
Subject: 16/01887/73A Land at Corner of Chapel Road and Forkers Lane, Settrington
Attachments: Detailed Comments on New Build revised planning application.docx

From: Bruce Skinner
Sent: 19 December 2016 09:47
To: Development Management
Cc: Peter Smith Photography
Subject: Objection to Planning Application No. 16/01887/73A

Dear Sirs,

Re. Planning Application No. 16/01887/73A

Settrington Parish Council objects most strongly to this Application, which, by proposing that the as-partially-built height and position of the building are accepted, attempts to ride rough-shod over the conditions of the proposed and Approved, original Application.

The Parish Council approved the original Application (12/00809/73A) on the basis that, particularly with the development's prominent position in the village's Conservation Area, the building respected the principles of the Village Design Statement, especially with regard to maintaining the building line and height of its neighbouring row of vernacular properties, and, for instance, having traditional masonry, rather than 'dummy', chimneys.

Indeed, the subsequent alternative Application (15/00738/73A) was objected to, and not approved, because those principles were not met.

We are aware that a number of experience local builders had considered purchasing the site with its approved plans, but had however recognised the constraints inherent in the development and decided against it.

Given the date (September 2015) of the Jenneson Associates, 'Building Control' plans included in this latest Application, it appears that the current developer too had appreciated the demands of the site layout and the Approval conditions, and, un-announced, had produced a more convenient-to-build version of the plans, presumably assuming that a relaxed attitude would be taken in terms of compliance.

The Parish Council feels that, were this latest Application to be approved for the developer's convenience, it would make a mockery of Planning Approval, Control and Enforcement.

Given the magnitude and significance of this planning approval violation, the Parish Council also strongly objects to this Application's having been given 'Delegatable Decision' status.

In support of this Objection, **please find attached** the Parish Council's detailed comments on the Application.

In the event that this Application is discussed at Planning Committee, the Parish Council requests that its representative is invited to voice its Objection.

Yours faithfully,

Bruce Skinner
Parish Clerk pp Settrington Parish Council

Comments on planning application no. 16/01887/73A

Variation of Condition 21 for land at Chapel Road/Forkers Lane dated 30/11/16

1. The building being constructed, and that shown on applicant's architects' drawings, is higher than the building approved (12/00809/73A) by some 400mm, this is a critical dimension. The approved building matched the height of the adjacent Grade II listed cottages on Chapel Road. The plot of land sits within the Settrington Conservation Area and siting of buildings should blend sensitively into the area; this is stated in the Settrington Village Design statement and also the Francis Johnson report.
This application has a detrimental impact on the character of the Area. A previous application (15/00738/73A) was refused on grounds of scale, siting and details because it failed to preserve or enhance the character of the Conservation Area or preserve the setting of the listed buildings.
2. The building also has been brought forward of the building line by over 1.3m. This fails to respect the building lines of the adjacent listed buildings and thus has a detrimental impact on the Conservation Area for the reasons stated above.
3. The ground and first floor levels are some 400mm higher than the approved application, this indicates that the developer has failed to reduce the ground levels prior to commencing construction. The necessary change in ground level is shown on the approved plans (long front elevation drg 858-105-A.) The variation drawings submitted do not show the adjacent buildings which are critical.

Comments on the mmp planning justifications:

Increase in height:

The author suggests that the approved plans were not able to be constructed in accordance with the Building Regulations as drawn. It is considered that this may be an erroneous assertion; the architects may wish to respond to this criticism.

Para 1: It is suggested that actually lowering the ground levels would risk undermining the adjacent buildings. Has the applicant excavated any trial holes in order to confirm the foundation levels of the adjacent buildings? Also, it may be possible to avoid undermining the adjacent building by founding the building on a shallow, reinforced concrete raft. The nearest, adjacent wall is to an outbuilding/store, this could be underpinned, if necessary. Notwithstanding the above, the drainage details shown on the site layouts plans will undermine the adjacent building.

All of these issues are clearly covered in party wall legislation.

Para 2: *Locally digging in the building would entail retainment and tanking...* These are common construction requirements and the amount of digging-in of 400mm is not considered to be excessive.

Para 3: Raising the FFL - this should not even have been considered without an amended planning application.

It is not technically challenging to construct the building as shown on the approved application, although it is accepted that it is possibly a more expensive solution. The applicant appears to have tried to cut costs on the build by ignoring the important criteria of the approved Planning Application.

Again, it is suggested in the mmplanning document that there is some deficiency in the approved Bramhall Blenkharn approved design with respect to the roof eaves detail. This criticism is not warranted.

The applicant has chosen to use a timber frame construction presumably because it is a cheaper build method than traditional purlin and rafter roof.

It is not beyond the ability of a builder to replicate the details used in the adjacent cottages to give a corresponding shallow eaves detail.

Amended siting:

The building is constructed over 1.3m in front of the line of the adjacent buildings and the applicant's architect has even shown this line on his drawing. The front elevation of the approved scheme lines up with the front elevation of the adjacent cottages, the building being constructed obviously, and significantly, does not!

Dummy chimney:

The building should be constructed in materials suitable for this sensitive conservation area, a dummy chimney is not considered to be in keeping with the local vernacular.

It is felt that this application should be refused because it has a detrimental impact on the character of the Conservation Area, in that it fails to preserve or enhance the character of the conservation area or preserve the setting of the adjacent listed buildings.

Were RDC minded to approve this application then the previous applicant (15/00738/73A) may wish to lodge an appeal since his application was rejected on these very grounds.