

51/13/0003

MR D CLAPP

**DEMOLITION OF DWELLING AND ERECTION OF REPLACEMENT DWELLING AT SALTMOOR, BURROWBRIDGE (AMENDED SITING AND DESIGN FOLLOWING REFUSAL OF APPLICATION 51/12/0010).**

Grid Reference: 335316.130853

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:

(A1) DrNo 21253/01A Ground Floor Plan, North South and West Elevations and Garage Details

(A1) DrNo 21253/02 Rev A First Floor Plan, Block Plan and East Elevation

(A1) DrNo 21235/01 Elevations and Floor Plans (Existing building)

(A4) Location Plan

(A4) Block Plan

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

3. 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, further garage or dormer windows/roof extension shall be carried out without the further grant of planning permission.

Reason: The dwelling is a replacement dwelling, which already takes into account the possible extensions which could be built to the then existing dwelling. The construction of further extensions or building needs to be considered having regard to this factor.

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.

5. (i) Before any part of the permitted development is commenced, a landscaping scheme, which shall include details of the species, siting and numbers to be planted, shall be submitted to and approved in writing by the Local Planning Authority.
- (ii) The scheme shall be completely carried out within the first available planting season from the date of commencement of the development, or as otherwise extended with the agreement in writing of the Local Planning Authority.
- (iii) For a period of five years after the completion of each landscaping scheme, the trees and shrubs shall be protected and maintained in a healthy weed free condition and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of similar size and species, or the appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not harm the character and appearance of the area.

6. Before any works are undertaken, photographs of all elevations internally and externally in black/white and colour shall be produced and a copy of the photographs shall be deposited with the Local Planning Authority, at the end of the demolition.

Reason: To ensure protection of the history of this building and the borough.

7. The development hereby permitted shall not be commenced until details of a strategy to protect **and enhance the development for wildlife** has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be based on the advice of **Country Contacts protected species** submitted report, dated **February 2013** and include:

- Details of protective measures to avoid impacts on protected species during all stages of development;
- Details of the timing of works to avoid periods of work when the species could be harmed by disturbance;
- Measures for enhancement of places of rest for bats.

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

8. The area allocated for parking and turning on the submitted plan shall be properly consolidated, surfaced and drained the dwelling is occupied and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

Reason: To ensure that there is adequate space within the site for the parking and turning of vehicles clear of the highway.

#### Notes to Applicant

1. The Environment Agency advises:- Any works within 8m of the top of bank of the Saltmoor Main Drain or within 8m of the toe of the flood defences along the River Parrett will require a Flood Defence Consent from the Environment Agency. Consent forms and guidance can be obtained by visiting our website at the following link or by contacting Virginie Ba:  
<http://intranet.ea.gov/knowledge/enquiries/nccc/11426.aspx>
2. The application site benefits from the Environment Agency's free flood warning service. The applicant should ensure the property is signed up by calling on 0845 988 1188.
3. Any soakaways should be constructed in accordance with Building Research Digest 365 (September 1991).
4. 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. 01823 285500). Bats should preferably not be handled (and not unless with gloves) but should be left in situ, gently covered, until advice is obtained.

5. The condition relating to wildlife requires the submission of information to protect species. The Local Planning Authority will expect to see a detailed method statement clearly stating how wildlife will be protected through the development process and be provided with a mitigation proposal that will maintain a favourable status for these species that are affected by these species that are affected by this development proposal.
6. It is expected that there will be substantial landscaping between the Main Drain and the access/parking area for the new dwelling.
7. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way and has imposed planning conditions to enable the grant of planning permission.

## **PROPOSAL**

The application is for demolition of existing dwelling and erection of a replacement dwelling at a site, which is variously known as Peppards, or Langfords or Saltmoor, (which is also the name of this area). The existing building is a 2 storey cob structure with clay tiled roof approx. 6.4m in width and restricted head room in both ground floor and upper floor rooms. There are old extensions to either end of rendered over brickwork. The existing building has two bedrooms with large landing reached by a narrow and very steep staircase and four main rooms on the ground floor. It is in a poor state of repair, with some walls crumbling. The size of the habitable floorspace (measured externally) is approx 172.6sqm.

