

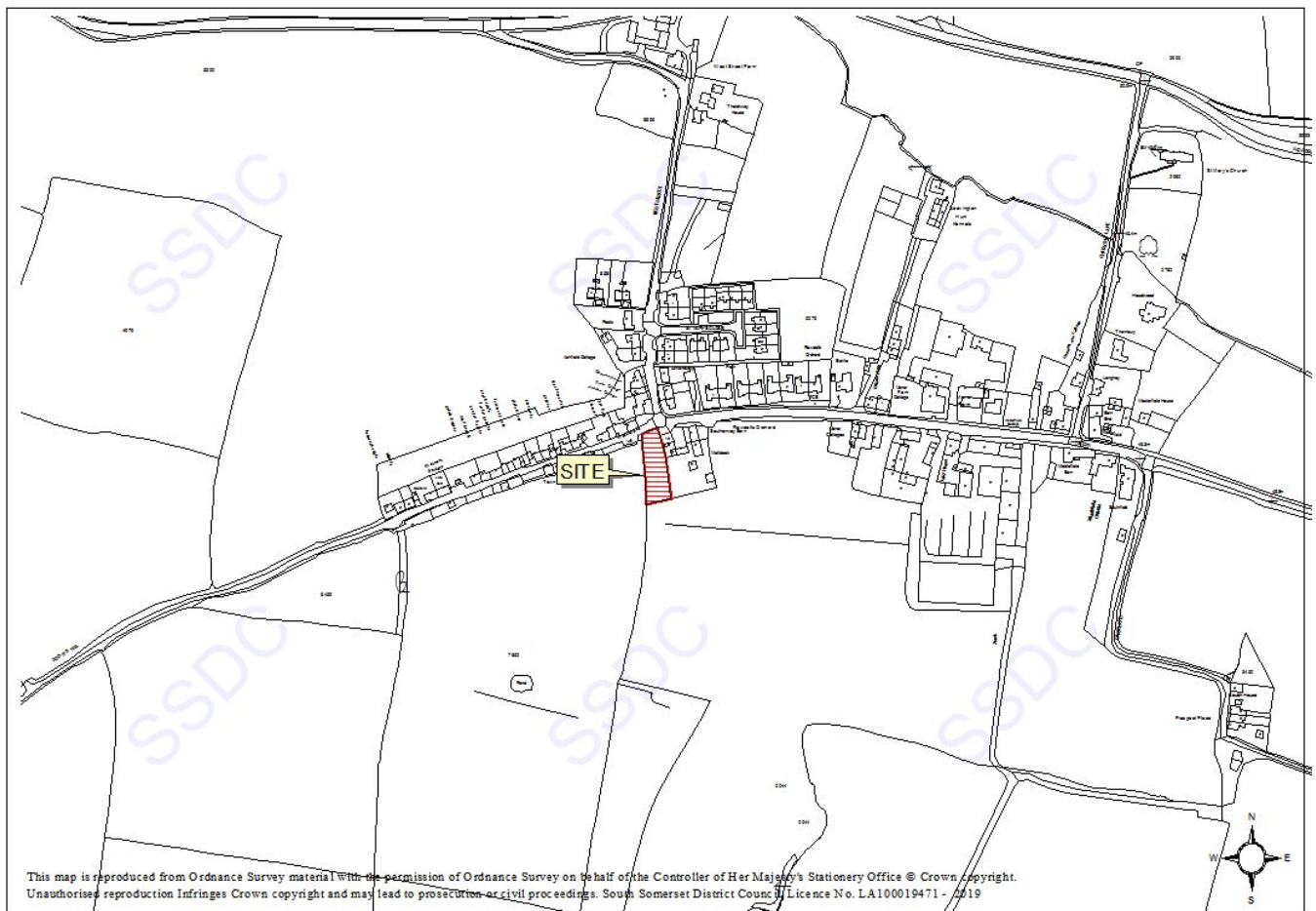
Officer Report On Planning Application: 19/00952/HOU

