

30/14/0022

MRS C TOWNS

ERECTION OF DWELLING WITH ASSOCIATED DETACHED DOUBLE GARAGE WITH ANNEXE OVER AND ERECTION OF SINGLE DETACHED GARAGE FOR USE BY SELICKS GREEN FARM ON LAND ADJACENT TO SELICKS GREEN FARM, SELICKS GREEN, PITMINSTER

Location: SELICKS GREEN FARM, SELICKS GREEN, PITMINSTER,
TAUNTON, TA3 7SA

Grid Reference: 321258.119232

Full Planning Permission

RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval

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:

(A4) Location Plan
(A1) DrNo 1690/1A Existing Site Plan/Elevations
(A3) DrNo 1690/09 Existing Elevations of Garage
(A4) DrNo 1690/08C Site Plan
(A1) DrNo 1690/03C Proposed Site Plan
(A1) DrNo 1690/04B Proposed House Elevations
(A1) DrNo 1690/02A Proposed Floor Plans
(A1) DrNo 1690/06C Proposed Garage
(A1) DrNo 1690/05 Proposed House Sections

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

3. Prior to their installation, samples of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be 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. (i) Prior to its implementation, 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.

6. The development hereby permitted shall not be commenced until details of a strategy to protect wildlife has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be based on Greena Ecological Consultancy's report dated November 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

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.

Reason: To protect and accommodate protected species and their habitats from damage, which are protected under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species (Amendment) Regulations 2011, in accordance with Taunton Deane Core Strategy Policy CP8 and relevant guidance in Section 11 of the NPPF.

7. At the proposed access there shall be no obstruction to visibility greater than 900 millimetres above adjoining road level within the visibility splays shown on the submitted plan. (Drawing No.1690/03C) Such visibility splays hereby permitted and shall thereafter be maintained at all times.

Reason: In the interests of highway safety.

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. The condition relating to wildlife requires a mitigation proposal that will maintain favourable status for these species that are affected by this development proposal.

Most resident nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended).

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.

3. With regard to condition 04, hedging should be two staggered rows of plants 225mm apart with spacing of 450mm - this adds up to 4.5 plants per m run. Species should comprise hawthorn, blackthorn and hazel. Tree species should be oak, beech and field maple.

PROPOSAL

The proposal comprises the erection of a dwelling within the curtilage of Sellicks Green Farm. The dwelling is detached and finished in stone and timber cladding with a slate roof to the main building and a metal profiled roof to extensions off the main building at the rear. Along with the dwelling a detached double garage is also proposed for the new dwelling and a single garage for Sellicks Farmhouse.

An existing vehicular access will be utilised for the new dwelling.

SITE DESCRIPTION AND HISTORY

The site forms part of the garden curtilage to Sellicks Green Farm, a former farmhouse. The site is open to Sellicks Green Farm as domestic curtilage with no dividing boundaries. Sellicks Green Farm has an existing access leading to a garage/parking area and there is a second access granted consent (30/13/00022) to gain access to the adjoining agricultural land and to a former agricultural building used by the applicants as storage. The site is bound by hedgerows along the frontage of the site and a post and wire fence adjoins the agricultural land to the side.

The end gable of Sellicks Farm currently forms the settlement boundary limit, with

the application site, along with the current garden, access and garaging being outside of the settlement. Due to submission dates, the site has not been able to be put forward to be included as an area that could have been assessed to be within the settlement, extending the settlement of Blagdon Hill, within the proposed Site Allocations and Development Management Plan.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

PITMINSTER PARISH COUNCIL - Objects

- Application site outside of village envelope.
- Proposed site is within an agricultural field.
- Parts of documentation accompanying application is misleading.
- Footprint of proposed dwelling is close, if not over the existing main sewer between Blagdon Hill and Pitminster.

SCC - TRANSPORT DEVELOPMENT GROUP - "See Standing Advice". Standing advice requires:

- Provision of adequate drainage so that surface water does not drain from the site onto the highway or vice versa.
- The access should have a minimum width of 3m with a minimum of 5m over a minimum 6m length where more than 1 dwelling is served.
- The access should be properly consolidated for the first 5m and must not exceed a gradient of 1 in 10 for the first 6m from the edge of the adopted highway.
- Vehicular entrance gates should be set back a minimum distance of 6m from the carriageway edge and should open inwards. Pedestrian gates should open inwards.
- On site turning space should be provided where the proposal derives access from a classified road.

LANDSCAPE - Comments as follows:

The site is located in the 3b Blackdowns Fringe landscape character area and is currently amenity garden. Established elm hedge along roadside should be maintained and protected throughout development.

Garden boundary to the east is a wire fence and should be reinforced with planting. Suggest native hedge with strategic tree planting should suffice.