The proposed siting of the replacement dwelling is approx 15m from the Saltmoor Main Drain. An area for parking and turning is shown between this drain and the position of the dwelling, with the proposed garage to the north of the proposed dwelling. The new dwelling would be a roughly 'T' shaped five bedroom building with balcony facing east. The building is to be approx. 600mm above existing ground level with steps and slope up to ground floor level "to avoid flooding". It would be constructed in stone with brick quoins on the ground floor and cedar cladding at first floor level on the east and west elevations, with both the north and south gables in brick, with a tiled roof. A soakaway, a treatment plant and a salvage tank are shown in the garden/orchard to the east and south of the proposed dwelling. No details of existing trees or proposed boundaries have been submitted.

The proposed dwelling would be approx 18m by 6.7m with a 3.3m easterly projection at ground floor which is 4m at first floor (with a balcony), there is a 1.4m projection to the west elevation at ground floor, with the upper floor having partially restricted headroom due to the raking of the roof. The total floor area including the balcony measures 291.6sqm. The Flood Risk Assessment states that "as this is a replacement of an existing dwelling that is prone to flooding the application ought to be encouraged. The redevelopment allows for the raising of floor levels by 600mm to prevent flooding occurring whilst the use of beam and block floors will reduce the pressure of flooding on surrounding areas."

The agent has stated "the house uses stone thus creating a rural barn like appearance. When combined with large areas of glass the house takes the form of a barn conversion which is appropriate for a rural setting. The stone walls are to be

complimented by cedar boarding to give a contemporary appearance to the building and by brick quoins and gables to match other barns nearby.”

The revised siting follows advice from the Environment Agency, to move the new building away from the Main Drain and the River Parrett. The proposed dwelling would be approx. 50m from Rells Orchard and approx. 22m from the River Parrett.

## **SITE DESCRIPTION AND HISTORY**

The road to the site passes the Coronation Hall towards Moorland and Huntworth. The site is to the south-east of the Saltmoor Pumping Station, a Grade II Listed Building. The north-eastern boundary of the site is parallel to the embankments of the River Parrett. The nearest residential property is Rells Orchard to the south-east, with which the application site shares access from the road. The existing vacant building is approx. 70m from Rells Orchard and 105m from Riverside Farm

The site is within Flood Zone 3, in open countryside, outside settlement limits, adjacent to the River Parrett and Saltmoor Main Drain (one of the drains to the pumping station). Policy DM2 Development in the Countryside applies, specifically section 5 – Replacement Dwellings, when only if the residential use of the existing building has not been abandoned, it would be uneconomic to bring the dwelling to an acceptable state of repair, is a one for one replacement and is not substantially larger than the existing dwelling.

Planning History:

There is no planning history of extensions, although the original dwelling has been extended in the past, presumably pre 1947. A certificate of lawful development was submitted to seek clarification on the size/amount of extensions which could be built without the need for planning permissions, ie permitted development. These ‘extensions would allow 89.66sqm of additional floorspace.

51/12/0010 - Demolition and replacement of replacement dwelling at Saltmoor, refused on the basis of being out of character by reason of materials, size and design being inappropriate and unacceptable, refused 11/04/13. *The floor area of this proposal was approx 355sqm.*

## **CONSULTATION AND REPRESENTATION RESPONSES**

### **Consultees**

*BURROWBRIDGE PARISH COUNCIL* - the Parish Council strongly object to the granting of permission of the new build because it is completely out of character with any other building in the vicinity. It is too big, too high and construction materials inappropriate.

*SCC - TRANSPORT DEVELOPMENT GROUP* - Previous comments apply (51/12/0010) - It is noted that the current development is situated outside any Development Limits, however the proposal will not significantly increase the occupancy of the site so the principle is not in question.

