

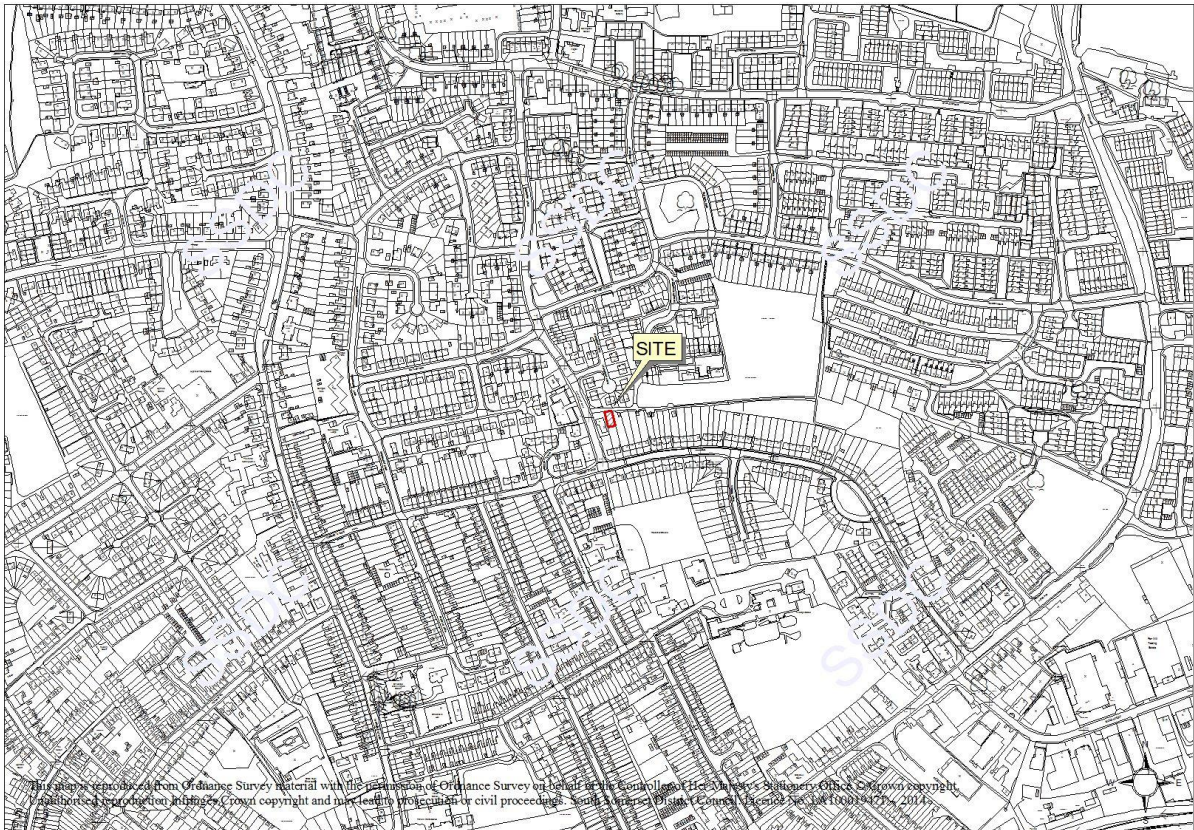
Officer Report On Planning Application: 14/03437/FUL

