

**OFFICER: Greg Lester (01935) 462039**

**APPL.NO: 07/03315/FUL APPLICATION TYPE: Full Application**

**PARISH: South Petherton WARD: SOUTH PETHERTON**

**DESCRIPTION: Erection of single storey side extension and two storey rear extension (GR 342756/117038)**

**LOCATION: 11 Beaufort Gardens, South Petherton, Somerset TA13 5HS**

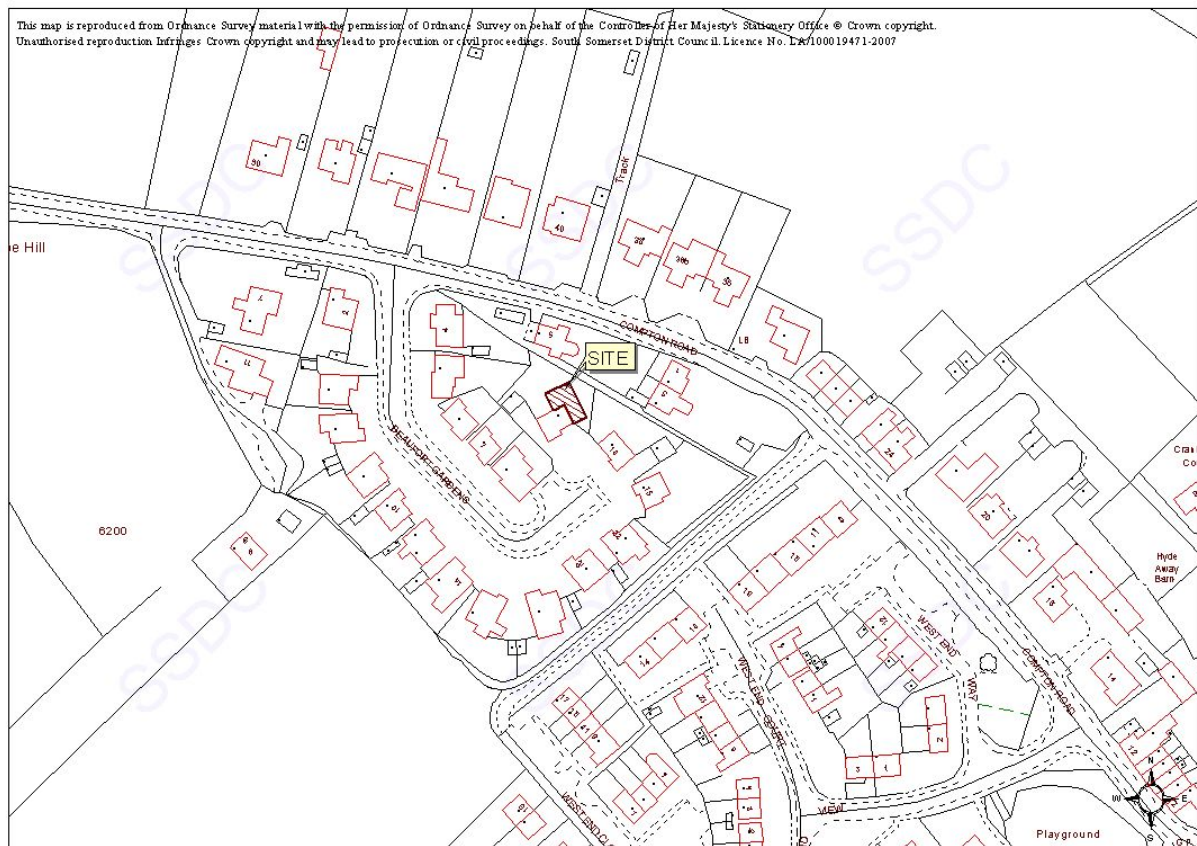
**APPLICANT: Mr and Mrs Parsons**

**AGENT: Dave Roberts, Montpelier Architectural Designs Ltd, 82 Behind Berry, Somerton, Somerset TA11 6SF**

**DATE ACCEPTED: 10 July 2007**

### **Reason For Referral To Committee**

Two requests were received from ward members to bring the application before the Area North Committee due to neighbour and Parish Council objections. The Area Chairman agreed to this request.



### **Site Description and Proposal**

The proposal seeks permission to erect a two-storey extension to the rear of the property along with a single storey extension to the side of the property.

The property occupies a relatively large, predominantly level plot with a slope down on the northeast side of the garden. The property to the northeast is set at a considerably lower level than that subject of the application. A high hedge is present along the north-eastern boundary, to which the neighbouring property is in close proximity.

The street scene in the immediate vicinity is characterised by a mixture of large two-storey detached houses and bungalows.

## **History**

None recent

## **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 decision must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise.

Relevant Development Plan Documents

Regional Spatial Strategy:

VIS1 - Expressing the Vision

VIS2 - Principles for Future Development

EN4 - Quality in the Built Environment

Somerset and Exmoor National Park Joint Structure Plan

STR1 - Sustainable Development

South Somerset Local Plan (Adopted April 2006)

ST6 - Quality of Development

ST5 - Principle of Development

## **Consultations**

SSDC Technical Services - No comment

County Highways - No observations

Town/Parish Council - Recommend refusal for the following reasons:

1. The development is too imposing on the site and neighbours in Compton road
2. There is a problem with the closeness to the retaining wall.

