

48/14/0035

SEC PROPERTIES LTD

ERECTION OF 2 NO. SINGLE STOREY DWELLINGS WITH DEMOLITION OF EXISTING STRUCTURES AT SOUTH VIEW COURT, MONKTON HEATHFIELD, WEST MONKTON (RESUBMISSION OF 48/13/0018) AS AMENDED BY PLANS SHOWING PITCHED ROOFS ETC. PLANS NO 2912/10A, 11A, 13A, 14A, 15A, 16 AND 17.

Location: SOUTHVIEW, MONKTON HEATHFIELD ROAD, MONKTON
HEATHFIELD, TAUNTON, TA2 8NU

Grid Reference: 325748.127051 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
(A2) DrNo 2912/1 Rev A Site Plan
(A3) DrNo 2912/6 Plans and Elevations as Existing
(A2) DrNo 2912/10 Rev A Proposed Site Plan
(A4) DrNo 2912/11 Rev A Floor Plan -Plot 1
(A4) DrNo 2912/12 Elevations Plot 1
(A4) DrNo 2912/13 Rev A Floor Plan Plot 2
(A4) DrNo 2912/14 Rev A Elevations Plot 2
(A4) DrNo 2912/15 Rev A Elevations Plot 2
(A4) DrNo 2912/16 Elevations Plot 1
(A3) DrNo 2912/17 Site Section A-A

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

3. Before any part of the permitted development is commenced, the hedges to be retained on the site shall be protected by a chestnut paling fence 1.5 m high, placed at a minimum distance of 2.0 m from the edge of the hedge and

the fencing shall be removed only when the development has been completed. During the period of construction of the development the existing soils levels around the base of the hedges so retained shall not be altered.

Reason: To avoid potential harm to the root system of any hedge leading to possible consequential damage to its health which would be contrary to retained Policy EN6 of the Taunton Deane Local Plan.

4. 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.

5. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 ("the 1995 Order") (or any order revoking and re-enacting the 1995 Order with or without modification), no extension, conservatory, garage, car-port, any outbuildings, additional windows or additional rooflights/velux windows shall be carried out or erected without the further grant of planning permission.

Reason: To ensure there is no overlooking or detriment to the amenities of neighbouring residents, and the appearance of the area in accordance with Policy DM1 of the Taunton Deane Core Strategy.

6. 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 bathroom windows to be installed in the northern elevations of the 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.

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

7. The area allocated for parking/turning on the submitted plan 2912/10A shall be properly consolidated, surfaced, drained and marked out before the dwellings hereby approved are occupied and shall not be used other than for the parking/turning of vehicles in connection with the development hereby permitted and for the owners/occupiers of the flats at Southview.

Reason: To ensure that there is adequate space within the site for the parking

of vehicles clear of the highway in accordance with retained Policy M4 of the Taunton Deane Local Plan.

8. No dwelling shall be occupied until spaces have been provided within the site in accordance with plan no 2912/10A for bicycles to be parked.

Reason: In the interests of highway safety.

9. The existing levels of the land, as shown on plans 2912/1A and 2912/10/A, upon which the buildings are to be erected and proposed floor levels of the dwellings shall not be increased in height to facilitate their construction unless with the written permission of the Local Planning Authority.

Reason: To ensure that the proposed development does not have an adverse effect upon the amenities of the adjoining occupiers.

10. The development hereby permitted shall not commence until such time as details of the sewage disposal and surface water drainage have submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out and completed in accordance with the approved details.

Reason: In the interests of preventing flooding and to ensure that the site is adequately drained.

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 advises:

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 Developer Services web-pages at 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 the New Connections Team by telephoning 01225 526222 for Water Supply and 01225 526333 for Waste Water.

Building near a Public Sewer

No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Wessex Water.

The developer should be aware of the importance of checking with Wessex Water to ascertain whether there may be any uncharted sewers or water mains within (or very near to) the site. If any such apparatus exists, applicants should plot the exact position on the design layout to assess the implications. The grant of planning permission does not, where apparatus will be affected, change Wessex Water's ability to seek agreement as to the carrying out of diversionary and/or conditioned protection works at the applicant's expense or, in default of such agreement, the right to prevent the carrying out of any such development proposals that may affect its apparatus.

