

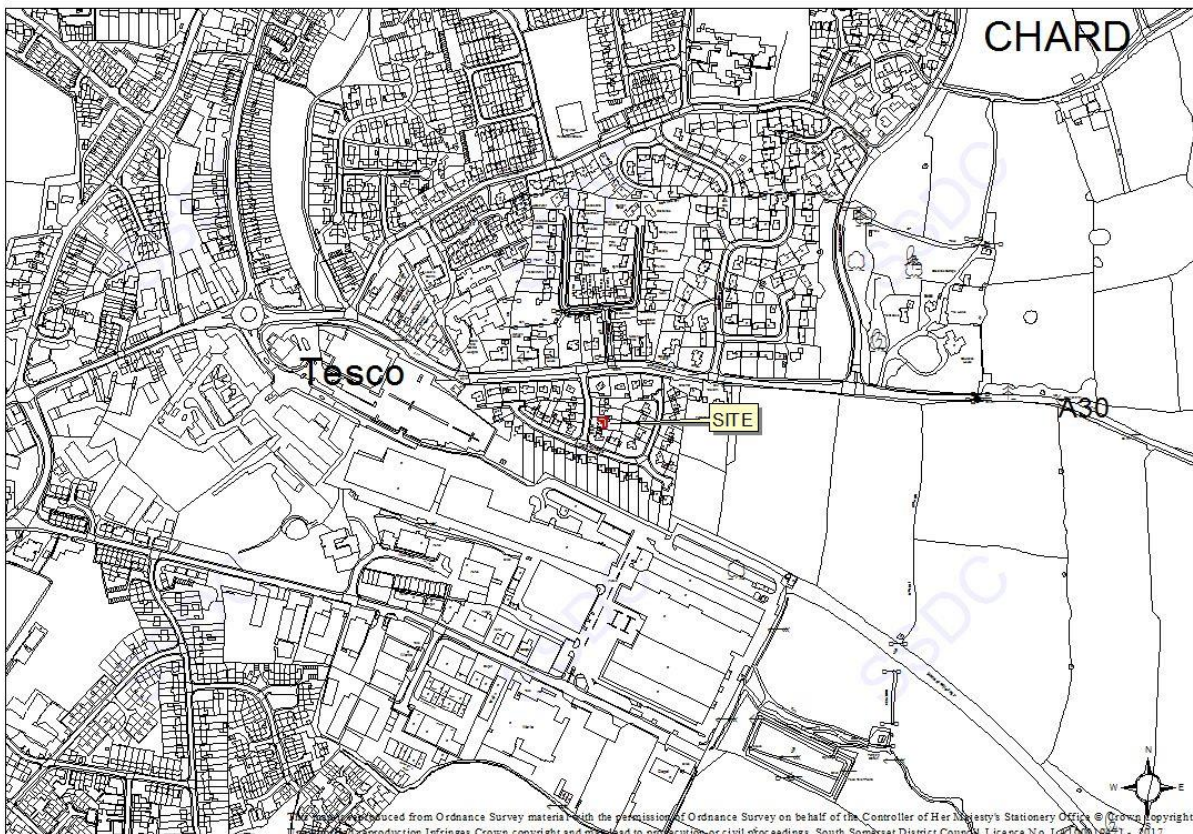
Officer Report on Planning Application: 17/02156/FUL

Proposal :	Demolition of existing lean to extension and detached garage and the erection of a two storey side extension and single storey rear extension to dwellinghouse
Site Address:	45 Nursery Gardens, Chard TA20 1HJ
Parish:	Chard
JOCELYN (CHARD) Ward (SSDC Member)	Cllr D M Bulmer
Recommending Case Officer:	Chloe Beviss Tel: (01935) 462321 Email: chloe.beviss@southsomerset.gov.uk
Target date :	27th July 2017
Applicant :	Mr Phillip Loaring
Agent: (no agent if blank)	
Application Type :	Other Householder - not a Change of Use

REASON FOR REFERRAL TO COMMITTEE

This application is referred to committee at the request of the Ward Member and in agreement with the Area Chair in order for Members to fully consider the neighbour objections.

