

Application No:	3/21/20/033
Parish	Minehead
Application Type	Full Planning Permission
Case Officer:	Alex Lawrey
Grid Ref	Easting: 296377 Northing: 146843
Applicant	Mr Colin Fisher
Proposal	Erection of 1 No. single storey dwelling with garage under-croft and associated site works (resubmission of 3/21/19/085)
Location	Hillside barn, Moor Road, Minehead, TA24 5RT
Reason for referral to Committee	

Recommendation

Recommended decision: Grant

Recommended Conditions

- 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 319_1004 Rev 02 SITE PLAN PROPOSED
(A1) DrNo 319_2001 EXISTING & PROPOSED SECTIONS OF MOOR ROAD
(A1) DrNo 319_2002 FLOOR PLANS & SECTION
(A1) DrNo 319_2003 PROPOSED ELEVATIONS

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

- 3 Prior to the construction of the dwelling above damp proof course level samples and/or details of the materials to be used in the construction of the external surfaces of the development shall be submitted to and approved in writing by the Local Planning Authority, these shall include details and/or samples of materials to be used in any surfacings for hard landscapings. The development shall be carried out in accordance with the approved details and thereafter maintained as such.

Reason: To safeguard the character and appearance of the building and area.

- 4 Prior to occupation of the building works for the disposal of sewage and surface water drainage shall be provided on the site to serve the development, hereby permitted, in accordance with the approved details. The works shall be retained in that form.

Reason: To ensure the adequate provision of drainage infrastructure.

- 5 (i) The landscaping/planting scheme shown on the submitted plan 1000-Site Context 319_1004 4 Rev 02 shall be completely carried out within the first available planting season from the date of commencement of the development.

(ii) For a period of five years after the completion of the development, 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 other 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 Prior to occupation, a "lighting design for bats" shall be submitted to and approved in writing by the local planning authority. The design shall show how and where external lighting will be installed (including through the provision of technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their resting places. All external lighting shall be installed in accordance with the specifications and locations set out in the design, and these shall be maintained thereafter in accordance with the design. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: In the interests of the Favourable Conservation Status of populations of European protected species and in accordance with policy NH6 of the West Somerset Local Plan

- 7 No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority by the ecologist

Reason: In the interests of nesting wild birds and in accordance with policy NH6 of the West Somerset Local Plan

- 8 The following will be integrated into the design of the dwelling:

a) A Habibat 001 bat box or similar will be built into the structure at least four metres above ground level and away from windows of the west or south facing elevation

b) Two Schwegler 1SP Sparrow terraces or similar at least one metre apart directly under the eaves and away from windows on the north elevations

c) A bee brick built into the wall about 1 metre above ground level on the southeast or south elevation of the dwelling

Plans showing the installed features will be submitted to and agreed in writing by the local planning authority prior to the commencement of construction works above damp-proof-course level.

Reason: In accordance with Government policy for the enhancement of biodiversity within development as set out in paragraph 170(d) of the National Planning Policy Framework

- 9 Any vegetation in the construction area should initially be reduced to a height of 10 centimetres above ground level by hand, brushings and cuttings removed and left for a minimum period of 48 hours of warm suitable weather (limited rain and wind, with temperatures of 10°C or above) before clearing to minimise the risk of harming/killing any reptiles that may be present and to encourage their movement onto adjoining land in the active period. Any features such as rubble piles and the vegetated bank, which potentially afford resting places for reptiles will be dismantled under the supervision of a competent ecologist in April or August to October. Written confirmation of the supervision will be submitted to the local planning authority within one week of it being carried out.

Reason: In the interests of UK protected species and in accordance with policy NH6 of the West Somerset Local Plan

- 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), no outbuildings, or other structures as detailed in Schedule 2, Part 1, Class E of the above Order shall be erected on the site beyond (west of) the 50 metre development buffer as shown on approved drawing 1000-Site Context 319_1004 4 Rev 02 other than that expressly authorised by this permission, shall be carried out without the further grant of planning permission.