3. **WILDLIFE AND THE LAW.** The protection afforded to wildlife under UK and EU legislation is irrespective of the planning system and any activity undertaken on the tree(s) must comply with the appropriate wildlife legislation.

BREEDING BIRDS. Nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended) and if discovered must not be disturbed. If works are to be carried out during the breeding season (from February to August, possibly later) then the tree(s) should be checked for nesting birds before work begins.

BATS. The applicant and contractors must be aware that all bats are fully protected by law under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Natural Habitats and Species (Amendment) Regulations 2012, also known as the Habitat Regulations. It is an offence to intentionally or recklessly damage, destroy or obstruct access to structures or places of shelter or protection used by bats, or to disturb bats whilst they are using these places.

Trees with features such as rot holes, split branches or gaps behind loose bark, may be used as roost sites for bats. Should a bat or bats be encountered while work is being carried out on the tree(s), work must cease immediately and advice must be obtained from the Government's advisers on wildlife, Natural England (Tel. 0845 1300 228). Bats should preferably not be handled (and not unless with gloves) but should be left in situ, gently covered, until advice is obtained.

4. Soakaways should be constructed in accordance with Building Research Digest 365 (September 1991)

PROPOSAL

The proposal is to erect two detached single storey dwellings on land to the rear of properties fronting the A3259. The existing buildings, which are used as a butchers shop and stores, would be demolished. The original plans showed the two dwellings with flat roofs, with significant amounts of fenestration facing south-east. These plans showed roof lights providing light to the living space and kitchen of both plots. Both dwellings will have amenity space to their south east. Plot one, the one nearer the road, will be timber clad with felt roof and timber window and door frames. Plot

two, to the south-east will be brick with felt roof and upvc windows and door frames. Plot one scales 10m at south-east side, 10.7m on north-west side, by 7.6m and 2.8m in height. Plot two has a more complex shape but the overall measurements are approx. 17m in length, a max of 7m width for the two bedrooms and reducing to 3.5m at the bathroom and 6m at the living room, it scales at 2.8m in height (not counting the rooflights). The amenity areas of the plots are, plot 1 approx. 64sqm, and plot 2 approx. 75sqm.

Revised plans have been submitted which retain the proposed shape and format of the footprints of the dwellings, but introduce pitched roofs at approx. 25 degrees and both buildings will now be brickwork. The arrangements of rooflights has also been altered. A section through the site has been submitted which show the finished floor levels in relation to the existing ground level, and the outlines of the buildings to be demolished.

Parking for 4 vehicles has been shown at right angles to the hedge boundary with Middle Cottage. Two parking spaces for South View have now been shown, one to the rear of South View in the area of the current garden area to the lower flat and one adjacent to the boundary with the Almshouses. The plans show the existing hedge to Middle Cottage and the other boundaries retained. The existing gate access to Middle Cottage is shown to be closed off. The plans have existing spot heights and finished floor level which indicate the floor level of plot 1 to be 50.75m in an area where the existing ground level is between 50.58 and 50.32m and for plot 2 the finished floor height is 50.30m where the existing ground level is 50 and 50.17m.

A technical note dated June 2013 relating to the highway and transportation issues relating to the site and an Ecological Appraisal have been submitted as part of the application.

SITE DESCRIPTION AND HISTORY

The site is to the south-east and to the rear of dwellings which front the highway (A3259). The occupiers of the two flats at South View and Middle Cottage currently use the existing parking area. There is a building which is used as a retail and 'trade' Butchers (suppliers to hotels and catering establishments) and two other store buildings to the rear of the site. The site has 13 marked parking spaces and access to the road between South View, which is two flats, and the Almshouses, which are slightly higher than the site (the side window cills are above the top of the boundary fence); there are allotments to the south east of the Almshouses. The site is bounded by the fences, walls and hedges of the surrounding dwellings.

The site slopes down from the main highway from height of 52.09m down to the furthest point being at 49.93m. The slope of the site results in the surrounding properties being sited at a higher level and the existing boundaries are given as 1.8m in height.

History:

48/13/0018 – erection of 2 no single storey dwellings with demolition of existing structures at South View Court, refused on basis of overdevelopment of site, 10/09/13. Subsequent appeal dismissed on the effect on the living conditions of future occupiers, 02/04/14.

