that the potential impact on the AONB is a relevant consideration in this case.

While in principle this site may be suitable for residential development, the proposed dwellings appear large and of a scale at odds with neighbouring properties. They could therefore appear as prominent intrusions in the wider landscape setting. Given that views from the northern slopes of the Blackdown Hills across the lower slopes and vale of Taunton are a particular quality of the AONB, any development that may impact on these should receive careful consideration. One of the circular walks promoted by the AONB Partnership and Neroche starts at Blagdon Hill and follows the path across Blagdon Green; from what I have seen the dwellings would be particularly evident from this public vantage point. Equally, views along the forested hills, such as Woodram and Adcombe, are part of the experience of driving through Blagdon Hill and it is not clear to what extent this development would affect these views.

LANDSCAPE -

The tree survey does not show a marked up root protection area plan which would help with an assessment of the impact of the road and services (if they are to be routed along the access driveway). My other comment relates to the impact of the proposed housing in views from the 'green' and public footpath to the west of the site where longer views would be partially obscured.

The revised detail addresses the protection and avoidance of root damage.

BIODIVERSITY -

The application is for the erection of two dwellings on agricultural land to the side of Cheriton Close, Curdleigh Lane, Blagdon Hill.

The access track to the land has an established hedgerow along the south west side which continues to form the south western field boundary. A small watercourse follows this boundary. Country Contracts carried out an ecological assessment of the site in January 2013.

Findings were as follows:

Bats - No pre existing records for bats at the site are known. There were no structures on site which could shelter bats and the surveyed trees did not have bat roosting potential. The surveyor did however consider that vegetation on site could provide foraging and commuting routes for bats. I support the proposal to include bat boxes in the new development.

Reptiles and Amphibians - No reptiles or amphibians were found during the survey although the surveyor considered that they could be present along the watercourse and ditch, which should not be disturbed.

Nesting birds - The vegetation on site offers suitable habitat for birds. I agree that any clearance of vegetation should take place outside of the bird nesting season.

Badgers - No setts were found although a badger path was found along the SW boundary of the site. The surveyor was aware of badger setts in the vicinity of the site. I support the surveyor's recommendations with regard to badgers.

Dormice - There is a record for dormice within 1.5 km of the site but the surveyor considered that dormice are not present on this site. The hedgerows have limited connectivity, there are significant barriers (roads) and the hedgerows are regularly flailed.

Suggests a condition requiring details of a strategy to protect and enhance the development for wildlife to be submitted to and approved in writing by the Local Planning Authority.

Representations

17 letters of OBJECTION raising issues of:

- It does not preserve the rural environment in an AONB,
- Seems an overdevelopment,
- Size of properties excessive and too big in relation to the plots
- Does not protect privacy of neighbours
- Unnecessary development spoiling the green setting of Blagdon Hill,
- Affects an area of local amenity and scale of properties would alter ambience block view from village green.
- Plot A is too close to the adjacent bungalow and should be resited.
- The dwellings should be set further south.
- Overlooking and loss of privacy.
- Overbearing and overshadowing to residents of Eastobrook.
- Dormer windows are out of keeping.
- Dwellings out of keeping with character of the area and concrete tiles are not appropriate.
- Bungalows with green roofs would be better
- Smaller family homes are required
- A single dwelling should be looked at.

2 letters on amended plan reiterating previous objection and suggesting any first floor windows in north and west elevations should be fixed and obscure glazed.

1 letter of NO OBJECTION on the basis of the access shown on the submitted plan.

PLANNING POLICIES

NPPF - National Planning Policy Framework,
SD1 - SD 1 TDBC Presumption in Favour of Sustain. Dev,
DM1 - TD CORE STRATEGY - GENERAL REQUIREMENTS,
CP1 - TD CORE STRAT. CLIMATE CHANGE,
CP4 - TD CORE STRATEGY - HOUSING,
CP8 - TD CORE STRATEGY- ENVIRONMENT,
SP1 - TD CORE STRATEGY SUSTAINABLE DEVELOPMENT LOCATIONS,
M4 - TDBCLP - Residential Parking Provision,

LOCAL FINANCE CONSIDERATIONS

The development of this site would result in payment to the Council of the New Homes Bonus.

