

30/18/0002

MR & MRS R BRAMSTON

Erection of a detached dwelling with associated works to include a change of use of part of the agricultural field to domestic garden on land to the rear and side of The Stonehouse, Sellicks Green, Pitminster (amended scheme to 30/16/0029)

Location: THE STONEHOUSE, SELLICKS GREEN, PITMINSTER, TAUNTON,
TA3 7SD

Grid Reference: 321248.118974

Full Planning Permission

Recommendation

Recommended decision: Conditional Approval

Recommended Conditions (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 1514-PL01B Site Location Plan
(A3) DrNo 1514-PL02A Site Survey
(A4) Site Layout Block Plan
(A3) DrNo 4130 Rev A Proposed Site Access
(A3) DrNo 1514-PL1801 Ground Floor Plan
(A3) DrNo 1514-PL1803 First Floor Plan
(A3) DrNo 1514-PL1804 Section (East/West)
(A3) DrNo 1514-PL1805 Detail Section (East/West)
(A3) DrNo 1514-PL1806 West and North Elevations
(A3) DrNo 1514-PL1807 East and South Elevations
(A3) DrNo 1514-PL1808 Roof Plan

(A3) DrNo 1514-PL01C Site Location Plan
(A3) DrNo 1514-PL1801A Site Layout & Block Plan
(A3) DrNo PL1802A Ground Floor Plan
(A3) DrNo 1514-PL1806A West & North Elevations
(A3) DrNo 1514-PL1807A East & South Elevations

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

3. No construction of the exterior of the dwelling 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.

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) Before the dwelling hereby approved is occupied, 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.

5. The area allocated for parking on the submitted plans shall be kept clear of obstruction at all times and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety in accordance with Policy DM1 of the Taunton Deane Core Strategy.

6. The parking spaces hereby permitted shall be surfaced in permeable materials (not loose stone or gravel) and provision shall be made for the disposal of surface water within the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The agreed details shall be implemented prior to the occupation of the dwelling to which it relates and shall thereafter be retained as such.

Reason: To reduce the risk of off-site flooding in accordance with Section 10 of the National Planning Policy Framework.

7. The applicant shall undertake all the recommendations made in Richard Green's Ecological assessment report dated January 2016, and provide mitigation for bats as recommended.
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.

The development shall not be occupied until the scheme for the maintenance and provision of the new bat roosts and related accesses have been fully implemented. Thereafter the resting places and agreed accesses shall be permanently maintained

Reason: To protect bats.

8. Prior to the commencement of development, other than demolition, the applicant shall investigate the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses. The applicant shall:

(a) Provide a written report to the Local Planning Authority which shall include details of the previous uses of the site for at least the last 100 years and a description of the current condition of the site with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the site.

(b) If the report indicates that contamination maybe present on or under the site, or if evidence of contamination is found, a more detailed site investigation and risk assessment shall be carried out in accordance with DEFRA and Environment Agency's "Model Procedures for the Management of Land Contamination CLR11" and other authoritative guidance (or guidance/procedures which may have superseded or replaced this). A report detailing the site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority.

(c) If the report indicates that remedial works are required, full details shall be submitted to the Local Planning Authority and approved in writing and thereafter implemented prior to the commencement of the development or at some other time that has been agreed in writing by the Local Planning Authority. On completion of any required remedial works the applicant shall provide written confirmation that the works have been completed in accordance with the agreed remediation strategy.

Reason: To ensure that land contamination can be dealt with adequately to prevent any harm to the health, safety or amenity of any users of the development, in accordance with Taunton Deane Core Strategy Policy DM1(f) and paragraphs 120-122 of the National Planning Policy Framework.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any order revoking and re-enacting the 2015 Order with or without modification), there shall be no addition or extension to the building without the further grant of planning permission.

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

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any order revoking and re-enacting the 2015 Order with or without modification), there shall be no further building, structure or other enclosure constructed or placed on the site without the further grant of planning permission.

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.

11. The bathroom window in the first floor southern elevation shall be glazed with obscure glass to a height of to be agreed in writing by the Local Planning Authority and shall thereafter be so retained. There shall be no alteration or additional windows in this elevation without the further grant of planning permission.

Reason: To ensure the privacy of the occupant of the dwelling.

Notes to Applicant

Proposal

The proposal comprises the erection of a new dwelling to the side of Stonehouse and the change of use of agricultural land to domestic curtilage. Off road parking is proposed. The proposed dwelling has a modern design with a flat roof.

The dwelling will be constructed/finished with render White, light grey and dark grey) with elements of timber cladding aluminium framed windows, glass balustrades and timber doors.

