

Development Control Committee

7th September 2018

Late Papers

Item 6 – DC/18/0829/OUT – Land Adjacent to the Old Parsonage, The Street, Fornham St. Martin

1. Tree Preservation Orders

2. To rear of the site are two TPO trees referenced T18 and T19 which are both Evergreen Oak (*Quercus Ilex*). The Tree Officer confirmed that they had concerns regarding the shading of the garden space by the adjacent Evergreen Oaks, and that this may place the high amenity trees under pressure for inappropriate pruning in the future. However this is based solely on an indicative layout and any development would be subject to permission being granted for any reserved matters. In this regard it is considered that the nature and size of the application site would allow for revisions to be made through the submission of Reserved Matter where the layout of the proposal could be agreed in such a manner to further reduce possible pressures on those trees. On this basis, and notwithstanding the views of the Tree Officer, it is not considered that there would be any adverse effects upon the trees such that a refusal at this stage could be justified.

3. Non-Designated Heritage Assets

4. Following further discussions with the Conservation officer, and whilst noting that previous comments received focussed specifically on the assessment of whether the host dwelling and proposal would negatively impact on designated heritage assets and conservation areas, further discussions were had in regards to the host dwelling being considered as a non-designated heritage asset.
5. From which it was concluded that the host dwelling could be considered to be a non-designated heritage asset which has historically benefited from a substantially spacious setting, as detailed on historic mapping, especially to the south, and which contributes significantly to the character of the dwelling. Whilst the proposal could be considered to be relatively modest in scale, it is reasonable to expect a substantial curtilage in association with the host dwelling, and therefore that there would be a level of harm created by the proposal due to its close proximity to the host dwelling.

6. The demolition of wall to create the access may be achieved through the use of Permitted Development rights, however as access is required as part of this development, it is therefore appropriate to give consideration to it, and it is considered that the access would create further negative impacts to the setting of the non-designated heritage asset.
7. The close proximity of the proposed development, together with the loss of the wall to create the access, would have a detrimental impact on the setting of the non-designated heritage asset, which currently enjoys an undeveloped setting to the south of the host dwelling. Furthermore the proposal provides no real benefits to the public, creating only private benefits, and additional positive weight which would outweigh those reasons for refusal.
8. Recognising that additional consideration which weighs against the proposal, the reason for refusal has been edited to include the details of the harm to the non-designated heritage asset, which is detailed below.

Revised reason for refusal

The proposal is for a dwelling outside the settlement boundary and would fall within the remit of policies DM5 and DM27. It is not an infill plot within a cluster, being sited on the end of the settlement, and therefore represents a visually unsustainable ribbon development contrary to the above policies of general restraint. By reason of this location, and noting its close proximity to the host dwelling, and as a result of the provision of an opening within the garden wall, the proposal would create a visual intrusion, having an unwelcome urbanising effect on public views of the locality and upon the more loosely grained gap between settlements, creating a significant impact so as to cause material harm to the surrounding character and appearance of the area.

The existing property and its expansive walled garden also provides a suitable setting for a dwelling of this scale and appearance, befitting its status as a non designated heritage asset. The provision of a dwelling within this location will arbitrarily truncate the presently spacious curtilage and provide a dwelling in close proximity to the existing property. Taken together this will detract materially and harmfully from the setting of the non designated heritage asset proving contrary to the provisions of Para 197 of the NPPF.

Accordingly, the proposal fails to accord with policies DM2, DM5, DM13, DM22, DM27, CS2, CS3, CS4 and CS13 and paragraphs 78 and 79 in particular of the NPPF, which seek to tightly constrain development in the countryside to that which supports local services and is in appropriate locations, as well as paragraph 197 of the NPPF which seeks to offer support to the protection of non designated heritage assets. The proposal is in clear and significant conflict with local and national policies.