1 Year Payment

Taunton Deane Borough Council (Lower Tier Authority)	£2,158
Somerset County Council (Upper Tier Authority)	£540

6 Year Payment

Taunton Deane Borough Council (Lower Tier Authority)	£12,949
Somerset County Council (Upper Tier Authority)	£3,237

DETERMINING ISSUES AND CONSIDERATIONS

The site lies within the settlement limits of Blagdon Hill where new small scale proposals are accepted under policy SP1 of the Core Strategy. The main issue here is design and whether the dwellings will have an adverse landscape impact and any adverse amenity impact on the adjacent properties.

The access to the site is via an existing drive access to the field and the visibility at the junction is considered to be acceptable. There is adequate parking and turning space for each plot and the proposal meets the Highway Authority's parking requirements. The Highway Authority raise no objection to two additional dwellings subject to conditions. Given the size of the parking and turning area and the nature of the existing access the proposed highway conditions 2, 4 and 5 are considered unnecessary in respect of the proposal.

The proposed dwellings are two storey and are of a design that match each other. The plots are approximately 20m x 65m and the provision of a detached dwelling in a plot of this size is not considered to be overdevelopment or out of keeping with the character of the area. At present the existing nearby houses are all of a slightly different design and therefore the design of the proposed dwellings is not considered out of keeping. The depth of the properties is 7m which reflects those on Curdleigh Lane and there is a 7m projection to the rear into the new gardens. The side elevations will have first floor windows serving a hall and ensuite/bathroom and it is appropriate that these are obscure glazed to prevent loss of privacy to neighbours. The dormer windows on the rear face north and are considered of an acceptable design not to adversely impact the amenity of neighbours and not to be out of keeping. The materials of the dwellings have been amended to delete the mix of brick, render and tile hanging. The proposal now incorporates natural stone and clay roof tiles and the details of which will be conditioned. The design also includes solar panels and air source heat pumps as energy efficiency measures to reduce fuel costs.

The proposal provides a double garage for each plot set in the front garden. Given the private access to the site these would not be visible in street scene terms. The dwellings themselves will be set behind the garages and the site as a whole will be visible from the footpath through Blagdon Green. The properties will obstruct the view out from the Green towards Taunton, although they are set some 40m back and downslope from the edge of the Green. There is no right to a view however, and the site is not within the AONB. The properties will also be visible from the footpath to the north and east but they will be viewed in connection with the other adjacent properties in the area and the landscape impact of this in terms of setting of the village and AONB is not considered to be detrimental in landscape terms to warrant a reason for refusal.

The dwelling of plot A lies adjacent to the property at East-o-brook and is set 5m off the boundary. The position of the plot has been sited to avoid impacting on private amenity space or the main outlook of the neighbour. The amended proposal hands the dwelling so the rear projection is moved to the eastern side of the plot as has the garage. A sunlight survey drawing shows there only to be shadowing of East-o-brook at early morning in the winter time and there not to be a material impact for the rest of the time given the orientation of the property. The main outlook from the sun room on the property to the north east would not be directly obstructed by the new house.

This revision and associated impact on the neighbour is considered to be an acceptable one in amenity terms.

The wildlife survey indicated no protected species directly affected by the proposal and the Biodiversity Officer considers an appropriate condition to address wildlife enhancement for the area. The proposed foul drainage will be to the existing foul sewer that runs through the site and the surface water disposal is intended to soakaways.

In summary the site is within the settlement limits of the village, there is not considered to be a significant adverse landscape impact or such an adverse amenity impact on neighbours to warrant refusal and the design and materials of the dwellings are considered acceptable and the proposal is recommended for approval.

In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1998.

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