The extended domestic curtilage will run along the rear of the proposed dwelling and The Stonehouse.

To allow access for the dwelling, the existing garage for The Stonehouse will be demolished.

The application is an amended scheme to a previous planning consent for a contemporary designed dwelling.

Site Description

The property lies within the village of Blagdon Hill and sits at an end of a small run of properties that are set back from the road with a layby and grass verge forward of the properties at this point. The rear of the property backs onto agricultural land and there is a public footpath adjoining the site; this forms the break between the site of The Stonehouse and the next property.

Relevant Planning History

30/16/0008 - Erection of dwelling to the side of The Stonehouse and change of use of land to domestic curtilage. The application was withdrawn.

30/16/0029 - Erection of a detached dwelling with associated works to include a change of use of part of the agricultural field to domestic garden on land to the rear and side of The Stonehouse, Sellicks Green, Pitminster. The application was approved

Consultation Responses

PITMINSTER PARISH COUNCIL – Objects

The plan moves the house towards the agricultural field and out of line with the other houses. Should the line of the house remain as was there is no need to extend beyond the village curtilage into agricultural field. (this is contrary to Policy DM2 of the Taunton Deane Core Strategy).

The proposed size of the house is out of scale both for the plot and the village. It is out of keeping with the surrounding houses as the house does not use any natural or locally sourced materials. Windows and balcony overlooking adjacent houses need to be obscure glass.

The area of land behind the Stonehouse that has been identified to change agricultural land into domestic use extends the village curtilage for that house and should not be entertained (contrary to Policy DM2 of the Taunton Deane Core Strategy).

NOTE the refusal of change of agricultural land to domestic curtilage on application 30/17/0022 (adjacent to Selleck's Green Farm).

SCC - RIGHTS OF WAY –

I can confirm that there is a public right of way (PROW) recorded on the Definitive Map that abuts the site at the present time (**public footpath T 21/55**). I have

attached a plan for your information.

We have no objections to the proposal, but the following should be noted:

1. General Comments

Any proposed works must not encroach on to the width of the PROW.

The health and safety of the public using the PROW must be taken into consideration during works to carry out the proposed development. Somerset County Council (SCC) has maintenance responsibilities for the surface of a PROW, but only to a standard suitable for the public use. SCC will not be responsible for putting right any damage occurring to the surface of a PROW resulting from vehicular use during or after works to carry out the proposal. It should be noted that it is an offence to drive a vehicle along a public footpath, public bridleway or restricted byway unless the driver has lawful authority (private rights) to do so.

If it is considered that the development would result in any of the outcomes listed below, then authorisation for these works must be sought from Somerset County Council Rights of Way Group:

- A PROW being made less convenient for continued public use.
- New furniture being needed along a PROW.
- Changes to the surface of a PROW being needed.
- Changes to the existing drainage arrangements associated with the PROW.

If the work involved in carrying out this proposed development would:

- make a PROW less convenient for continued public use; or
- create a hazard to users of a PROW,

then a temporary closure order will be necessary and a suitable alternative route must be provided. For more information, please visit Somerset County Council's Rights of Way pages to apply for a temporary closure:

<http://www.somerset.gov.uk/environment-and-planning/rightsof-way/apply-for-a-temporary-closure-of-a-right-of-way/> .

SCC - TRANSPORT DEVELOPMENT GROUP – refer to standing advice

BIODIVERSITY – no comment to make

WESSEX WATER – no comments received

DRAINAGE ENGINEER – no comment to make

LANDSCAPE – no comment to make

Representations Received

7 letters of OBJECTION have been received which raise the following issues.

- Happy with reduction in height, but unhappy that the building has been set back by 2m.
- The building will have a greater impact on the area and would be more prominent.
- Request confirmation that bathroom windows and south facing veranda would be obscurely glazed.
- The site should not extend into the agricultural land at the rear – other application in the area that have done this have been refused.
- Permitted development rights should be removed
- The land could be contaminated and previous planning conditions should be adhered to.
- Overlooking from the balconies
- Although height is lower, the ground floor increases from 153sq m to 225 sq m and the first floor from 136 sq m to 169 sq m.
- The building takes up too much of the plot
- Proposal is out of character with the area and visible from the AONB
- Elevations are boring and should be constructed from natural stone
- Large parking area is out of character with the area
- Original scheme should be built, not this revised one.

1 letter of SUPPORT received stating that the proposal is an innovative and interesting design. Blagdon Hill has an eclectic mix of properties and design styles spanning over five centuries with no particular dominant theme.