The site is located along Moorland Road a designated Classified Unnumbered

highway to which the National Speed Limit applies. In detail the application seeks to demolish the existing property and erect a new four bedroom dwelling as a replacement. Having made a site visit and studied the supporting information submitted with the application, the proposed dwelling will make use of the existing access onto the Moorland Road, which is considered acceptable as the development will not see a material increase in vehicle movements.

The existing vehicle parking and turning area will remain as existing which provides a suitable parking and turning for the replacement dwelling. The turning area provided will allow motor vehicles to turn within the site and exit onto the highway in a forward gear. As a result, the Highway Authority raises no objection to this proposal subject to condition.

*ENVIRONMENT AGENCY* - No objection provided the provided that the new property is built in accordance with the submitted Block Plan and FRA.

We are really pleased to see that the comments we provided for application 51/12/0010 have been included in this new proposal. Whilst we can't guarantee that these measures will completely protect any new property from flooding because of the high flood risks in this area, we consider that the applicant has taken all reasonable steps to protect their property and make the site as sustainable as possible. We would be more than happy to offer further advice on potential flood resilience measures.

*WESSEX WATER* - no response

*DRAINAGE ENGINEER* - I note the Environment Agency's comments on the original refused application 51/12/0010 regarding repositioning the dwelling and required flood resilience measures. These measures appear to have been taken on board and are reflected in this latest application. In this case the Flood Risk Assessment dated 5/6/13 should be made a condition on any approval given.

*BIODIVERSITY* - no bats were found in the building, but there were potential bat roosts in gaps between the roof tiles and roofing felt, so potential roosts will be lost when the building is demolished. No signs of nesting birds, but there was vegetation offering potential. Otters and badgers are known to be active in the area. Condition suggested.

*HERITAGE* - Whilst the proposed replacement dwelling has been sited further away from the listed pumping station and the design amended, my comments in relation to application 51/12/0010, are still largely applicable and are reproduced below:

I have seen this building from the road, on several occasions, when visiting the listed pumping station and thought it appeared interesting and likely of some age. These views were confirmed when we gained access on 4 March. It is clearly several hundred years old, with evidence of cob construction and replacement of the same in brick. There are clear structural problems, evidenced by significant bulging on the front wall, buttresses to the rear and cracking in numerous places. Roof

spread is also evident and the removal of the majority of a substantial chimney stack at ground but not first floor, will clearly not have helped the structural stability. The accommodation is poor and this coupled with the structural problems and lack of clear evidence of any significant historic fabric or features, leads me to the opinion that, the building is not of listable quality. It is however of local interest and if demolition is approved, I consider a recording condition would be appropriate.

#### New Build:

There is very little stone in the existing building and certainly not enough to be reused as proposed. Stone is not a common material to the locality and I would therefore suggest that its use is inappropriate, as is the timber cladding. Brick is the common material with slate for roofs. The submission does not explain why a purported "converted barn" design is advocated. Given the scale of the existing dwelling and its modest fenestration and small openings, the proposed dwelling would have a very different impact in the landscape and in turn, provide a very different setting for the modest but listed, pumping station.

*SOMERSET DRAINAGE BOARDS CONSORTIUM* - no response

*PARRETT CONSORTIUM DRAINAGE BOARDS* - no response

### **Representations**

4 letters of OBJECTION received

#### Amenity

- The size is too large;
- The new dwelling will tower over existing properties;
- Loss of privacy from balcony;
- The building will be overbearing;
- The building will be 2.5m higher than the existing property;