48/07/0031 – change of use of garden to from additional parking/turning area to be used in conjunction with shop, approved, 10/07/07;

48/00/0043 – erection of extension to form meat preparation area and cold store and extension to customer parking and turning area, approved 09/01/01;
48/91/0020 – conversion of South View to two flats, approved 20/06/91 subject to conditions to provide and maintain parking and turning areas and a plan showing 3 parking spaces for the 2 flats.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

WEST MONKTON PARISH COUNCIL - 48/14/0035 The Parish Council objects to this application.

There is no datum point.

The main sewer crosses the road from Hartnells and crosses underneath the area designated for Plot 2. The development of circa 150 houses at Hartnells farm is in the pipeline, so the sewer usage will change. The developer proposes to alter the sewer line by adding bends, which in view of its function, is an inappropriate solution.

The site and the neighbours' gardens adjoining it are prone to flooding: reportedly there used to be a duck pond in that location, and the water table is very high; the neighbouring property had to have extensions on its foundations before solid ground was met. The plans do not indicate that adequate measures have been put in place to deal with the high water table and the drainage of water off the site.

The impact on existing neighbours is not clearly demonstrated in the drawings: because of the lie of the land, there will be a noticeable difference in height between the proposal and the Spital bungalows. The extensions that the Spital bungalows have at the rear of the properties are not shown (Drawing 2912/10), if the extensions were to be included in the drawings then it would be clear that the distance between the existing Spital bungalows and the proposals is less than 3 feet. The proposal represents over development of the site: the side of Plot two having 11 window panes along its length overlooks closely and completely into the neighbours garden.

The design of the two proposed buildings is not in keeping either with the street scene or with each other (one is wood, the other is brick), and the style of the buildings (13 ft high with flat roofs and roof lights) themselves do not look like residential buildings.

Access by emergency vehicles, particularly to Plot 2 would not be possible on the plans drawn, as no parking is shown outside Plot 2.

The parking figures provided to Hydrock (authors of the technical report) are disingenuous: whilst the opening hours of the shop may very well be advertised as 9-5, resulting in 17 parking movements, the reality is that the shop is often closed by about 1.00pm or thereabouts nearly every day, and the car park is never full. This calls into question the projected traffic movements on and off the site and the hypothesis showing that the proposed residential properties would cause fewer traffic movements on and off the main road (A3259).

The calculations regarding the required visibility splay for access onto the A3259 need to be done in the knowledge that the site slopes away from the main road, so access onto the main road is uphill. No provision is made in the proposal for the parking requirements of the houses lying on the main road which have enjoyed parking permission on the site for many years. There is no opportunity for cars displaced by the proposal to park on the A3259 because it is too dangerous (the road bends slightly at this location affecting visibility), and parking in Heathfield

Drive is difficult due to roadside parking by residents of the road, and the narrowness of the road.

Should planning permission be granted, the residents of the two new properties will be overlooked by the flats at South View and the other neighbours. Additionally, the gardens are small and do not show any soft landscaping and provide no privacy.

comments on amended plans -

previous comments apply and added the following:

In respect of overdevelopment: drawing 2912/10 does not show the extensions added at the back of Spital Row (the almshouses). These extensions come within a metre of the boundary fence and are higher than the proposals.

A resident, who has worked for 14 years with wheelchair users, stated that the disability access shown is narrow, and gradients are not helpful to wheelchair users. The Parish Council notes the Inspectors Report (2/4/14) from the last appeal and these plans do not appear to have paid any heed to them.

The run-off issues due to the hard landscaping have not been addressed in the amendments, and the flooding issues have not been addressed.

The 11 windows down the side of the proposed buildings look into the neighbouring property.

The proposed overdevelopment of the site is severely affecting the quality of life of the neighbouring residents.

The loss of the rear entrance to the middle cottage on the A3259 has not been replaced.

The Butchers Shop opening hours are now advertised as 7.00am to 1.00pm – which is what residents have said all along, and therefore the calculations of car movements on and off the site based on all day opening of the butchers shop are not correct.

It is suggested that the site would be more suitable for a single dwelling, where soft landscaping could assist in the resolution of the drainage problems.

Residents reported difficulties in communications with Planning Officer Marlow.

