

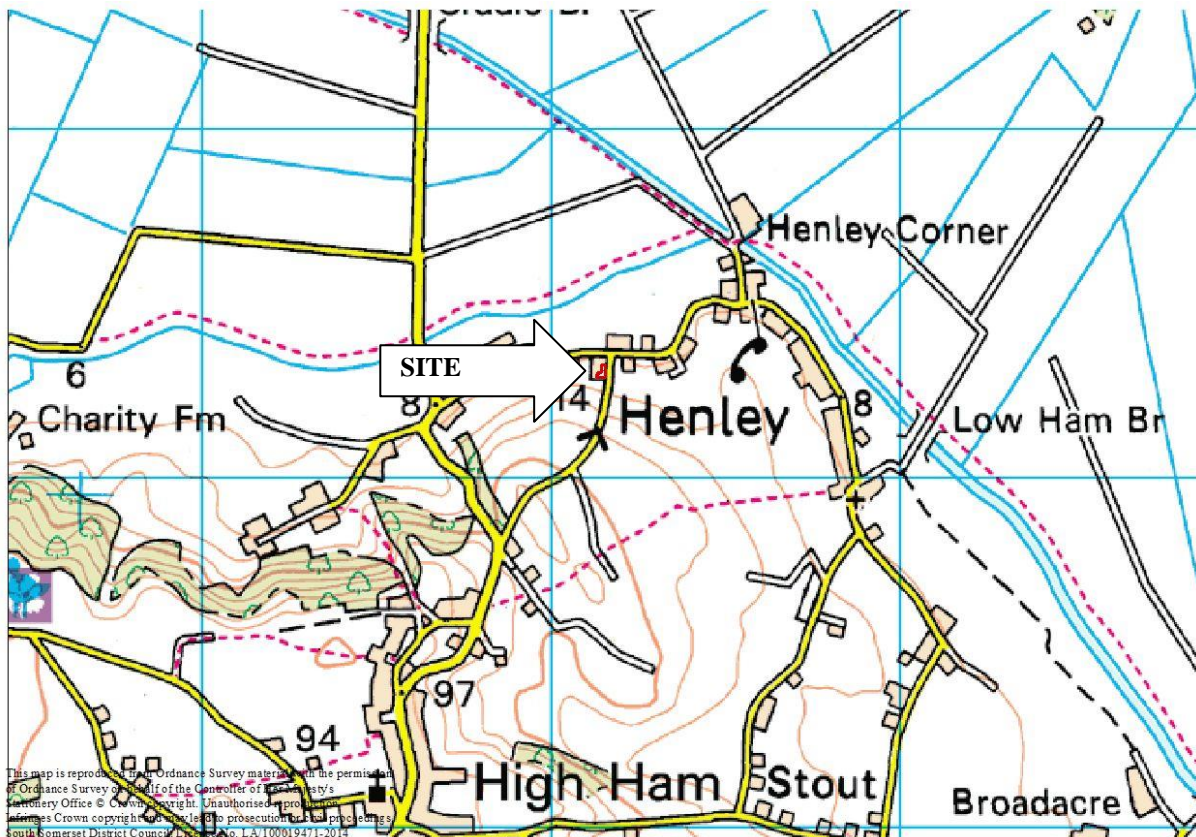
Officer Report On Planning Application: 14/01163/FUL