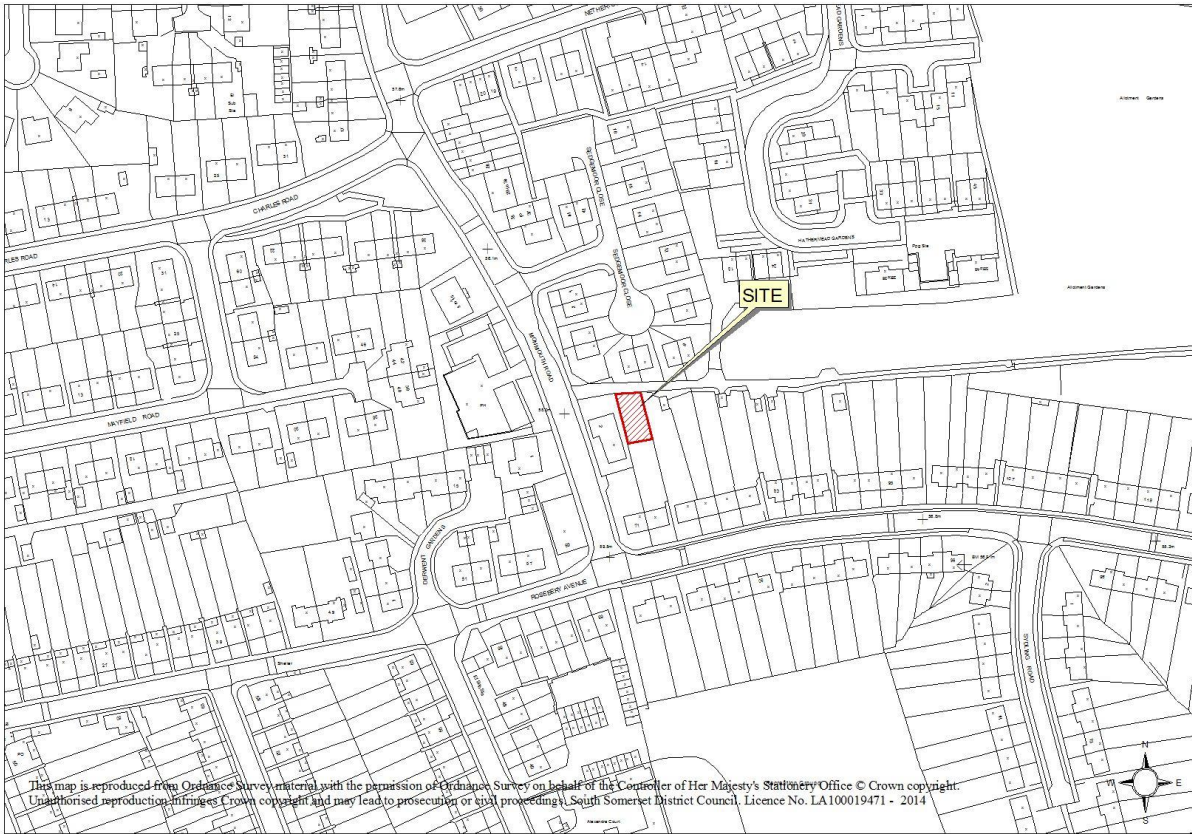
Proposal :	Proposed dwelling house and garage (GR 356757 / 116935)
Site Address:	Land Adj 2 Monmouth Road Yeovil Somerset
Parish:	Yeovil
Yeovil (East) Ward (SSDC Member)	Cllr D Recardo Cllr T Fife Cllr T Lock
Recommending Case Officer:	Mrs Jennie Roberts Tel: (01935) 462441 Email: jennie.roberts@southsomerset.gov.uk
Target date :	8th October 2014
Applicant :	Mr F Harris
Agent: (no agent if blank)	
Application Type :	Minor Dwellings 1-9 site less than 1ha

Reason for Referral to Committee

This application is referred to the committee at the request of the Ward Member(s) with the agreement of the Area Chairman to enable the comments of neighbours and Yeovil Town Council to be fully debated.

Site Description and Proposal





The site is located adjacent to 2 Monmouth Road, within the development area of Yeovil. The plot of land at one time formed part of the rear garden of 73 Rosebery Avenue. The application proposes the erection of a 2-bedroom detached chalet bungalow, and detached garage, to be constructed of brick under a tiled roof. On the ground floor, there will be 2no. reception rooms, a study, kitchen, utility room and WC. On the first floor will be 2no. bedrooms and a bathroom. The ground level is to be reduced so that the proposed dwelling has the same ridge height as the existing bungalow at 2 Monmouth Avenue. A set of steps will lead up to an enclosed private garden area to the side of the dwelling.

2 Monmouth Road currently has 2no. accesses off Monmouth Road. Access to the proposed dwelling will be via the northernmost access, whilst 2 Monmouth Road will only use the other access. Parking spaces for 3no. and 2no. cars will be available for each dwelling respectively.

HISTORY

None available

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.

Following the recent revocation of the Regional Spatial Strategy and the Somerset and Exmoor National Park Joint Structure Plan Review regard needs to be had to the development plan policies of the saved policies of the South Somerset Local Plan (2006).

South Somerset Local Plan (adopted 2006)

ST5 (General Principles of Development)
ST6 (Quality of Development)

Regard must also be had to:
National Planning Policy Framework - March 2012
Chapter 6 - Delivering a wide choice of high quality homes
Chapter 7 - Requiring good design

Somerset County Council Parking Strategy (March 2012) and Standing Advice (June 2013)

CONSULTATIONS

TOWN COUNCIL - Objects: considers the proposal to be overdevelopment
COUNTY HIGHWAY AUTHORITY - Standing advice applies

REPRESENTATIONS

Neighbours from 73 and 75 Rosebery Avenue have objected to the proposal on the following grounds:

- No. 75 say the proposed development will be too close to their boundary fence and will overlook them directly into their rear garden. They consider the area between their fence and the existing bungalow (no. 2 Monmouth Road) to be too small and that the access is unsuitable for a second dwelling.

- No. 73 say the proposal will directly overlook them. They consider the proposal to be out of character with surrounding development, overdevelopment and harmful to highway safety. They are also concerned that approval of the proposal would set a precedent for what they call 'garden grabbing' in Rosebery Avenue.

ENVIRONMENTAL IMPACT ASSESSMENT

None required

CONSIDERATIONS

Principle

The site is located within a development area, as defined by the South Somerset Local Plan (adopted 2006), and as such the principle of development is acceptable. The National Planning Policy Framework 2012 (NPPF) states that there is a presumption in favour of sustainable development.

Residential amenity

As previously stated, there have been objections from the occupiers of two neighbouring properties, both of which are concerned that the proposal would result in an unacceptable level of overlooking of their properties. A condition is recommended to secure details of boundary treatments and the fenestration arrangements are detailed below.