#### Character/materials

- The proposed barn conversion especially with its extensive areas of wood cladding and glass is out of character with the area;
- Most buildings in the area which have wood cladding are agricultural not domestic;
- There are no stone and timber clad dwellings in Saltmoor, this building will be unsightly;
- It should be red brick and with less bedrooms;
- It will be seen well above the river wall;
- It pays little attention to the adjacent Listed Building;
- There is no barn to convert, so why have a pastiche of a so called barn conversion;
- None of the examples given by the agent of where stone has been used is relevant;
- There has never been a need to raise this house by 600mm;
- This site has not flooded;
- There are no stone or brick barns in Burrowbridge;

### Other issues

- The revised plan is no improvement on the original scheme;
- The current proposal is contrary to Policies DM1, DM2 and CP8;

### Other comments

- Agree that the building must be rebuilt but the new property must be in keeping with the surrounding area and in proportion to the plot;
- The parking is an improvement on the original plan.

### **PLANNING POLICIES**

NPPF - National Planning Policy Framework,  
CP1 - TD CORE STRAT. CLIMATE CHANGE,  
CP8 - CP 8 ENVIRONMENT,  
DM1 - TD CORE STRATEGY - GENERAL REQUIREMENTS,  
DM2 - TD CORE STRATEGY - DEV,  
F1 - TTCAAP - Developments within the Floodplain,

**LOCAL FINANCE CONSIDERATIONS** This is not applicable as this is a replacement dwelling.

### **DETERMINING ISSUES AND CONSIDERATIONS**

The proposal is for a replacement dwelling. The Conservation Officer has assessed the existing building (inside and outside) and has concluded that the building is not of listable quality. There are clear structural problems, evidenced by significant bulging on the front wall, buttresses to the rear and cracking in numerous places. Roof spread is evident and the removal of the majority of a substantial chimney stack on the ground but not first floor. However it is of local interest. The adjacent building, the Saltmoor Pumping Station, is a Grade II Listed Building and its proximity has implications on any new property.

The proposal is an amended scheme to that which was refused under delegated authority. The current proposal has a smaller floorspace (was 355sqm now 286 as measured), the large gable to the west and linked garage with room over have been removed, brick has been introduced to the two end gables, and the siting has been moved eastwards.

The current proposal is not considered to have any detrimental effect on the setting of the Listed Building, and the revised siting satisfies the Environment Agency. Whilst the building will be elevated above current ground levels, the dwelling is sufficiently distant from the adjacent properties such that there will be no overlooking and no overbearing effect, and it will be such distance from the river so as not to be overbearing on it or the adjacent road. The size of the dwelling has been reduced such that it is more in line with the size of the existing with possible "Permitted Development" extensions. These elements of the proposal are now acceptable and appropriate for the site.

The agent is unwilling to further amend the design or his use of materials. In the NPPF, section 7, advises that the Government attaches great importance to the design of the built environment. Planning Policies should....ensure that

developments “respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation.” “Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is however, proper to seek to promote or reinforce local distinctiveness.” The Local Planning Authority has to balance the individual design from agent with the character of a particular area, having regard to Central Government advice. The agent has emphasised the use of stone in the area, but it is on the Church, the ruins on the Mump and only a few other buildings in the immediate area. There is significantly more use of stone for dwellings and farm buildings in neighbouring villages and hamlets. Timber cladding is used more for outbuildings and garages around the area. Such restrictive use of these materials in this area does not result in an unacceptable design for the dwelling. Thus whilst there is an acknowledgment that the design and materials are not characteristic of the immediate area, that there are few barns in the area, and thus a ‘barn conversion’ is not necessarily appropriate, the current proposal is significantly better than the previous proposal and is considered acceptable.

The new dwelling will be set further back from the roadside and will be higher with modern floor to ceiling heights, and its design is very different from the existing old squat cob cottage. The overall scheme is considered an acceptable replacement dwelling albeit one that would not necessarily be seen as a former barn that has been converted. The proposal is considered to meet the criteria in Policy DM2 (5) - replacement dwellings in open countryside, and is appropriate in terms of scale, siting and design and will not exacerbate flood risk in accordance with Policy CP8. On balance, the proposal is therefore acceptable.

**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**