

BINEGAR PARISH COUNCIL

Application	2017/1797/FUL
Proposal	2 bed single storey dwelling with parking
Location	Rear of 5 Dalleston
Applicant	Mr A Thatcher
Type	Full planning application

Mendip District Council has asked Binegar Parish Council for comments on this application. The site, though technically in Emborough Parish, is less than 10m from the parish boundary and Dalleston is, for all practical purposes, part of Binegar.

The Parish Council considered this application at an extraordinary meeting on 25 July 2017. **It resolved unanimously to recommend refusal of permission.**

The Parish Council responded to two earlier applications both for two-bedroom, two-storey dwellings: 2015/0500/OTS and 2015/1830/OTS. Both applications were withdrawn, the second following its consideration at the Planning Board.

Since then, in relation to the existing garden and house at No. 5 Dalleston, the applicant has received:

1. Lawful Development Certificate 2016/2237/CLP for a garage/workshop, store, plant, WC, endless pool, timber fence, parking and access, and
2. Planning consent 2017/0565/HSE for a first-floor rear extension to the existing house at 5 Dalleston

"Rebuttal Statement"

The only document with the application is a "Rebuttal Statement". It relates to 2015/1830/OTS, the proposed two-bedroom, two-storey dwelling. It is a copy of the reasons Mendip's case officer put forward to recommend refusal of the application. It is the document that caused the applicant to withdraw 2015/1830/OTS following its consideration at the Planning Board in 2015.

The applicant has made comments on each of the case officer's four reasons for recommending refusal. In essence, the applicant claims that, because the addition of various facilities (garage, pool etc.) were lawful developments, then Lawful Development Certificate 2015/2237/CLP also covers all aspects of the current application. The argument is invalid. The Lawful Development Certificate for the garden buildings and pool was issued under Schedule 2, Part 1, Paragraph E of the *General Permitted Development Order, 2015*. This allows, within the curtilage of a dwelling house, "any building of enclosure, swimming or other pool required *for a purpose incidental to the enjoyment of the dwelling house*".

The Certificate does not cover building a new dwelling; that requires full planning permission. The application has to stand or fall on its merits, not on a Lawful Development Certificate for some completely unconnected proposal.

Access

The site gives onto the narrow neck of the road Dalleston where it intersects with Turner's Court Lane. It is single track for the length of the proposed site and there is no footpath. Planning application 2015/1830/OTS proposed a two-storey dwelling at the same location. In discussion at the Planning Board, there was strong opposition to locating a dwelling that gave onto a single-track chicane at a junction, which takes all the traffic from Dalleston, including school vehicles and those for people with disability.

The arguments against 2015/1830/OTS apply equally to this proposal, which will add to the dangers for both pedestrians and drivers.

Road safety

With a fence and a hedge along the very edge of the roadway, required splays for both pedestrian and vehicular visibility are absent. This is contrary to Mendip's Local Plan policies and standing advice from Somerset Highways.

Street scene and prevailing character

Dalleston dates from 1927. No. 5 Dalleston represents one of two architectural styles having high-pitched roofs sweeping to low eaves. It is both attractive and characteristic of its time, influenced by the Arts and Crafts movement and the architecture of Sir Edwin Lutyens. Dalleston is an architectural legacy of quarrying in the village, having been built by Clement Dalley, quarry owner. Driving north on the A37, it is seen on the horizon as a fine, bright white line of houses. Dalleston represents a singular, harmonious street scene. The prevailing layout is a spacious one with dwellings set apart in a linear fashion, each with a good size garden.

There are no single-storey dwellings and the proposed one, with a flat roof would be intrusive and inconsistent. It will destroy and not enhance the local identity and character. It will cause unacceptable harm to the character and appearance of the area and is contrary to the principles of the National Planning Framework and Mendip's Local Plan policies.

Amenity for proposed occupiers

The design comprises three blank walls with windows only on the front. It faces west and will be dark for much of the day. The design shows the living room and bedrooms with full-length windows. They are close to the road, affording little if any privacy to the proposed dwelling's interior. The dwelling sits hard up against the fence that forms the boundary between Nos. 5 and 6 Dalleston. With a small garden only to the front and onto the road, it offers no privacy for future occupiers. The proposal fails to offer acceptable levels of amenity for future occupiers.

Conclusion

The reasons set out in this response are enough to warrant refusal of this application.