SITE DESCRIPTION AND PROPOSAL





This application is seeking planning permission for the demolition of an existing garage and lean-to extension and the erection of a two storey side and single storey rear extension.

The two storey detached dwellinghouse is of red brick elevations under a concrete tile roof off Nursery Gardens in Chard. The property is set up from the adjacent road with a concrete driveway leading up to a single garage which is attached to the neighbours similar garage.

The two storey side extension will be set back from the principal gable and mirror the height of the main ridge. It is proposed to the northern side elevation and to extend beyond the original rear elevation by 1.9 metres whilst the proposed single storey rear extension will span the width of the original rear elevation of the dwelling as well as the two storey side extension, extending out from the rear by 4 metres (2.1 metres from two storey extension).

Materials are proposed to match the existing whilst it also proposed to form additional parking by extending the driveway in front of the dwelling. (An integral garage is also proposed as part of the application).

HISTORY

None since property built.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S54A of the Town and Country Planning Act 1990 and requires that decisions must be made in accordance with relevant Development Plan documents unless material considerations indicate otherwise.

Section 66 of the Listed Building and Conservation Areas Act requires that planning authorities

have 'special regard to the desirability of preserving the building or its setting'.

Relevant Development Plan Documents

South Somerset Local Plan (2006-2028):

TA5 - Transport Impact of New Development

EQ2 - General Development

National Guidance

National Planning Policy Framework (March 2012):

Chapter 7 - Requiring good design

National Planning Practice Guidance

Design

CONSULTATIONS

Chard Town Council: Resolved that this application should be approved.

SCC Highway Authority: Standing advice applies.

SSDC Highway Consultant: Given the increase in bedroom accommodation I support the provision of additional car parking within the front garden area of the property, as indicated on the block plan. The extended parking area should accommodate minimum dimensions of 4.8m x 2.4m (but preferably 5.5m x 3.0m), it should be properly consolidated and surfaced (not loose stone or gravel), and suitable drainage measures should be implemented to prevent surface water from discharging onto the public highway. A S184 Road Opening Notice will be required from SCC for the dropping of the kerbs and the re-profiling of the footway.

REPRESENTATIONS

Six neighbours notified and site notice displayed. Three letters of objection which are summarised below:

- Plans ill-considered, will effect integrity of street with side extension sitting on boundary of no. 44
- Popular street due to spacious front gardens and properties not being enclosed
- New driveway on steep slope which cannot be screen from road
- Size of extension not in keeping with style and size of properties in cul-de-sac
- Parking for one vehicle on large development would means other cars parking on already congested road
- Plans give impression garage is detached although it is attached to garage of no. 44
- Deeds of no. 44 refer to right of support for garage i.e. the adjoining garage, concerns relating to remedial work required etc.
- Two storey extension to be built within 100mm of boundary - will make difficult to build without trespassing, difficult to maintain and repair remaining garage and open car doors on driveway
- Two storey side extension disproportionate in size to existing dwelling and will be overbearing, visually intrusive and out of keeping with spacious open plan estate
- Existing drive currently provides four parking spaces, development will lose two of those and plans will only replace one causing possibility of further on road parking

- Proposal to replace part of garden with parking contravenes covenant on deeds relating to walls/structures/trees/hedges etc in this location
- Two storey extension will reduce light in rear amenity area of no. 44 and proposed first floor window will overlook that area
- Application states existing drive tarmac, it is concrete. Any change would not be in keeping

Officer Comments:

Any objections regarding covenants contained within the deeds of the property are a civil matter and are not a planning consideration as these would not be grounds for refusing planning permission.

Any resulting difficulty in maintenance etc is not unfortunately a material planning consideration.

CONSIDERATIONS

The main considerations in this case relate to:

- Residential amenity
- Visual amenity
- Highway safety/parking

Principle of Development

The principle of extending the existing property is acceptable in principle providing it accords with the relevant development plan policies and any other material considerations.