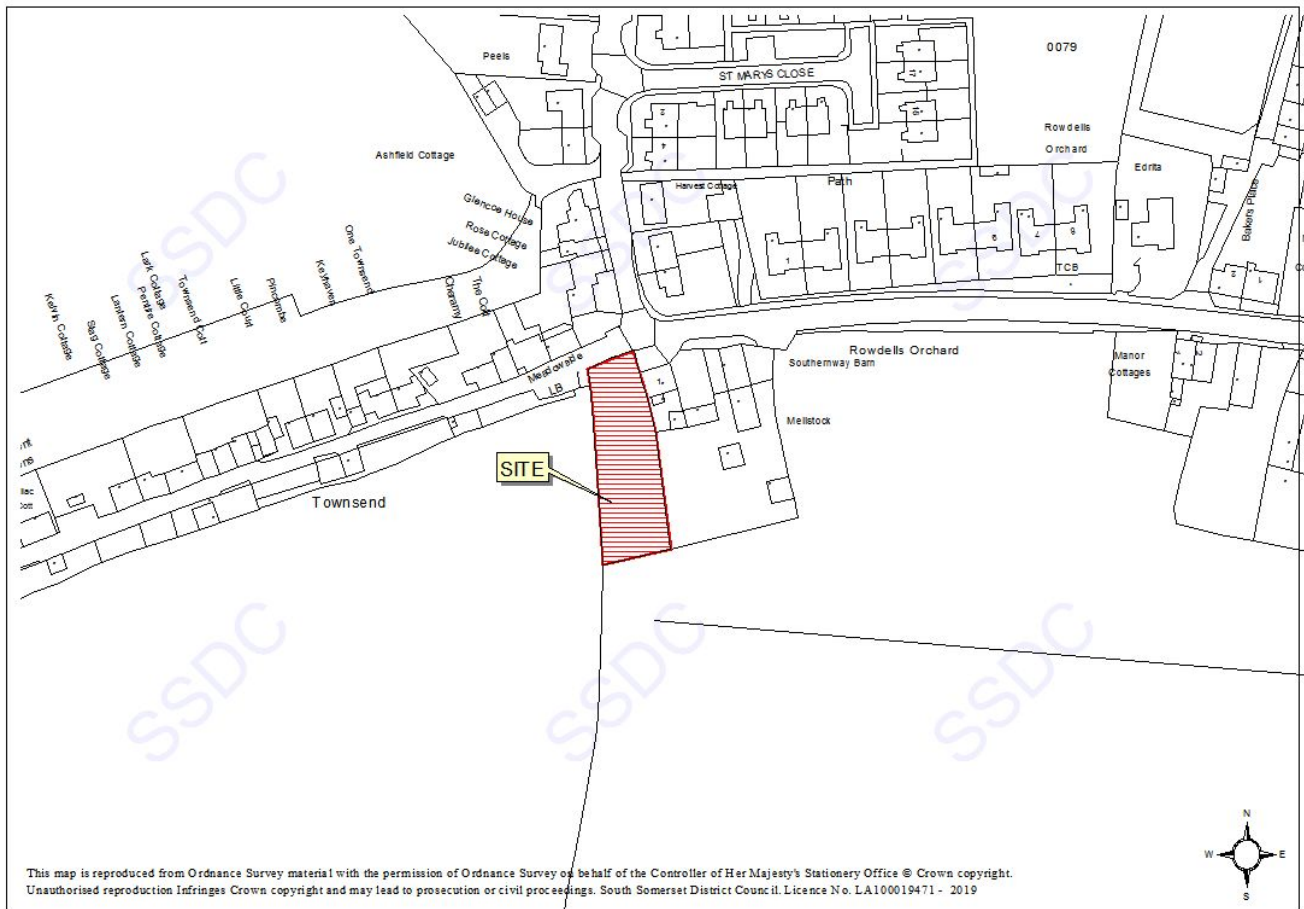
Proposal :	Erection of a garden room and garden store (revised retrospective application)
Site Address:	Southernaways Cottage, Water Street, Seavington St Mary.
Parish:	Seavington St Mary
SOUTH PETHERTON Ward (SSDC Members)	Cllr A Dance and Cllr C Raikes
Recommending Case Officer:	Stanley Norris
Target date :	16th May 2019
Applicant :	Mr S Packham
Agent: (no agent if blank)	Mrs T Froom, The Old Dairy, Pudleigh, Wadeford, Chard TA20 3BL
Application Type :	Other Householder - not a Change of Use

REASON FOR REFERRAL TO COMMITTEE

This application is referred to the ward member as the officer recommendation is contrary to the comments lodged by the Parish Council and multiple neighbours.

SITE DESCRIPTION AND PROPOSAL





2 Southernway is a semi-detached two storey dwellinghouse situated within a fairly prominent position in the village. The dwelling is constructed using natural stone under a thatch roof with a small tiled lean to roof. The dwelling is recognised as Grade II Listed however is not located within a Conservation Area.

This revised application comes off the back of the refusal of application ref 19/00145/HOU, a retrospective application for the erection of a garden room located within the south western corner of the applicant's rear garden measuring approximately 5.7 metres wide, an approximate height of 2.7 metres and a depth of approximate 4 metres. The proposal is also for the (retrospective) erection of a garden store with an approximate width of 4.7 metres, height of 4.4 metres and a depth of 3 metres.

The latest proposal seeks permission for the retention of the garden room as existing whilst altering the ridge height of the existing garden store by 400mm within the same position of the site.

HISTORY

Application Number: 19/00145/HOU (Householder Application)
 Description: Erection of a garden room and garden store, retrospective
 Close Date: 14/02/2019
 Status: Application Refused

Application Number: 16/05464/COU (Change of Use)
 Description: Change of use of land to mixed domestic and agricultural to allow access and parking at the rear of Southernways Cottage.
 Close Date: 04/04/2017
 Status: Application Refused

Application Number: 13/00280/LBC (Listed Building Consent)

Description: Internal alterations to cottage 1 and 2 and external alterations to include the erection of a single storey rear extension to cottage 1.

Close Date: 09/05/2013

Status: Application permitted with conditions

POLICY

The South Somerset Local Plan (2006 - 2028) was adopted on the 5th March 2015. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) and Section 70(2) of the Town and Country Planning Act 1990 (as amended), the adopted local plan now forms part of the development plan. As such, decisions on the award of planning permission should be made in accordance with this development plan, unless material considerations indicate otherwise. Legislation and national policy are clear that the starting point for decision-making is the development plan, where development that accords with an up-to-date local plan should be approved, and proposed development that conflicts should be refused, unless other material considerations indicate otherwise.

South Somerset Local Plan 2006-2028:

Policy EQ2 - Design and General Development

Policy EQ3 - Historic Environment

NPPF 2018:

Chapter 12 - Achieving well-designed places

Chapter 16- Conserving and Enhancing the Historic Environment

Planning Practice Guidance: Design - March 2014

CONSULTATIONS

Town/Parish Council

At the Parish Council meeting held last evening [Tuesday 16th April] it was unanimously agreed by Councillors that this second retrospective application, could not be supported.

The Parish Council concerns listed in the previous application remain the same i.e. that the buildings, which were erected without consent, are not in keeping with the listed building and its surroundings.

The suggested lowering of the roof height of the garden shed by some 400mm is in no way an acceptable revision of the previous application that was refused. It would seem that the applicant has disregarded all advice given by SSDC Planners and has gone ahead with this second application.

The Parish Council has received copies of comments sent to Planners from local residents who are also of the same opinion that the garden store is an eyesore and can be seen by many, although photographs submitted by the applicant seem to show a different picture.

It is hoped that Planners will again refuse this application and if that is the case that an Enforcement Notice is issued without delay for the immediate and complete removal of both structures.

Rear Access to the property

The Parish Council has been informed that Dillington Estates - owners of the agricultural entrance that runs along the western side of the property - gave permission to Mr Packham to create an entrance into the property from this track way in order that conversion works, and the building of a new extension could be carried out. The Parish Council also understood, at that time, and still believes, that the hedge

would be reinstated on completion of the works. No permanent agreement to use this agricultural entrance was given and in fact a planning application for the track to be changed from agricultural to joint agricultural and residential was refused - 16/05464/COU. This track way is also part of a footpath which should be accessible to the public at all times. However, it has been blocked on many occasions by vehicles and materials from the property.

The Parish Council are extremely concerned that it would appear that the owners have no intention of replacing the hedge as a new wooden fence and five-bar gate have been erected. On the many applications that have been made by Mr Packham it has been stated that no vehicular or pedestrian access was proposed. Consequently the Parish Council do not understand why there is a need for a five-bar gate.

Can Planners please advise that the applicant will be asked to reinstate the hedgerow that was removed.

Other Consultees

SSDC Highways Consultant's comments: No Highways Issues, No objections.

County Highways: Standing Advice Applies-

SSDC Conservation Officer (TG - Verbal Correspondence) - No objections to the erections.

REPRESENTATIONS

11 neighbours notified of the development, site notice displayed at front of property; 7 representations received:

1 letter of support:

Does not detract from the street scene or the beauty of the grade 2 listed property. The shed is over 20 meters from the road and is screened by hedging and really only viewable from the road in the 8ft gap if you bother to stop on the opposite corner of the road as there is no footpath on that side.

6 Letters of Objection:

- Even with the reduced height, the garden store will still dominate the street scene.
- The positioning of the garden store remains the same and will still detract from the character of the grade 2 listed buildings.
- Materials are not in keeping with the natural stone/thatch nature of the existing dwellinghouse.
- The erection in terms of size, design and materials is out of keeping and the existing hedge should be reinstated.
- 400mm reduction is not significant enough to reduce the visual impact that the structure has caused.
- The garden store structure dominates the view from neighbouring properties.
- The main dwellinghouse is one of the oldest dwellings within the village and the erections cause significant harm to the character of this.
- The proposal is contrary to policies EQ2 and EQ3 of the Local Plan and the provisions of the NPPF framework.
- Unnecessary intrusion on the site and surroundings

A significant amount of comments have been made in regards to the removal of the hedgerow, the creation of access and the erection of a 5 bar gate, as this application does not seek permission for this these comments will be discounted within this report and investigated subsequently.

CONSIDERATIONS

Visual Amenity

The revised application outlines the reduction in height of the existing garden store by 400mm which is considered to reduce the impact the erection will have on the existing street scene. It is still considered that the erected shed would be visible from the public right of way to the west of the dwelling and vehicles/pedestrians travelling west along Water Street, however, the materials used within the roof (natural slate) which will be the main view point (especially from the main road of Water Street) given the reduction in ridge height are not considered to be out of keeping with neighbouring dwellings within the vicinity.

The store, in terms of visibility to neighbouring properties will have the greatest impact on the property directly to the north, Elgin Cottage and Mellstock the property whose garden borders the cottage to the west. It is however considered that there is substantial distance between the dwellings and the erections to ensure there is no visual dominance or harm.

The Garden Room, finished in a teal colour was not considered to cause any issue to the character of the street scene within the original proposal and has not been the basis of any objection on this revised proposal.

Residential Amenity

It is not considered that the revised proposal would cause any harm to the residential amenity of neighbouring occupiers.

Impact on Heritage Asset

The Conservation officer has indicated that the erections by position, size and setting does not detract from the character of the listed building.

Highways Impact

No significant highways impact.

CIL:

This Authority does not collect CIL from householder development.

Summary

Multiple objections have been recorded on the development from neighbouring occupiers and the parish council, it is however considered that the revised application (reducing the ridge height by 400mm) represents an appropriate proposal respecting the character of the area and the historic value of the Grade 2 Listed Building. In line with the Conservation Officer comments the application is recommended for approval.

RECOMMENDATION

That planning permission is granted for the garden structures

01. The proposal in terms of its setting, size, materials and design causes no visual harm to the character of the area nor residential amenity of neighbouring occupiers. The erections are not considered to cause any harm to the Grade 2 Heritage Asset and is considered acceptable in lines with policies EQ2, EQ3 and the provisions of the NPPF.

SUBJECT TO THE FOLLOWING:

01. Notwithstanding the time limits given to implement planning permission as prescribed by Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended), this permission (being granted under section 73A of the Act in respect of development already carried out) shall have effect from the 8th April 2014

Reason: To comply with Section 73A of the Act.

02. The development hereby permitted shall be carried out in accordance with the following approved plans, documents and drawings date stamped as received on 13th February 2019, 21st March 2019. The external surfaces of the development shall be of materials as indicated in the application form and no other materials shall be used without the prior written consent of the local planning authority.

107/004
P107/106A
P107/107A
P107/108
Key Views
Design Statement for Garden Room and Store

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

03. The development hereby approved shall be reduced in height in line with the approved plans (p107/107A, p107/106A) within 3 months of the date of this determination unless otherwise agreed in writing.

Reason: in the interest of visual amenity.

Informatives:

01. The permission hereby granted does not permit the access refused under application 16/05464/COU and therefore the erected access and gateway will be investigated for enforcement action unless a revised application is submitted.
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