Hedging should be two staggered rows of plants 225mm apart with spacing of 450mm - this adds up to 4.5 plants per m run. Species should comprise hawthorn, blackthorn and hazel. Tree species should be oak, beech and field maple.

WESSEX WATER - Comments as follows:

Water Supply and Waste Connections - New water supply and waste water connections will be required from Wessex Water to serve this proposed development. Application forms and guidance information is available from the Developer Services web-pages at our website www.wessexwater.co.uk.

Please note that DEFRA intend to implement new regulations that will require the adoption of all new private sewers. All connections subject to these new regulations will require a signed adoption agreement with Wessex Water before any drainage works commence.

Further information can be obtained from our New Connections Team by telephoning 01225 526222 for Water Supply and 01225 526333 for Waste Water.

Separate Sewer Systems

Separate systems of drainage will be required to serve the proposed development.

No surface water connections will be permitted to the foul sewer system.

Protection of Existing Assets

A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Wessex Water Sewer Protection Team for further advice on this matter.

Building over existing public sewers will not be permitted (without agreement) from Wessex Water and Building Regulations.

Building Near to a Public Sewer

No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Wessex Water. Please contact our Sewer Protection Team to discuss further telephone 01225 526333.

Diversion of water mains and sewers.

Where development proposals affect a public water main or sewer, it may be possible to divert by agreement with Wessex Water. Diverting a water main/public sewer will be subject to satisfactory engineering proposals and a legal agreement subject to the provisions of S185 Water Industry Act 1991.

DRAINAGE ENGINEER - Comments as follows:

Environment Agency should be consulted as Private Package Sewage Treatment Plant will require a consent to discharge, from the Environment Agency.

Condition no works to commence on site until a Surface Water Run-off Limitation Scheme has been submitted and approved.

COMMUNITY INFRASTRUCTURE LEVY (CIL) OFFICER - CIL Levy of approximately £46,000.

Representations

6 letters of SUPPORT received which raise the following issues:-

- Will not have adverse impact on road or local neighbourhood.
- No adverse impact on surrounding area.
- Modern and contemporary whilst still sympathetic to local countryside and overall architectural integrity of local buildings.
- Will add character, diversity and richness of parish's architectural heritage.
- Important for people with young families, active in community, to be encouraged to reside in parish, or risk imbalance with older residents; demographically balanced parish with an appropriate number of family homes to support this.
- Hedge to be retained.
- Development does not indicate allocating further land for development.
- Environmentally more friendly than some of the other new builds in the village.
- Neighbouring Sellicks Green Farm property sympathetically redeveloped, and its farmyard.
- Support relocating settlement limit boundary.
- Building within Sellicks Green Farm garden curtilage; residential and not agricultural.

9 letters of OBJECTION received which raise the following issues:-

- Outside of village envelope.
- Possible to become two developments due to layout of separate garage will all the amenities.
- Amended plans are not aesthetic and objection still stands; design inappropriate to setting and local character of small modest simple buildings and openings.
- Dwelling on rural farming site, not brownfield site.
- Previous application 30/12/0021 for agricultural access, not for a dwelling.
- Poor visibility, narrow road and more traffic for a dwelling over agricultural.
- Precedent for further applications on agricultural land.
- Highly visible.
- Overdevelopment in an already high density dwelling area.
- Development on Special Landscape Area.
- No barns on site.
- Seen from public footpath and Ancient Monument Park Pale.
- Hedge screening site could be removed at anytime.
- Three storey estate-design inappropriate on rural edge of a village; overshadow and out of proportion to bungalows opposite.
- Garage high and dominant and inappropriate in street scene.
- Should wait for impact of Tottle development to be assessed.

PLANNING POLICIES

SP1 - TD CORE STRATEGY SUSTAINABLE DEVELOPMENT LOCATIONS,
CP4 - TD CORE STRATEGY - HOUSING,
CP8 - CP 8 ENVIRONMENT,
DM1 - TD CORE STRATEGY - GENERAL REQUIREMENTS,

LOCAL FINANCE CONSIDERATIONS

The application is for residential development outside the settlement limits of Taunton and Wellington where the Community Infrastructure Levy (CIL) is £125 per square metre. Based on current rates, the CIL receipt for this development is approximately £46,000

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)	£1,079
Somerset County Council (Upper Tier Authority)	£270

6 Year Payment

Taunton Deane Borough Council (Lower Tier Authority)	£6,474
Somerset County Council (Upper Tier Authority)	£1,619

DETERMINING ISSUES AND CONSIDERATIONS

The main issues in the consideration of this application are the principle of the development, the impact on visual and residential amenity, the impact on the character and appearance of the area and the impact on the highway network.

