

21/2007/002

GRENFELL DEVELOPMENTS

**DEMOLITION OF FARM HOUSE AND FARM BUILDINGS AND THE ERECTION OF 9 DWELLINGS ON LAND AT COURTLANDS FARM, LANGFORD BUDVILLE AS AMENDED BY LETTER DATED 1ST MARCH, 2007 WITH ACCOMPANYING DRAWINGS NOS. REV 1, 10, 11 AND 12.**

311110/122763

FULL

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**PROPOSAL**

Permission is sought for the erection of nine dwellings, consisting of a mixture of housing types at Courtlands Farm, Langford Budville. The proposal also involves the rebuilding and re-siting of the existing stone boundary wall along the site frontage. The proposed dwellings have been positioned set back and with the rear gardens and elevations fronting the highway frontage, behind the proposed 2.0 m high stone wall. The design principles behind this are to ensure that occupiers would drive into the site and take parking off the street. If development was to front the highway the agent indicates that this would inevitably result in pressure to create opening through the stone wall to allow direct access and would be more likely that residents would park on the street. The proposed design of the buildings takes on a cottage appearance, with traditional flush gable ends and uses extensively render as the external finish. Each of the proposed dwellings has adequate garden and amenity space within its curtilage. There is also an allocated area for cycle storage within the development.

A Design and Access statement has been submitted with the application.

**CONSULTATIONS AND REPRESENTATIONS**

COUNTY HIGHWAY AUTHORITY views awaited and will be reported at Committee. WESSEX WATER the development is located within a foul sewer area and the developer will need to agree points of connection. With respect to water supply, there are water mains in the vicinity of the proposal again, connection can be agreed at the design stage. The developer has proposed to dispose of surface water to soakaways. It is advised that your Council should be satisfied with any arrangement for the disposal of surface water from the site.

LANDSCAPE OFFICER my main concerns are:- change of rural character of the village – farm to suburban housing; and impact of the proposals on the wider rural character as seen from land to the south of the village, especially in extension beyond the existing settlement boundary. NATURE CONSERVATION OFFICER I am not satisfied with the information submitted with Aardvark's report. The survey work was done in January, outside the optimum time of bat surveys. It is not clear which barns were surveyed and what results were found throughout the site. I have heard from Natural England that there is sound anecdotal information that bats will be affected by the proposal. I advise that we do not have sufficient information on

protected species to determine this application. I have had informal discussions with Natural England and await a response to formal consultation. Pending this I advise that an emergency survey for bats should be a requirement on this site. ENVIRONMENTAL HEALTH OFFICER no objection subject to Condition and Notes in relation to Contaminated Land. DRAINAGE OFFICER I note that full flows are to be connected a mains drain system. Wessex Water should be consulted on this proposal. With regards to Surface water disposal I note that the flows are to be discharged to soakaways. These should be constructed in accordance with Building Research Digest 365 (September 1991) and made a condition of any approval given. HOUSING OFFICER I have had detailed discussions with the agent for the landowner and agreed an Affordable Housing provision initially of 1 x 2 Bed House and 1 x 3 Bed House plus a commuted sum of £40,000. This will help to satisfy the need in Langford Budville. LEISURE DEVELOPMENT the open space shown on the site is not adequate for children to use to play due to the proximity of the dwellings. In accordance with Local Plan Policy C4, provision for play and active recreation must be made and there are public open spaces which could be improved for the benefit of the new residents on this site to provide for play and outdoor recreation. I therefore require a contribution of £1,785.00 for each 2 bed+ dwelling towards children's play facilities and £859.00 per each dwelling towards active recreational facilities to be spent in suitable locations.

PARISH COUNCIL support the proposal and make the following additional comments:- (1) No street lighting on the site; (2) The height of the wall should be limited to 1.5 m; (3) Surface water should not be dealt with by soakaways – needs to be drained; and (4) Finished product should be in keeping with rest of village.

