

Officer Report On Planning Application: 17/00218/FUL

Proposal:	The erection of a tool shed and a summerhouse in the rear garden (Retrospective).
Site Address:	55 High Street Wincanton Somerset
Parish:	Wincanton
WINCANTON Ward (SSDC Member)	Cllr Nick Colbert Cllr Colin Winder
Recommending Case Officer:	Sam Fox Tel: 01935 462039 Email: sam.fox@southsomerset.gov.uk
Target date:	21st April 2017
Applicant:	Mr J Conlan
Agent: (no agent if blank)	
Application Type:	Other Householder - not a Change of Use

REASON FOR REFERRAL TO COMMITTEE

This application is referred to the committee at the request of the Ward Member with the agreement of the Area Chairman as the comments of the neighbours are contrary to the officer's recommendation.

SITE DESCRIPTION AND PROPOSAL





The site is located on the High Street within the conservation area.

The property is a terraced, three-storey Grade II listed building comprising a commercial premises on the ground floor, currently a laundrette, and two residential units above. The surrounding properties are a mix of commercial and residential premises.

This application seeks retrospective permission for the erection of a tool shed and a summerhouse in the rear garden.

HISTORY

None relevant

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF indicate 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 is the South Somerset Local Plan (2006-2028).

On this basis the following policies are considered relevant:-

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

SD1 - Sustainable Development

SS1 - Settlement Strategy

Policy EQ2 - General Development
Policy EQ3 - Historic Environment

National Planning Policy Framework
7 - Requiring good design
12 - Enhancing the historic environment

CONSULTATIONS

Parish/Town Council - No objection

County Highway Authority - No observations

Conservation Officer - No objection

REPRESENTATIONS

Two letters of representation have been received raising the following issues:

- Summerhouse 6" from my fence and now houses very noisy woodwork machinery.
- Machines used until 9 at night.
- Total of 4 buildings and 2 tin roof extensions, this is a large part of the garden covered in a conservation area.
- Very upset to see tree cut down, gave my garden shelter and privacy from noise and pedestrians.
- Unable to enjoy garden due to constant noise from power tools late into evening.

CONSIDERATIONS

Visual amenity

The proposed buildings are of timber construction and small in scale. They are considered to be of an appropriate size, scale, design and. The conservation officer has raised no objection to the proposal as the site is well contained. On this basis it is not considered that it would harm the character of the property or have a detrimental impact on the visual amenity of the area.

Residential amenity

It is not considered that the window layout and general bulk of the proposed buildings are such that they would give rise to undue overlooking / loss of privacy or an overbearing relationship with neighbouring properties. Therefore the proposal would not harm local residential amenity.

Neighbour comments

The comments of the neighbours have been noted. The main objection would appear to be not planning related but an environmental health issue in terms of noise. Regarding the loss of the tree, whilst the applicant has significantly cut back a fruit tree in his garden the loss of the tree in terms of its impact on the neighbour 3 doors away is not considered to be of any significant harm.

Conclusion

The proposal is considered to be acceptable in terms of visual and residential amenity. Accordingly the proposal is considered to comply with policies EQ2 and EQ3.

RECOMMENDATION

Permission be granted subject to the following conditions:-

01. The retention of these structures, by reason of their size, scale and materials, would have no undue impact on the character of the conservation area or the setting of the listed building, or give rise to demonstrable harm to residential amenity. As such the proposal complies with the aims and objectives of policies EQ2 and EQ3 of the South Somerset Local Plan (2006-2028).

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 30 July 2016.

Reason: To accord with the provisions of section 73A of the Town and Country Planning Act 1990.