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

Informative notes to applicant

STATEMENT OF POSITIVE WORKING

In determining this application the Local Planning Authority considers it has complied with the requirements of paragraph 38 of the National Planning

Policy Framework. Pre-application discussion and correspondence took place between the applicant and the Local Planning Authority, which positively informed the design of the submitted scheme. During the consideration of the application concerns regarding surface water drainage and landscaping were raised. The Local Planning Authority contacted the applicant and sought amendments to the scheme to address these concerns and amended plans were submitted. For the reasons given above and expanded upon in the planning officer's report, the application was considered acceptable and planning permission was granted.

Proposal

Erection of 1 No. single storey dwelling with garage under-croft and associated site works (resubmission of 3/21/19/085)

Site Description

Open field adjacent to settlement edge of Minehead, set into valley on Moor Road and part of garden curtilage to Hillside Barn, a converted residential dwelling.

Relevant Planning History

3/21/19/085 - erection 1no. dwelling - refused

Consultation Responses

Minehead Town Council - Recommend Refusal due to insignificant changes from previous refused application, mainly unsustainable transport SC1.

Highways Development Control - standing advice

SCC - Ecologist - no objections, recommends conditions for lighting design for bats, hedgerow clearance, vegetation clearance for protection of slow worms etc, and bat/bird boxes and bee brick

Tree Officer - no comments received

Landscape - no comments received

Wessex Water Authority - initial objection but agreed to remove objection subject to planning authority's approval of method of drainage (including overflow controlled discharge to watercourse)

Representations Received

Ten individuals have written letters of objection, the issues cited are:

- Amendments change nothing
- On edge of Exmoor National Park
- Destroys views
- Increases traffic
- Will encourage more applications
- Not in the SHLAA
- Wildlife impacts

- Risks to pedestrians
- Plantings would interrupt views
- Will be reliant on use of the car as not near public transport
- Contrary to local plan policies
- Detracts from area as a tourist destination
- Light pollution
- Watercourse could be damaged
- Development is only for profit
- It is not sympathetic to surroundings

Additionally the Minehead Conservation Society has written representations objecting to the development

Three letters of support have been received, points raised are:

- Design sits well in the valley
- The resubmission is a clear improvement and should be passed
- A caravan could be put within the garden without need for planning permission
- Although large house in terms of number so bedrooms these could accommodate family and/or carers

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 the West Somerset planning area comprises the West Somerset Local Plan to 2032, retained saved policies of the West Somerset District Local Plan (2006) Somerset Minerals Local Plan (2015) and Somerset Waste Core Strategy (2013).

Relevant policies of the development plan are listed below.

West Somerset Local Plan to 2032

MD1	Minehead Development
SC1	Hierarchy of settlements
TR1	Access to and from West Somerset
T/8	Residential Car Parking
NH13	Securing high standards of design
SD1	Presumption in favour of sustainable development
NH14	Nationally designated landscape areas

Retained saved policies of the West Somerset Local Plan (2006)

MD1	Minehead Development
SC1	Hierarchy of settlements
TR1	Access to and from West Somerset
T/8	Residential Car Parking
NH13	Securing high standards of design
SD1	Presumption in favour of sustainable development
NH14	Nationally designated landscape areas

Determining issues and considerations

The main issues are the principle of development, design and materials, parking and access, landscape impacts, amenity, biodiversity and drainage.

This application is a resubmission of a related application 3/21/19/085 which was refused due to conflicts with policy OC1, for Open Countryside development as the proposed site was outside of the built-up area of Minehead. The current application has re-sited the location to within 50metres of existing built development and is considered to meet requirements under adopted Local Plan policy SC1.4 for residential developments to be located "within or in close proximity (within 50 metres) to the contiguous built-up area of Minehead". The application is considered to be acceptable 'in principle' subject to a consideration of other planning criteria.