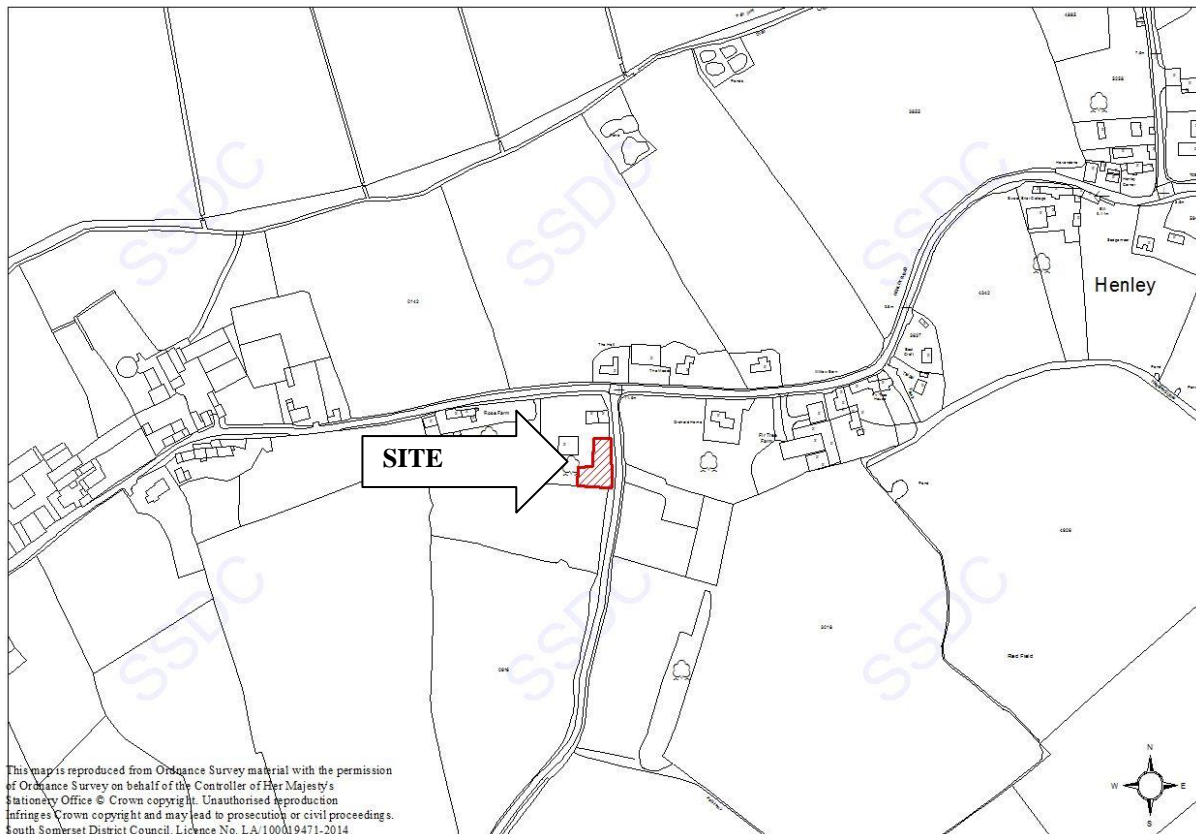
Proposal:	Retention of detached garage and engineering works to facilitate new access (retrospective) (GR: 343153/132316)
Site Address:	Bridge Horn Barn, Henley, Langport.
Parish:	High Ham
TURN HILL Ward (SSDC Member)	Cllr Shane Pledger
Recommending Case Officer:	Anuska Gilbert Tel: 01935 462159 Email: anuska.gilbert@southsomerset.gov.uk
Target date :	6th May 2014
Applicant :	Mr S Cowling
Agent: (no agent if blank)	Paul Dance, Foxgloves, 11 North Street, Stoke Sub Hamdon, Somerset TA14 6QR
Application Type :	Other Householder - not a Change of Use

REASON FOR REFERRAL TO COMMITTEE

This application is referred to committee at request of the Ward Member with the agreement of the Area Vice Chair to allow Members to fully debate the impact of the proposed development.

SITE DESCRIPTION AND PROPOSAL





The application property is a two storey detached house constructed from natural stone and timber cladding, with timber window frames and a clay tiled roof. The house is a converted barn and was originally approved as a workplace home including living accommodation (C3) and a workshop area (B2). The house is located close to a commercial yard and open countryside. The site is located on an unclassified road, outside the development area as defined by the South Somerset Local Plan. Neighbouring properties are located to the north, east and west of the application site.

The proposal follows the grant of planning permission in 2013 for the erection of a detached garage (13/00004/FUL). The current application is retrospective and seeks to regularise changes to the design of the garage as built, which differ from that approved under 13/00004/FUL. The garage is finished in natural stone, timber and clay tiles, as per the original application.

The changes to the garage from that approved under 13/00004/FUL are as follows:

- East (front) elevation: x1 window instead of x1 door
- West (rear) elevation: x2 roof lights and x 3 windows instead of x2 doors
- South elevation: No changes
- North elevation: Addition of x1 high level window and change of door design
- Scale: The proposed garage is 0.6 metres shallower in depth than that previously approved with a ridge height 0.6 metres lower than that previously approved. The eaves height is 0.1 metres higher than that previously approved.

During the course of the application, an amended plan was submitted (received 02 June 2014) to include the creation of a vehicular access, driveway and associated groundworks. In addition, the agent confirmed by email (received 17 March 2014) that the application is retrospective.

RELEVANT HISTORY

13/00004/FUL - Erection of a detached garage and a domestic storeroom/porch extension - Application permitted with conditions 05/02/2013

Other history relates to the original barn conversion and the applicant's business.

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.

For the purposes of determining current applications the local planning authority considers that the relevant development plan comprises the saved policies of the South Somerset Local Plan and the National Planning policy Framework.