11 LETTERS OF OBJECTION have been received raising the following issues:- the application has not been advertised in the local press, this promulgation did not occur until a month after the application; neither was a site notice erected; site is located at the narrowest point; no pavements; when the bus is loading or a lorry further up the hill there is no passing room; highway safety; existing access unsafe for additional dwellings; parking is insufficient for proposed dwellings; visibility splays should be paved to avoid parking; congestion; only three years ago that the application for a new Village Hall to the rear of the car park at the Martlet Public House, in view of the limited access from that car park onto that same road; lighting must be pointed downwards to preserve dark skies; previous decision to allow gardens outside the village envelope should be reconsidered; if permission is granted a condition removing 'permitted development rights' for development should be sought; further bat survey work should be commissioned; Courtlands Farmhouse is a good example of vernacular architecture, in the heart of the village and should not be demolished; the proposed roofline of the houses would be higher than the surrounding development and would appear too dominant – should be no higher than Martlett Inn; new development would offer little to the street scene; very urban design style; properties should front onto the main road rather than creating a 'mini-walled estate'; development outside of settlement limits; overdevelopment; overlooking to adjoining properties; further development to come?; profit lead development; construction noise and inconvenience; high wall would enclose the development to the village; insufficient affordable housing provision; affordable housing sum would be directed towards development outside of the village envelope.

ONE ADDITIONAL LETTER OF OBJECTION TO THE AMENDED PLANS has been received raising the following issues:- the amendments are cosmetic and do not overcome previous representations; the access will contribute to increased congestion as it will invite parking in the visibility splay; development is maximum density with profit; creates enclosed estate; no allowance for goods vehicles within the site.

2 LETTERS OF SUPPORT have been received raising the following issues:- site is southing facing and will not interfere with any other views; existing farmhouse not in keeping; proposed entrance will enhance the village; affordable housing is much needed; ensure full use of the school; help utilise the village hall; development will improve the village; encourage more young families into the village; brownfield development to be encouraged.

## **POLICY CONTEXT**

PPS1 - Delivering Sustainable Development, PPS3 – Housing, PPS7 - Sustainable Development in Rural Areas, PPG13 –Transport.

Somerset & Exmoor National Park Joint Structure Plan Review Policies STR1 (Sustainable Development), STR4 (Development in Towns), Policy 33 (Provision of Housing), Policy 35 (Affordable Housing), Policy 48 (Access and Parking).

Taunton Deane Local Plan Policies S1 (General Requirements), S2 (Design), S7 (Outside Settlements), H2 (Housing in Settlements), H9 (Affordable Housing Within General Market Housing), H10 (Indicative Targets For Affordable Housing), M4 (Residential Parking Requirements), C4 (Open Space Requirements), EN5 (Protected Species).

## **ASSESSMENT**

It is considered the pertinent issues for determination relate to the following; the siting of the development in relation to the settlement boundary; visual impact and amenity; highway safety and; wildlife implications.

The first issue to clarify is that of the position of the proposed development in relation to the settlement boundary. In 2004 Outline permission was granted for the erection of two dwellings within the red line of the application site. The red line extended to the south of the existing settlement boundary, which currently runs through the middle of the existing one but last barn. The red line was drawn around the end of this barn and permission granted on this basis. The applicant has acknowledged the importance of the settlement boundary and all of the built form of the proposed dwellings has been sited within the settlement limits. It is of course noted that the proposed garden areas of those dwellings to the rear would be outside of the settlement limits. However, it is considered that as the proposed garden area is currently covered partly by an existing building and its immediate curtilage that the proposal would not harm the character of the area. The proposed boundary line would be the rear boundary of the existing footprint of the last agricultural building and would be drawn back in at an angle to adjoin the rear corner of the curtilage of the Marlett Inn. There is no clear delineation of boundary at present to the rear of the

application site and it would be important if this area is to be used for domestic purposes that an acceptable form of landscape mitigation measure is incorporated into the scheme. Whilst the agent accepts this, it can be dealt with by condition. There has also been concern from residents regarding a proposed access along the side of the site to the field at the rear. However, as the site is landlocked, this would be solely for the purposes of gaining access to the rear fields.