Visual Amenity

The proposed extension is considered of an acceptable scale, form, design and appearance which will not adversely affect the visual amenity of the area.

It is not considered disproportionate to the size of the plot in which it is located.

Notwithstanding the proposed extension extending to the northern boundary of the site, it is not considered to result in a significantly harmful development such as to warrant refusal of the application.

Residential Amenity

It is acknowledged that the proposed extension will be located alongside the northern boundary and therefore in close proximity to the neighbouring property to the north. However, the driveway that serves this property runs to the side, retaining a gap of approximately 4 metres.

There are no windows on the main south facing elevation of the neighbouring property, only a ground floor opening on the two storey rear element which is approximately 9 metres from the proposed extension.

Given the orientation of the properties, it is not considered the proposal will significantly adversely affect the neighbouring property through loss of light, overlooking or causing an overbearing impact given there are no windows proposed in the north facing elevation and due to the projection of 1.9 metres in terms of the two storey rear extension from the rear elevation.

The first floor window in the rear facing elevation of the extension which is to serve a bedroom will be situated beyond the rear elevation of the neighbouring property meaning views will not be possible down into the amenity space immediately to the rear of the dwellinghouse. The views which will be introduced across the further part of the garden are not considered a significant increase on the mutual overlooking that is already possible.

Highway Safety/Parking

This application sees an increase in bedroom numbers from three to four and the loss of parking provision by the demolition of the existing garage and siting of the extension over part of the existing driveway.

In accordance with the Council's Highway Consultant's comment and the Somerset Parking Strategy optimum standards, sufficient off road parking for three vehicles has been indicated on the plans which includes an integral garage and the formation of an increased area of driveway for parking.

Notwithstanding the concerns of the neighbours relating to parking, the adequate number of spaces have been provided for and as such, there are no grounds for refusal on this basis.

It would appear there is an error within the submission as it states the existing driveway is tarmac whilst it is actually concrete. The applicant has confirmed his willingness to use concrete to match the existing drive and has indicated this on the submission of a new parking plan which also proposes an aco drain to adequately deal with the disposal of surface water to a soakaway.

CONCLUSION

Having regard to the above, it is considered that the proposals would not cause significant harm to the residential amenity of neighbouring occupiers or the visual amenity of the area whilst providing sufficient parking in connection with the development. This is in accordance with Policies TA5, EQ2 and EQ3 of the South Somerset Local Plan (2006-2028) and the National Planning Policy Framework (2012).

RECOMMENDATION

Approve with conditions

01. The proposals, by reason of their scale, siting, design and materials, will cause no significant adverse impact to residential or visual amenity whilst providing sufficient parking in accordance with the aims and objectives of Policies TA5, EQ2 and EQ3 of the South Somerset Local Plan (2006 - 2028) and the policies of the National Planning Policy Framework (2012).

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

02. The development hereby permitted shall be carried out in accordance with the following approved plans:

Amended Block Plan received 24th July 2017

Drawing No. 4:7 received 15th May 2017
Drawing No. 5:7 received 15th May 2017
Drawing No. 6:7 received 15th May 2017
Drawing No. A:A received 12th July 2017

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

03. The new driveway and drainage measures, as indicated on the approved plans, shall be installed and made available for the parking of vehicles prior to the first occupation of the development hereby approved.

Reason: In the interests of highway safety to accord with Policy TA5 of the South Somerset local Plan (2006-2028).

04. The area allocated for parking on the approved plans shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety and in accordance with Policy TA5 of the South Somerset Local Plan (2006-2028).

Informatives:

01. Having regard to the powers of the Highway Authority under the Highways Act 1980 the applicant is advised that the creation of the new access will require a Section 184 Permit. This must be obtained from the Highway Service Manager on 0300 123 2224. Applications for such a permit should be made at least four weeks before access works are intended to commence.