SSDC Senior Environmental Protection Officer - No observations

Environment Agency - No comments received as at 28/08/2007

Area North and West Building Control Team Leader - Comments as detailed in considerations.

## **Representations**

One letter of objection received from a neighbouring occupier raising the following points:

- Extension is too close to boundary
- We will be overlooked
- Concern over land stability, especially bank beside property
- Proposal will devalue property

## **Considerations**

The proposal seeks full planning permission to erect a two-storey extension to the rear of the dwelling, along with a single storey side extension. The site is located within a development area and is not within a conservation area or near any listed building. The subject property itself is not listed.

The two-storey element of the extension measures 4-metres in length, 4-metres in width and 6.4-metres in height (to the ridge). The single storey extension is 10.4-metres in length, running the length of the existing dwelling and the proposed two-storey extension, 4-metres in width and 4.6-metres in height (at its highest point).

During the course of the application a number of objections were received and these objections will now be addressed in turn.

The Parish Council expressed concerns over the imposing nature of the extension on both the site and on neighbouring properties located along Compton Road. It is considered that the site on which the existing dwelling finds itself is of a sufficiently large size to comfortably support the proposed extensions without appearing cramped. It is therefore considered that the proposal would sit comfortably within its surroundings thereby satisfying Policy ST6 of the South Somerset Local Plan.

Whilst the proposal has been moved closer to the neighbouring property on Compton Road, the nearest element of the extension to this property is that of the single storey proposal. Following a visit by the Case Officer to the neighbouring property, it is not considered that the single storey element would cause demonstrable harm to the residential amenity of the neighbouring occupiers by way of overlooking, or through the creation of an overbearing structure.

With regard to the two-storey element, it is considered that whilst the proposal moves a window, serving a bedroom as previously, 4-metres nearer to the neighbouring property, it is not considered that there would be a significant additional impact through overlooking over that which currently exists. Therefore it is not considered that the proposal would cause demonstrable harm to the neighbouring occupiers residential amenity by way of significant overlooking. It is further considered that any additional overshadowing to existing properties rear gardens in Beaufort Gardens to the south-east of the proposal would not be so significant so as to cause demonstrable harm to the neighbouring occupier and warrant refusal of the application.

It is also considered that due to the position of the neighbouring property and the current boundary treatment and orientation of the property subject of the application adequate screening is present to reduce inter-visibility between the two sites. It must also be noted that should the hedge be removed, a further wall fence, or other means of enclosure may be erected up to a height of 2-metres without the need for planning permission. It is therefore considered that the proposal would not cause demonstrable harm to the neighbouring properties residential amenity either through loss of light, or through the creation of an overbearing impact.

With regard to the concerns raised over land stability, this issue will be controlled under separate legislation concerning Building Regulations through an application for Building Regulation Approval. Furthermore, a memorandum has been received from the area North and West Building Control Team Leader in which the following was said:

'I visited the above site at the request of Planning Officer, Greg Lester, to look at issues relating to land slippage and instability as a result of future building work carried out by the present owners.

The site is located on the western edge of the village and is accessed by a part made track running to the rear of Beaufort Gardens, this gives access to three properties namely numbers 7, 11 & 9, to the East of the proposed is number 4 Beaufort Gardens and the ground slopes from west to east across this site.

From a limited inspection and without the benefit of detailed plans and specifications to determine the actual setting out, differences exist in the ground levels between properties on this development and there is nothing that is considered to be a major concern or that appears likely to cause difficulties with building work. If it was found during the construction stage that new foundations would be within a 45° interaction zone of either a retaining wall or sloping bank and likely to cause instability then the depth of dig would be increased from the standard 1.000m to whatever would be needed in order to reduce loadings.

The subsoil in this part of the district is predominantly Pennard sands, otherwise known as Yeovil sands and consists of a clean tight sand matrix capable of taking loadings of up to 100Kn; it is worth noting a normal two storey extension exerts in the region of 60Kn per metre run of foundation'.

It is therefore considered, that on the basis of the information provided, that land slippage is unlikely to be problematic in this case and should it prove to become apparent during preparatory works remedial steps may be taken under Building Control legislation.

Also, the issue of property devaluation is not considered to be a material planning consideration, and as such will not be considered further.

It is therefore considered that, for the reasons given above, that the proposal is acceptable and should be recommended for approval.

## **RECOMMENDATION**

Grant permission for the following reason:

### **JUSTIFICATION**

01. The proposal, by reason of its size, scale and materials, respects the character of the area and causes no demonstrable harm to residential amenity in accordance with the aims and objectives of Policy ST6 of the South Somerset Local Plan (Adopted April 2006) and Policy STR1 of the Somerset and Exmoor National Park Joint Structure Plan.

#### **Application Permitted with Conditions**

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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, including dormer windows, or other openings (including doors) shall be formed above ground floor level in the southwest elevation of the building, or other external alteration made without the prior express grant of planning permission.

Reason: In the interests of residential amenity and to comply with Policy ST6 of the South Somerset Local Plan (Adopted April 2006).