In terms of design the proposed dwelling would be single storey but set into sloping ground, with an undercroft garage, and twin roof ridges ranged over parallel blocks which are aligned askew to provide stepped end elevations. Internal accommodation would provide for four bedrooms with ensuite bathrooms to two of the bedrooms, over a single storey making the proposed dwelling likely to be accessible for wheelchair users and mobility-impaired people, particularly with exterior ramp access to the main entrance. As such the dwelling is considered to be able to achieve compliance with Building Control regulations for disabled access, although this is a separate regulatory regime. The design incorporates both contemporary and traditional elements, with a surrounding raised walkway to one side, and vehicular access to the undercroft garage below. The stepped end elevations helps to break up overall massing and materials are contrasting to each of the longer side elevations providing for some variety. The design is considered acceptable and meets requirements under policy NH13 to 'meet the highest standards of design' and has the design is acknowledged as having proceeded from "an analysis of the constraints and opportunities of the site and its surroundings..." to inform the "principles of design" and respond to the location and context. The proposal is relatively low level due to being single storey and has been moulded to fit into gently sloping ground without overly intruding into the landscape. The proposed materials are a mix of render and natural stone to the walls with concrete tiling to the roof. Subject to a condition for approval of final details of materials these are considered acceptable and appropriate for the context and location of the development.

Parking would be provided within the site in the proposed undercroft garage with additional parking and turning space. The garage would provide sufficient room for storage of bicycles and bins aside from space for one car with additional curtilage parking for at least two more vehicles. Access would be shared with that of the host dwelling of Hillside Barn so would not entail creation of an additional highways access point. The level of the potential increase in traffic generated from the proposal is not considered to be significant and the highways authority have not objected to the application. As the site is considered in terms of policy SC1 to be within a sustainable settlement location it is considered to be appropriate for residential development. Access to Minehead town centre is achievable for pedestrians although towards this part of the town although there is limited pavement provision immediately outside of the site.

The site is on the edge of Minehead and has good landscape value although is not subject to any national landscape designations. Whilst the site is close to the borders of Exmoor National Park the development would not directly impinge on to it. As seen from the National Park the site would be read as a minor continuation of the built settlement and it is not considered that significant harm would be caused to the setting and approaches to the National Park. Whilst the development would have an impact on the landscape and urban fringe the design has minimised harm by keeping roof ridge heights low, fitting the building into the topography and providing further plantings to the edges of the development to soften views into, and around, the site. After negotiations with the architect revised landscaping proposals were submitted to reduce the quantum of hard surfacings to the curtilage and introduce additional plantings. It has also been agreed that any permission granted would include a condition removing permitted development rights for domestic outbuildings (GPDO- Class E) to a line beyond the 50 metre edge of built development limits. This condition would ensure that general views over the garden area into the valley below were partially retained (although restricted by the proposed new plantings) and that the settlement boundary was clearly demarcated. The proposed landscaping scheme is considered acceptable subject to a condition for implementation and retention of proposed plantings.

The proposed dwelling would be at some remove from neighbouring houses except for the host dwelling. Due to its design and position of windows there are not considered to be any significant concerns with residential amenity.

The application has included an ecological assessment which has been reviewed by the County ecologist. No objections have been raised to the proposal subject to conditions for a lighting design for bats, hedgerow and general vegetation clearance and inclusion of bat/bird boxes and a bee brick. There are not considered to be any abiding biodiversity concerns subject to imposition of recommended conditions.

In terms of drainage the architect has proposed to use a SUDS device which will be "is an underground, ultra low discharge storm attenuation device that consists of a pre-assembled, shallow dig rainwater storage tank, along with a self cleaning filter and a controlled discharge valve. Once rainwater reaches a set level within the tank it is discharged at a controlled rate. Stored rainwater is directed for re-use at the property". This aspect has been agreed with the water utility company subject to a condition.

Other matters

The town council have raised objections to the scheme citing concerns about similarities to the previously refused scheme. Additionally letters of representation from ten members of the public and the Minehead Conservation Society have been received objecting to the proposal. The main issues raised have been landscape and traffic impacts with additional concerns regarding biodiversity, tourism and scale of the development also raised. Three letters of support have also been received. The issues raised are discussed above.

Conclusion.

The application is considered to be in compliance with policy SC1 and MD1. The design for the dwelling itself is considered in conformity with policy NH13 and the initial curtilage features have been subject improvements to soften impacts from an overuse of hard-surfacing materials. Subject to recommended conditions the application is recommended for approval.

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