Principle

The proposed dwelling is currently sited within the curtilage of Sellicks Farmhouse, though this additional area of curtilage falls outside of the settlement limits of Blagdon Hill. A proposed site that falls outside of the settlement limits is normally considered to be within open countryside where policies would not allow the creation of a new dwelling. In this particular case, the site is found adjoining the settlement, within an existing garden, not encroaching onto agricultural land, and is not isolated. Dwellings on the opposite side of the road also extend to this point, so there would not be a significant encroachment of built form into the countryside.

Given the close proximity to the settlement of Blagdon Hill, where the principle of infill development is acceptable, in accordance with policy SP1 of the Taunton Deane Core Strategy, the principle of the proposed dwelling here, taking into account other considerations such as visual impact and recent approvals in the village, is considered acceptable in this instance.

Visual amenity

The site is bound by a hedgerow to the front of the site, adjoining the roadside, and shares a boundary with the adjoining field, which itself is used for agricultural

purposes. The roadside hedge is an important feature and it is proposed to be retained; a condition will protect the hedge during construction. The adjoining agricultural field is currently divided by a post and wire fence and due to the openness of this part of the site a native hedgerow with tree planting is suggested along this boundary. As the applicant owns this adjoining field, additional landscaping can be planted within the site or within the adjoining field. As such, the landscape officer has not objected to the proposal and a landscaping scheme will allow the proposal to sit comfortably within this location without harm to the visual amenity of the area or street scene.

The proposed dwelling is large, though it can sit comfortably within the site. Materials proposed are a traditional stone frontage with some modern elements to the rear of the dwelling, these materials are considered acceptable for this site.

Residential amenity

The proposed dwelling is sited: 15.5m from the boundary of Luzern opposite the site and 20m away from this dwelling. Given the distance between the properties, the proposed dwelling is not considered to cause any undue overlooking or loss of privacy. Though the property Luzern is single storey, and the proposed is two storey (with some mezzanine accommodation in the roofspace, served by rooflights), given the distance between the properties and the intervening road between the sites, the proposed dwelling is not considered overbearing. Furthermore, within this part of Sellicks Green there are other two storey dwellings facing towards single storey dwellings, as with the existing situation of Sellicks farmhouse.

Character and appearance

The proposed dwelling follows the linear pattern of development within Sellicks Green and would be sited opposite another dwelling that lies within the settlement of Blagdon Hill, and as such, would not encroach beyond the existing pattern of development. The new dwelling would be two storeys in height and reflect the dwellings on this side of the road. Furthermore, the use of stone to the front and sides of the dwelling reflects the traditional appearance of the dwelling from the roadside. To the rear of the proposal there are two storey elements, taking the appearance of extensions to the main building, with lower ridge heights; these 'extensions' will be finished in timber cladding and a metal profiled roof. The use of alternative materials to the rear of the dwelling are not considered to harm the character and appearance of the area.

The proposed double garage, though forward of the main dwelling, is set behind an existing hedge and will be sited in the same location as the outbuilding that will be demolished. As such, there is no increased impact upon the street scene from this garage.

Highways

There is an existing access to Sellicks Farmhouse that will be retained for the sole use of this dwelling; there is an existing garage that will be demolished and a new

single garage is proposed. There is sufficient space within the site for parking/turning as existing.

The proposed dwelling will utilize an existing access, currently used for access to the adjoining agricultural land and to access an outbuilding; the access was granted permission under application (30/13/0028) in August 2013. The existing access provides a visibility splay 2.4m x 30m in each direction, this splay was acceptable to the Highway Authority who did not object to the access. A condition requiring the hard surfacing of the access and no obstruction above 900mm within the visibility splay will be attached to this approval.

A new double garage with parking/turning area are proposed for the new dwelling.

Additional traffic from a single dwelling is not considered to be significant as to require a change in the visibility splay or to warrant refusal of this application.

Other matters

The applicant has confirmed that the garden has been in use, and as defined by the current boundaries, since 2003 where the eastern boundary was shown in photographs from the estate agent in 2003. The applicant also has photographs from 2005 showing the garden in use with garden furniture. The applicant has also made reference to an objectors comments regarding an image from Google Earth in 2006 stating that the image shows agricultural use when in fact the images are only displaying garden furniture (see above).

A sewer may lie close to the development but this does not exclude the development taking place subject to agreements with Wessex Water and Building Regulations.

A wildlife survey has been submitted that was undertaken during the previous application, and updated. The survey does not show any protected species using the buildings to be demolished, but does identify birds within the area. As such, a precautionary approach to demolition should be taken.

Conclusion

The proposed dwelling can be accommodated within the site without harm to the visual or residential amenity of the area; the dwelling would be adjacent to the settlement boundary of Blagdon Hill and not within an isolated location and would have less impact than the scheme at Wayside allowed previously by Members. The proposal is therefore considered acceptable and recommended for approval.

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

CONTACT OFFICER: Mr D Addicott Tel: 01823 356463