SCC - TRANSPORT DEVELOPMENT GROUP – comments on previous application for two dwellings:

no objection - I refer to the above-mentioned planning application received on 2nd April 2013, to which I have the following comments relating to amended information submitted relating to the proposed scheme which was received in my department on the 4th June 2013 to which I have the following observations on the highway and transportation aspects of this proposal:-

The proposal is located inside Development Limits for West Monkton, therefore the principle of this development is not in question.

The site is situated along West Monkton Road a Class 1 highway to which a 30mph speed limit applies. Whilst carrying out a site visit I noted that West Monkton Road is a well utilised route, connecting traffic from Taunton to the A38 (Bridgwater Road).

The proposed development is in-line with the Somerset County Council – Parking Strategy as it provides the optimum level of parking for each dwelling. The Highway Authority raised concerns that the proposal would see vehicles displaced onto the publicly maintained highway, this has now been clarified and provision has been

made with the site to accommodate the existing property known as 'South View'.

With regards to vehicle turning although constricted vehicle turning is achievable. However, I would request that the area shown on the amended Drawing No. 2912/9, shown as planting in the place of the existing butchers outline, should be removed, to aid vehicle turning further.

The Highway Authorities main concern relates to the substandard vehicle access onto West Monkton Road, which provides limited width and poor visibility. The erection of two dwellings has the potential to general 12-16 vehicle movements a day (TRICS). With my email to the Local Planning Authority dated 30th April 2013, I raised concerns over the existing vehicle movements of the butchers and whether it was comparable or lower than proposed intended use of the site. Which would result in the Highway Authority recommending a refusal reason to the Local Planning Authority as the development would see and increase of a substandard access.

However, I am in receipt of a traffic analysis report submitted by the Agent on behalf of the applicant, which informs me that the proposed dwellings are likely to be less intensive than the existing butchers use on the site. Additionally, any Heavy Good Vehicles/Vans that previously were associated with the Butchers that stopped on the publicly maintained highway interrupting the free flow of traffic along West Monkton Road in proximity to the site will now cease.

Although the site access is considered substandard, it would be unreasonable for the Highway Authority to object given that the proposal is a reduction in vehicle movements. Therefore, if the Local Planning Authority is likely to grant permission of the proposal I would require a condition to be attached to keep the area allocated for parking and turning clear of obstruction and used other than for parking and turning of vehicles in connection with the development

DRAINAGE ENGINEER - I note that surface water is to be disposed of to soakaways. These should be constructed in accordance with Building Research Digest 365 (September 1991) and made a condition of any approval.

WESSEX WATER – New water supply and waste water connections will be required from Wessex Water to serve this proposed development.

No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Wessex Water.

BIODIVERSITY - the site currently has no value to wildlife.

Representations

4 Letters of OBJECTION:

Traffic/parking

- The butcher's shop is closed on a Sunday and Monday and closes most days between 1 and 2, so the traffic figures are misleading;
- Inadequate parking for the development and the existing residents who park in the current car park, this will be displaced to adjacent road which has parking issues;

- Dangerous egress onto main road;
- Poor visibility for vehicles;
- Resident who has parked within the existing carpark for many years will not have a space within the scheme and may have to park in a dangerous place on the main road;
- Where will the builders and tradesmen park?

Amenity/character

- Inappropriate materials;
- There are no flat roofs in the area;
- Overdevelopment;
- Loss of privacy/overlooking to existing properties from the large windows;
- Loss of privacy/overlooking to proposed properties;
- Overshadowing;

Flooding

- The site regularly floods, if properties built on this site, this will impact on neighbouring gardens which already flood regularly;
- Possible flooding effect on neighbouring buildings as a result of developing the site;

Levels

- Plans do not show ground levels;
- Concern about change in levels within the site;
- Height above ground level is not clear;

Other

- The South View properties are tenants of the applicant so unlikely to comment;
- The Wessex Water comments may alter the shape of the dwelling;
- Has Wessex Water's support been given to move the sewer?
- No datum levels given;
- An appeal was dismissed, so should this scheme;
- Disruption from building works:
- The plans are incorrect in respect to boundaries;
- The shape of the Spital Row bungalows is incorrect;
- Existing pedestrian gate access has been closed off with no consultation with the owner;
- No landscaping.

comments on amended plans:

4 letters of objection:

- Re submitting previous comments;
- The floor space is bigger than for the two semi-detached properties;
- Greed of the developer;
- Concern that the appeal result is being ignored as the application is now for two dwellings with large windows;
- One property would be preferable;
- The datum points are still missing;
- The plans are misleading;
- Enough houses being built within the Parish;

- Entry and exit from the site is difficult now;
- Traffic will increase;
- The 30mph sign is ignored.