The landscape officer has raised concerns to the impact of the development on the rural character of the village and from views towards the site from the south. However, it is considered that from public vantage points to the south the proposal would be viewed against the backdrop of the village and would not be so unduly prominent as to be harmful to the character or appearance of the area as to warrant a refusal. The Landscape Officer has subsequently drawn up provisional plans to help assimilate the development into the wider landscape whilst ensuring the occupiers of the proposed dwellings would retain their sought after country views.

Whilst the proposed development provides a higher density scheme than previously approved, it is not considered to be an overdevelopment of the site. Each of the properties within the proposed development has considerable amenity and outside space and the distances between properties are in line with current planning guidelines. There have been comments in relation to the architectural merit of the farm house and that this should be retained. However, the building is not listed and is not considered to be of such architectural or historic merit as to warrant its retention. Furthermore, the proposed demolition of the building presents the opportunity to provide a higher density scheme and an acceptable residential design layout. The overall design, scale and layout of the dwellings are considered acceptable. It is noted that the ridge height of the proposed dwellings would be raised above that of adjoining properties. However, due to the topography of the land at Langford Budville the ridge line of properties in the village are staggered and there is no uniformity. Moreover, the village incorporates a variety of building styles from bungalows to traditional cottages and modern large properties. As such it is not considered that the proposed development would be unduly prominent or out of character in its context. Amended plans have been submitted to remove the stagger between plots 8 & 9 which is considered to be more in keeping with the locality and provide a more simple and traditional design. Furthermore, it is considered that by reason of the siting of the proposed dwellings there would be no unreasonable overlooking or loss of amenity to adjoining residents and would no doubt be an improvement on their amenity given the intensive use of the farm presently. The proposed scheme includes one two bedroom and one three bedroom dwelling for affordable housing and an additional commuted sum.

Another issue that has arisen relates to various requests for differing heights of the boundary wall. The existing stone boundary wall is in excess of 2.3 m. The revision would be for a 2.0 m stone wall. It is considered that any lower would give rise to privacy issues to the rear of those proposed properties and you would see the usual domestic paraphernalia. As such it is recommended that the 2.0 m wall be provided, this would be considered to retain the existing street scene appearance in situ and provide the appropriate screening for future residents.

The view of the Highway Authority has been sought in request to the Parish Council's comments that no street lighting should be provided and those concerns raised by residents in relation to highway safety. Members will be updated of the Highway Authority response once those views have been received.

Policy C4 of the Taunton Deane Local Plan sets out the requirements for the standards of provision of recreational open space on new residential development. The standard payment is a requirement of £859 per dwelling.

In relation to the Nature Conservation Officer's response regarding the lack of information the agent has been requested to respond. Should the information not be submitted or details cannot be agreed through condition. This matter may need to be considered further.

To conclude, careful consideration has been given to the nature of the site, amenities of local residents and the character and appearance of the area. The development of this site within settlement limits is promoted by national guidance and the development plan commensurate with environmental considerations and would provide a higher density scheme than previously approved, including the provision for much needed affordable housing.

## **RECOMMENDATION**

Subject to the submission of further information which addresses the issues raised by the Council's Nature Conservation Officer and the comments of the County Highway Authority, and the completion of a Section 106 Agreement in relation to affordable housing and leisure and recreation by 30<sup>th</sup> March, 2007 the Development Control Manager in consultation with the Chair/Vice Chair be authorised to determine and permission be GRANTED subject to conditions of time limit, materials, wildlife mitigation measures, drainage, meter boxes, details of walls/fences, removal of GDPO rights for extensions only, contaminated land and landscaping. Notes re discuss requirements of landscaping scheme with landscaping officer, contaminated land informative.

**REASON(S) FOR RECOMMENDATION:-** The proposed development is considered to comply with Taunton Deane Local Plan Policies S1, S2, H2, M4, EN5 and C4 and material considerations do not indicate otherwise.

Should the Section 106 Agreement not be completed by 30th March, 2007 the Development Control Manager be authorised to REFUSE permission for the following reason of inadequate provision has been made for the provision of affordable housing requirements facilities in accordance with Taunton Deane Local Plan Policy H9.

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

**CONTACT OFFICER: 356586 MR A PICK**

NOTES:

