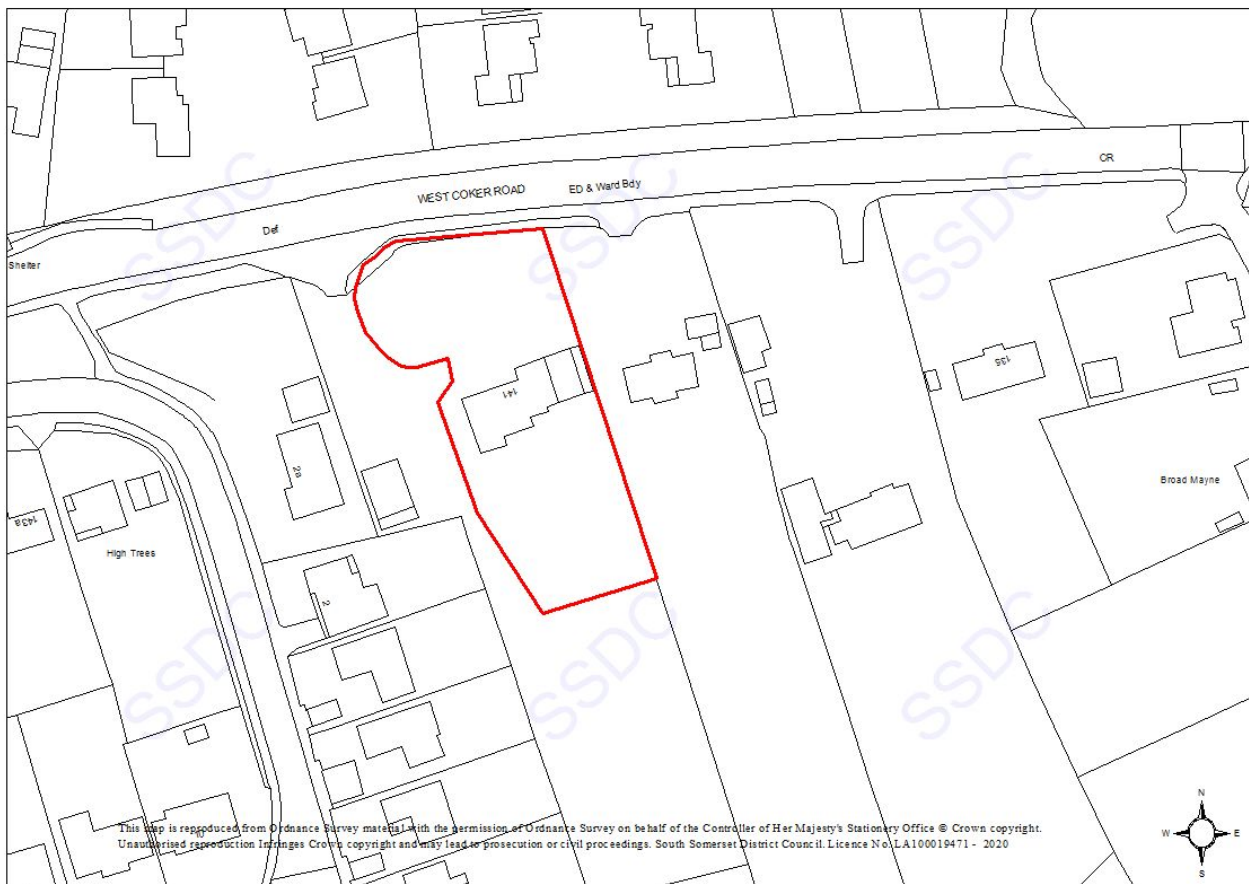


## Officer Report on Planning Application: 20/00434/HOU

<b>Proposal:</b>	The erection of a detached garage (Retrospective)
<b>Site Address:</b>	The Oaks 141 West Coker Road Yeovil
<b>Parish:</b>	East Coker
<b>COKER Ward (SSDC Member)</b>	Cllr G Seaton Cllr N Clark
<b>Recommending Case Officer:</b>	Linda Hayden Tel: 01935 462534 Email: linda.hayden@southsomerset.gov.uk
<b>Target date:</b>	8th April 2020
<b>Applicant:</b>	Mr & Mrs Rickards-Sanger
<b>Agent: (no agent if blank)</b>	Charlotte Duff, 113 North Street North Street Martock TA12 6ER
<b>Application Type :</b>	Other Householder - not a Change of Use

### REASON FOR REFERRAL TO COMMITTEE

This application is referred to the Area Committee at the request of the Ward Member and with the agreement of the Area Chairman to debate the planning issues including the impact on the trees.





## SITE DESCRIPTION AND PROPOSAL

The application site relates to a modest detached dwelling within a substantial plot. The central part of the front elevation displays mock Tudor detailing with the outer ends red brick. The dwelling incorporates a traditional pitched roof with side hip with a catslide roof that runs down to a single storey front projection

The surrounding housing stock are all detached properties of bespoke design within modest plots. The main access to the application dwelling is shared with the adjacent property that has recently been completed.

Located on the southern side of West Coker Road, to the south-west of Yeovil town centre, the application seeks retrospective permission for the retention of a detached double garage and side log storey sited at the front of the dwelling,

The garage measures 5.6m (w) x 5.3m (d). The log store projects 1.3m from the side elevation and runs to a depth of 3.6m. The outbuilding has been built from timber cladding with a clay tile roof. A pitched roof with front to rear ridge is proposed.

Planning permission was refused for the same development on 27/01/2020 (ref. 19/03101/HOU) for the following reason:

*'The outbuilding and driveway have been constructed and installed within the overlapping radial Root Protection Areas of a number of protected trees. This can lead to both direct and indirect damage to the root systems of the protected trees. The development is therefore harmful to existing landscape features (protected trees) and is therefore contrary to policies EQ2 and EQ5 of the South Somerset Local Plan*

(2006-2028).'

The current application is accompanied by an Arboricultural Report.

## **HISTORY**

19/03101/HOU - The erection of a detached garage (Retrospective). Refused 27/01/2020.

17/01396/FUL - Removal of existing garage and erection of a detached dwellinghouse - refused, allowed on appeal.

16/05373/FUL - Improvements to access into the site, erection of a new garage to existing house, erection of a dwellinghouses, construction of new driveway and three bungalows (revised application) refused.

16/02974/FUL - Alterations to access arrangements into the site, construction of new garage to existing house, construction of detached dwelling and alterations to existing garage. Construction of new driveway and three bungalows - refused.

10/04538/FUL - Alterations and the erection of a detached dwellinghouse with associated access and parking - permitted with conditions

## **POLICY**

Section 38(6) of the Planning and Compulsory Purchase Act (2004) indicates it is a matter of law that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

For the purposes of determining current applications the local planning authority considers that the adopted development plan comprises the policies of the South Somerset Local Plan 2006-2028 (adopted March 2015).

Policies of the South Somerset Local Plan (2006-2028):

SD1 - Sustainable Development

SS1 - Settlement Strategy

EQ2 - Design and General Development

EQ4 - Biodiversity

EQ5 - Green Infrastructure

TA6 - Parking Standards

National Planning Policy Framework:

Chapter 2 - Achieving Sustainable Development

Chapter 12 - Achieving Well-Designed Places

Planning Policy Guidance

Somerset County Council Parking Strategy (March 2012)

South Somerset District Council Supplementary Guidance - Extensions and Alterations to Houses - A Design Guide

## **CONSULTATIONS**

East Coker Parish Council:

*'East Coker Parish Council are mindful of the District Councils original decision to refuse this application.*

*ECPC are happy to support whatever decision the District Council now make.'*

West Coker Parish Council (adjoining Parish):  
Support application.

County Highways:  
Standing advice applies

Highways Consultant:  
No highways objection

Arboricultural Officer:  
Has revisited the site and maintain his concerns about the impact of the development upon protected trees and therefore recommends that the application is refused.

Ecologist:  
Advises that he is satisfied within the findings but to compensate for the potential loss of bird nesting habitat he recommends a condition to require mitigation.