PLANNING POLICIES

NPPF - National Planning Policy Framework,
 CP1 - TD CORE STRAT. CLIMATE CHANGE,
 CP8 - CP 8 ENVIRONMENT,
 DM1 - TD CORE STRATEGY - GENERAL REQUIREMENTS,

LOCAL FINANCE CONSIDERATIONS

The CIL liability is £3,150.

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 application site is within the settlement limits of Monkton Heathfield, with direct access from the A3259. The site is already developed and in use as a butchers shop and stores. The main issues raised are traffic/parking, amenity/character, flooding/drainage, levels and other matters.

Before addressing the objections and matters raised, mention should be made of the most recent application and appeal decision. The application was for two semi-detached dwellings with 5 parking spaces. The application was refused on grounds of overdevelopment. The subsequent appeal inspector found that the area had a mixed character, with detached, semi-detached and terraced housing of various heights and designs; the proposal would be of a similar density to the prevailing density in the area, the proposal would not appear cramped, the proposal would have an acceptable effect on the character and appearance of the area. Opportunities for mutual overlooking between neighbouring properties would be limited as the development is single storey, most overlooking would take place at first floor level, at ground level the site is partially screened by boundary fences and vegetation which restrict overlooking, even though there are some differences between heights of neighbouring plots. The Inspector states that he does not consider the private outdoor space provided for either plot 1 or plot 2 would provide a good standard of amenity, and concludes that the proposal would have a harmful effect on the living conditions of future occupiers.

From the above, it is clear that the principle of residential development is accepted, that subject to acceptable living conditions, there is no issue with the density and

character of having two dwellings on the site. The inspector has all the letters and objections raised by the Parish Council and residents, but did not consider any issue to warrant further examination. (Inspectors can consider any aspect of the application, even if it has not been raised by the LPA as a reason for refusal.)

Traffic issues

Given that there is no restriction to that particular user or occupant, the buildings could be used for any retail use and there could be substantially more customer traffic than at present. The Somerset County Highway Authority's officer had previously advised that there is a substandard vehicle access onto West Monkton Road, which provides limited and poor visibility. The erection of two dwellings has the potential to generate 12 – 16 vehicle movements a day. The submitted traffic analysis report shows that the proposed dwellings are likely to be less intensive than the existing butchers use. Additionally any heavy goods vehicles that were previously associated with the butchers that stopped on the public highway interrupting the free flow of traffic along West Monkton Road in proximity to the site will now cease. Although the site access is considered substandard, it would be unreasonable for the Highway Authority to object given that the proposal is a reduction in vehicle movements. The Planning Inspector did not raise objections to this matter.

The comments from the Parish Council and neighbours about the visibility issues are noted, but given that the Highways Authority did not object to the previous application for two dwellings, it would be inappropriate and contrary to Central Government advice to raise a reason to refuse on this basis.

Parking

The plans show two car parking spaces for each of the two proposed dwellings, and two spaces for the existing South View flats, one to the south east side of South View itself, the other alongside the south western boundary in the space of the existing butcher's shop. There is space for cycle parking. Objectors have claimed that there was an informal agreement with the previous occupier of Middle Cottage, that she could park in the butcher's car park which has been carried forward to the current owner. However as this was informal the applicant does not have provide any replacement. If this resident has any written agreement, this must be pursued privately. The proposal meets current standards. The parking space for the ground floor flat at South View lies with the private garden of that property and significantly reduces the small garden to a 'T' shape, 1.6m wide by 5.4m, and 1.8 by 6.6m. This is considered to be a poor relationship, but does provide both some amenity space and a parking space, and is the same as the previous application, and was not raised as an issue.

Amenity/character

Any new building is bound to change the character of the area. Whilst the properties around are mainly two storey, the Almshouses are single storey with pitched roofs. The amended current application shows two single storey dwellings with pitched roofs which are acceptable. The original materials were not considered to be appropriate; the timber cladding of plot one was not considered to be acceptable in this location which is dominated by brick built buildings, with a few rendered properties. Now however, the amended plans show both proposed buildings being brick built with pitched roofs and therefore appropriate for the area.