Planning Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan for Taunton Deane comprises the Taunton Deane Core Strategy (2012), the Taunton Site Allocations and Development Management Plan (2016), the Taunton Town Centre Area Action Plan (2008), Somerset Minerals Local Plan (2015), and Somerset Waste Core Strategy (2013).

Relevant policies of the development plan are listed below.

ROW - Rights of Way,
EN12 - TDBCLP - Landscape Character Areas,

This takes into account the recent adoption of the SADMP.

Local finance considerations

Community Infrastructure Levy

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 £50,750.00. With index linking this increases to approximately £67,500.00.

New Homes Bonus

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

1 Year Payment

Taunton Deane Borough	£1,079
Somerset County Council	£270

6 Year Payment

Taunton Deane Borough	£6,474
Somerset County Council	£1,619

Determining issues and considerations

Principle

The proposed dwelling would be sited within the curtilage of The Stonehouse, though an additional area of garden for the dwelling is outside of the curtilage and requires a change of use. Other than this additional 9m projection of curtilage to the rear of the proposal, the site is within the settlement limits of Blagdon Hill.

It was previously considered that as the majority of the site is within the settlement limits; there would not be a significant encroachment of built form into the countryside. Planning consent has already been granted for a single dwelling on this site and the principle of residential development has been established

Character and appearance

The proposed dwelling follows the linear pattern of development within this part of Blagdon Hill, continuing development from the north in West View to the detached property of Green Crest to the south. All of these properties have varying set backs from the road, with West View properties close to the road, and the properties of Hollybank and Matson set further back. The proposed dwelling itself is set back from the front of The Stone House and further back from the position that was previously approved by the planning committee. The rear of the dwelling is also set back further than the original approval and extend to the settlement boundary line.

The dwelling has been designed with a largely cubic form. This differs from the previous permission that included a pitched roof. This has allowed the building to be lower in height and the lower basement level has been removed so that the building is 2 storeys.

The proposed dwelling is sited next to The Stonehouse, which is constructed in stone, and adjoins onto a more modern dwelling, that is finished in render. The proposed dwelling is of a modern design, incorporating a mixture of materials but the

natural stone elements from the previous permission have now been removed. Overall it is considered that the design of the dwelling is acceptable when considered against the previous planning consent.

Residential amenity

The proposed dwelling is sited approximately 22m from the end gable of the nearest property of Hollybank and 18m off the boundary (closest point). The position of the windows, combined with the use of the rooms to which they relate and the distance between dwellings results in a development that is not going to have a significant impact on residential amenity.

As the proposed dwelling is sited to the North East of Hollybank there is not considered to be any detrimental loss of light or shadowing.

As the height is lower than the previous scheme (that was found to be acceptable) the proposed dwelling is not considered to be overbearing on any neighbouring properties.

Visual amenity

The site is bound by a hedgerow to the front and side of the site, and the rear of the site shares a boundary with the adjoining field. It is proposed to incorporate some of this field into domestic curtilage, projecting a distance of 9m. The new garden area would be enclosed by a hedge and permitted development rights would be removed to ensure no further buildings or structures would be placed on this land.

Given the extended curtilage is within a corner of a field and does not project out into the middle of the field, the extended curtilage is not considered to be detrimental to the visual amenity of the area.

The dwelling would be visible from the surrounding area, and from the public footpath, however it is considered that a contemporary approach to design is not going to cause significant harm to the character of the area.

Though as the overall height of the dwelling is not significantly greater than the adjoining properties, and that the dwelling would be seen in the context of the other properties, it is considered the dwelling would not contribute any significant harm to the visual amenity of the area.

Highways

The proposed dwelling will utilize an existing underused access that served a garage to The Stonehouse, which will be demolished. The car port that was proposed in the original submission has been removed but the parking spaces retained. There is sufficient space for parking and turning within the site. As the access to the garage is existing and this access adjoins the wide entrance to the public right of way, there is not considered to be any harm to users of the footpath. Furthermore, vehicles

leaving the site would have visibility when leaving. Vehicles enter/leave the site via a layby/service road to a few properties, not the main highway.

Whilst the garage of The Stonehouse will be demolished, the property still has sufficient parking and turning.

Other matters

The public footpath is sited outside of the site, and its current boundaries, and is unlikely to be affected by this proposal, an advisory note with the Rights of Way comments has been attached.

A condition requiring investigation into the previous use of the site has been included following comments received from the public concerning possible contamination.

Conclusion

The proposed dwelling can be accommodated within the extended site without harm to the visual or residential amenity of the area; the dwelling would be within the settlement boundary of Blagdon Hill and not within an isolated location. Design of the dwelling, though different to existing properties, is an acceptable modern addition to the village. The proposal is therefore considered acceptable and is 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: Saffron Loasby