The policies of most relevance to the proposal are:

Saved policies of the South Somerset Local Plan (April 2006)
Policy ST5 - General Principles of Development
Policy ST6 - The Quality of Development

National Planning Policy Framework - March 2012
Chapter 7 - Requiring good design

South Somerset Sustainable Community Strategy
Goal 8 - Quality Development

CONSULTATIONS

High Ham Parish Council - Recommend refusal on the basis of the history of the site, the applicant, enforcement issues and that the application is retrospective.

SCC Highways - Standing advice applies. Internal vehicle parking space dimensions: 3 metres x 3 metres. External vehicle parking space dimensions: 2.4 metres x 4.8 metres. 2.5 parking spaces required for a two bedroom property in this location; 3 for a 3 bedroom property and 3.5 spaces for a property with 4+ bedrooms.

Engineer - No objections raised with regard to local concerns. Advises that he is not aware of any flooding problems at this location and the EA's flood risk mapping only indicates some relatively minor surface water flooding to the highway. The roadside ditch should remain fully functional. In legal terms its maintenance is the responsibility of the owner of the adjacent land. If anyone wants to pipe/culvert the ditch they should obtain the consent (under Section 23 of the Land Drainage Act) of Somerset County Council.

REPRESENTATIONS

5 neighbours consulted and site notice (general interest) erected - 3 letters received; one of representation and two of objection.

- The application form is incorrect; the application should be retrospective.
- Objections to the retrospective nature of the application.
- The garage was not built as per the original approved plans and enforcement action was not taken.
- A new entrance has been formed which crosses a roadside ditch. A lot of water comes down this hill. Is the highways authority aware? The garage as built has 5 extra windows, one garage door instead of two in the east wall and an extra pedestrian doorway.

CONSIDERATIONS

Visual impact

The amended garage design is considered to be of a design and detailing that would have an appropriate relationship with the main dwelling in terms of scale and design. The materials are stated as being to match the existing property. The engineering works are contained within the garden area and the new gates which form part of the new access are constructed of matching timber and are no higher than the existing fenced boundary. On this basis it is not considered that the proposal 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 amendments proposed by this application with regards the window layout and general bulk of the garage are such that they would give rise to undue overlooking or an overbearing relationship with neighbouring properties. Therefore the proposal is not considered harm residential amenity.

Highway Safety

The highway authority has referred to standing advice as their response on the application. Whilst, as on the previous application, the internal dimensions of the garage are slightly below those required by the Somerset Parking Strategy, it is considered that there is sufficient additional on-site space for the parking of vehicles. As such and with the formation of an access onto an unclassified road constituting permitted development, the scheme is considered acceptable in terms of highway safety. It is considered reasonable to re-impose the condition included on planning permission 13/00004/FUL to require that the garage shall only be used for purposes ancillary to the residential use of the main dwelling and for no other purpose whatsoever.

Other matters

Neighbours and the parish council have noted their objection to the retrospective nature of the application, the history of the site including enforcement issues and the applicant. These issues are not considered to constrain the grant of planning permission for the garage. The agent has confirmed (email received 17 March 2014) that the application is retrospective. Applications for planning permission can be made retrospectively and this application simply seeks to regularise inconsistencies between the previous application and that garage as built.

With regards the access, driveway and associated groundworks, an amended plan has been provided (received 02 June 2014). The formation of an access onto an unclassified road is permitted development; however, this has been included for the sake of completeness. Finally, clarification has been sought from the Highways Authority with regards to the roadside ditch. However, as the new access constitutes permitted development they have no further comments to make in this regard. Nevertheless, the Council's engineer has also looked at this issue and an informative is suggested to remind the applicant of his

responsibilities in this regard.

Conclusion

Accordingly the proposal is considered to comply with policies ST5 and ST6 of the South Somerset Local Plan and the provisions of the NPPF and is as such recommended for approval.

RECOMMENDATION

Grant permission

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 Policies ST6 and ST5 of the South Somerset Local Plan (Adopted April 2006) and the provisions of the National Planning Policy Framework.

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be carried out in accordance with the following approved plans:
Drawing number 14/1400/01 received 11 March 2014 (with the omission of the 'site plan' shown on this drawing).
Amended drawing number 14/1400/02 received 02 June 2014.

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

02. The garage hereby approved shall only be used for purposes ancillary to the residential use of the main dwelling and for no other purpose whatsoever.

Reason: To determine the scope of the permission.

Informatives:

01. The applicant is reminded that the 'site plan' shown on approved drawing number 14/1400/01 received 11 March 2014 does not form part of the plans approved under this permission. This drawing was superseded by amended drawing number 14/1400/02 received 02 June 2014.

02. It should be ensured that the roadside ditch remains fully functional. Its maintenance is the responsibility of the owner of the adjacent land. Consent to pipe/culvert the ditch should be obtained (under Section 23 of the Land Drainage Act) from Somerset County Council.