## **REPRESENTATIONS**

The application was advertised by way of neighbour notification letters and a site notice. One letter was received objecting to the application on the following grounds:

- Arboricultural report is only a snapshot
- Manhole cover/drainage
- Possible future conversion to bungalow
- Impact upon visual amenity and street scene
- Loss of privacy
- Impact upon archaeological remains
- Replacement TPO trees have been moved and replanted

## **APPLICANT'S CASE**

The applicant's agent has written in response to the objection, commenting:

- The drain that was found is an old Victorian overspill drain
- Garage will be used for vehicles and storage (happy for this to be conditioned)
- Siting, design and impact on amenity were accepted by the officer on the previous application.
- Impact on the roots of the TPO trees is minimal
- Proposal is in accordance with Policies EQ2 and EQ5

## **ASSESSMENT**

### *Principle*

The extension of existing properties is usually acceptable in principle subject to the proposed development being in accordance with Development Plan policies and proposals. In this case, the main considerations relating to the impact on the visual amenity of the area, the character of the existing dwelling, and residential amenity of neighbouring residents was considered under the previous

application and found to be acceptable.

The only reason for refusal on the previous application was in relation to the impact upon the protected trees at the site.

### *Design/Visual character*

The site is set at a slightly higher level than the street frontage with a gap of approximately 5m retained between the street frontage and the development itself.

Whilst it cannot be contested that the design of the garage does not respect the character of the dwelling, there are mitigating factors in this instance making the development acceptable.

It is evident from site that a substantial amount of vegetation has been removed at the site frontage. Despite this, the immediate surrounding area has a verdant appearance with substantial, established hedging and trees both within the site and surrounding land. A laurel hedge has been planted around the building, which will, in time, help to screen the development. Whilst this cannot be relied on in perpetuity, the presence of the garage is not wholly prominent within the street scene given the set back from the main road.

The outbuilding is sited over 15m away from the dwelling and is therefore not read together as an entity.

On balance, it is considered that the presence of the double garage is not wholly prominent in the street scene. Further to this, it is considered that the scale of the building is of a domestic scale which would be visually subordinate to the bulk of the dwelling. As such the proposal meets the requirements of policy EQ2 of the South Somerset Local Plan.

### *Impact on living conditions*

As a domestic outbuilding within the same domestic curtilage, it is not considered that the impact of the outbuilding gives rise to undue overlooking/loss of privacy or an overbearing relationship with the neighbouring dwelling that has been recently constructed.

Therefore it is considered that the development does not have an unacceptable impact upon amenity of neighbouring properties and would comply with policy EQ2 of the Local Plan.

### *Trees*

The Tree Officer has revisited the site and considered the details within the Arboricultural Report. He has commented:

- Roots of protected trees have been severed by cabling through root protection area
- Power cabling may have severed roots of protected trees
- Soft landscaping with use of rotavator appears to have chopped through protected roots
- Soil disturbance from works will impact upon root system
- There is a possibility of future damage from trenching required for services to garage (lighting, power, water supply)
- Concerned about impact if links to drainage system or installation of soakaway are required to deal with surface water.
- It can take 2-15 years for root damage to become apparent

In summary, the Tree Officer states:

*'... this application fails to acknowledge or effectively mitigate the actual extent of the harm that has been caused, nor does it provide an explanation of how the services installations and rain-water arising's can be responsibly managed in-future without causing further detriment to the adjoining trees.'*

The Tree Officer therefore upholds his objection to the proposal, on the basis that it is contrary to the Council's objectives to preserve existing landscape features (protected trees) in accordance with the Council's policies as detailed within The South Somerset Local Plan (2006 - 2028); EQ2: General Development, EQ4: Bio-Diversity & EQ5: Green Infrastructure.

#### *Highways and parking*

In accordance with the comments of the Highways Consultant, there are no significant highways issues and no objections have been noted. The proposal is considered to comply with the Standing Advice and policies TA6 of the Local Plan.

#### **Summary:**

On balance, the development is not considered to impact adversely upon highway safety, visual impact or residential amenity, however, given the siting of the development within the root protection system of several protected trees, this can lead to both direct and indirect damage which is therefore harmful to existing landscape features and would fail to comply with policies EQ2 and EQ5 of the Local Plan.

**CIL** This Authority does not collect CIL from householder development.

#### **RECOMMENDATION**

REFUSE

#### **SUBJECT TO THE FOLLOWING:**

01. The outbuilding has been constructed and installed within the overlapping radial Root Protection Areas of a number of protected trees. This can lead to both direct and indirect damage to the root systems of the protected trees. The development is therefore harmful to existing landscape features (protected trees) and is therefore contrary to policies EQ2 and EQ5 of the South Somerset Local Plan (2006-2028).