In respect to the loss of privacy/overlooking issue, the proposed windows are all on the ground floor and the intervening fences and fence/walls will provide a large degree of privacy. There should be no loss of privacy from the roof lights. The Planning Inspector did not consider there to be an issue with loss of privacy to/from the existing/proposed residents. The proposed amenity areas for the new dwellings are now of a reasonable size and location, in line with the Planning Inspector's views.

The floorspace of the current proposal is approx. 140sqm. The previous floorspace was approx. 168sqm. Therefore the current proposal is a lesser floorspace than the previous proposal. There is no landscaping proposed. This is a fully surfaced site at present with no landscaping. The occupiers of any new dwelling usually will plant trees/shrubs. It is not considered that there will be significant overshadowing of any existing property as a result of this application, given the new dwellings will be single storey.

Flooding/Drainage

There is a public sewer running through the site and separate agreement would need to be obtained from Wessex Water to build over this. The Drainage Officer had no records of flooding in this area at the time of the previous recent application. The agent has advised that he will address any drainage issues with Wessex Water after the planning stage. It would be appropriate to use a planning condition requiring drainage details to be submitted and approved prior to any development taking place. This would ensure that the development would have an acceptable and achievable drainage strategy prior to any work commencing on site.

Levels

The proposal is for two single storey units, it is not considered that the height of the buildings will impact on the neighbours. Spot heights and finished floor levels were given on the initially submitted plans, and these indicated that the finished floor levels will not be a significantly increased in height above the existing ground levels. Plot 1 is set at 50.75 as finished floor level, the existing ground level varies between 50.58 and 50.32. Plot two is 50.30 as finished floor level with the existing levels at between 50.00 and 50.38. A planning condition to ensure that site levels are not subsequently altered without prior approval could be imposed on any approval.

Plans

The plans do not show the north-easterly projections of the Almshouses, however it is not considered that this omission material affects the determination of the application. The proposal is to their north east, the nearest building is plot 1, part of which is in a similar position to the existing shop, the new building is sited approx. 1m from the boundary, and given the Almshouses are on higher land, the windows facing the site are unlikely to be detrimentally affected. One neighbour is concerned that the boundaries are incorrectly shown. The degree of potential discrepancy is not considered material to the determination of the application.

Other

The surrounding area (other than the allotments) is residential and the land on the other side of the main road around Hartnell's Farm will be a large residential area. The allocation of this area, does not result in the Local Planning Authority not having to consider any new applications in the area. If the hedge/trees belong to a neighbour, the applicant will need the requisite permission. Potential damage to

properties and moving of an individual's gate are a private matter. The information provided by the traffic report has been assessed by the County Highway Authority, but it is not only the numbers of customers that is relevant. The County Highway Authority's Officer is satisfied that there will be an overall reduction in the number of HGVs accessing the site and parking on the main road. It is acknowledged that the visibility splays are poor and cannot be improved as there are on a third party's land. There is a sewer crossing the site; the applicant and agent are aware of this and will be approaching Wessex Water with the intention of reaching a "building over" agreement.

In respect of the previous application for two single storey dwellings on the site, the Planning Inspector concluded that the proposal to be acceptable in terms of its effect on the character and appearance of the area. However, this was not sufficient to outweigh his concerns regarding the effect of the proposal on the living conditions of future occupiers. The Local Planning Authority has to have regard to the conclusions of the Inspector and cannot consider overdevelopment to be an issue. However the revised design of the proposed dwellings is different to the previous application and it is now considered to be acceptable. The other comments raised by objectors have been considered, and are not material to the determination of the application.

The payment of the New Homes Bonus and CIL are material considerations in the determination of this application, however officers consider that it should be attributed limited weight in this case.

Conclusion

The proposal is considered to be acceptable. The residential nature of this area is not disputed, the application plans show two single storey buildings in an area which has some single storey dwellings (Almshouses) as well as the two storey dwellings. It is considered that there will be no undue loss of amenity to the surrounding properties from the proposal and the living conditions of the new residents will be acceptable. The traffic generation has been assessed by the County Highway Authority and is not considered to be unreasonable for the site, albeit that there is existing poor visibility at this location. It is considered that the application should be approved as the concerns of the Planning Inspector have been overcome.

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

CONTACT OFFICER: Ms K Marlow Tel: 01823 356460