West elevation

This elevation faces towards the existing bungalow. 1no. rooflight will serve a first floor bedroom, whilst on the ground floor 2no. windows will serve the reception rooms. The properties are between 4 and 5m away from each other (the ground level on the application side will be lowered to ensure that the ridge lines are the same height as each other), and there will be a boundary fence between them. Whilst it is acknowledged that the properties are relatively close to each other, it is considered that given the difference in levels and the boundary fencing, there will be no unacceptable overlooking between the two properties. The proposed first floor rooflights would face the existing bungalow's roof. With the above in mind, it is considered that there would be an acceptable relationship between the existing

bungalow and proposed dwelling.

North elevation

This elevation faces towards the track that runs alongside the plot. A first floor window will serve bedroom 2 and 2no. ground floor windows will serve the kitchen and a reception room. This elevation is c.7m away from the site boundary, with the proposed detached garage in between. Behind the boundary line is a walkway/track, and beyond that are residential properties (- directly opposite the site is no. 5 Sedgemoor Close, a 2-storey semi-detached property, which is enclosed by a c1.8m high fence). The proposed first floor window is c.10m from the boundary fence of 5 Sedgemoor Close, and would not directly overlook the dwelling. As such, it is considered that the proposed dwelling would have an acceptable relationship with 5 Sedgemoor Close.

East elevation

The elevation faces towards the end of the rear garden of no. 75 Rosebery Avenue. 2no. rooflights will serve bedroom 1 and a bathroom, whilst 3no. ground floor windows will serve a utility, a WC and a study. The proposed dwelling will be c. 1.4m from the boundary with its neighbour. Boundary fencing is set to remain (as per drawing FH/1 sht 4) and can be secured by condition. With this in mind, it is considered that the ground floor windows of the proposed dwelling would not cause an unacceptable level of overlooking of the end of the rear garden of no. 75 Rosebery Avenue. The bottom of the 2no. proposed rooflights are c.1.7m above the internal first floor level, and as such it is considered that they also would not result in unacceptable overlooking of no. 75's garden.

South elevation

This elevation faces towards no. 73 Rosebery Avenue. A first floor window will serve bedroom 1, whilst on the ground floor a window will serve a study and a pair of patio doors will serve a reception room. The southern elevation is c. 15.4m from the boundary with no.73 Rosebery Avenue, and c.25m from the rear elevation of the property. It is therefore considered that the proposed first floor window would not cause an unacceptable level of overlooking of no.73. No.73 does have a 3rd floor/attic gable end window which faces towards the site, which may cause some overlooking of the proposed dwelling's side garden, although given the distances between the dwellings, it is considered that this would not be too great an issue.

Visual amenity

Two sets of neighbours and the Town Council are concerned that the proposal constitutes over development of the site. However, the proposed dwelling would benefit from a reasonable sized private garden to the side, and has a larger plot than many of the surrounding properties. One of the neighbours is also concerned that the property would be out of character with surrounding development. The proposed dwelling is to be dug into the ground, in order for its ridgeline to be no higher than the adjacent bungalow, and is to be constructed of brick under a tiled roof, as is the adjacent existing bungalow. There is a mix of dwelling designs in the surrounding area, with new and old housing alike, and various types of dwelling (eg flats, bungalows, semi-detached and terraced properties), and whilst the design of the proposed dwelling is not considered to be outstanding, it is also felt that it would not be harmful to the visual amenity of the surrounding area.

Highways/parking

The adjacent bungalow, no. 2 Monmouth Road, currently has 2no. vehicular accesses with parking: 1no. adjacent to the track that runs alongside the northern boundary and 1no. to the south of the property. This application proposes that the existing bungalow will use only the southern access/parking, whilst the northern access will be used solely by the occupants of the proposed property. The Highway Authority has stated that 'Standing Advice applies',

which requires that parking for 2no. cars is provided, along with a turning area to allow vehicles to enter and access the site in a forward gear. Whilst there is parking provision for at least 3no. cars, there is no available turning. However, given that the road has a 30mph limit and speed bumps, together with the fact that no net increase in vehicle movements to and from the access is expected (it is currently used by just one residential property and would continue to be used by one (albeit different) property), it would seem unreasonable to refuse the application because it has no turning.

Conclusion

Having regard to the above, it is considered that the proposed dwelling will have an acceptable relationship with neighbouring properties and an acceptable impact on the visual amenity of the surrounding area and highway safety.

RECOMMENDATION

Approve

01. Having regard to its location, scale, design, materials, fenestration, access and parking, the scheme has an acceptable impact on the visual amenity of the surrounding area, the residential amenity of neighbouring properties and on highway safety. As such, it accords with saved policies ST5 and ST6 of the South Somerset Local Plan (adopted 2006) and 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 (except where directed otherwise by the conditions below):

FH/1 sht 1 rev B, date-stamped 20/08/2014;
FH/1 sht 2 Rev B, date-stamped 13/08/2014;
FH/1/1 sht 3 Rev B, date-stamped 20/08/2014;
FH/1 sht 4, date-stamped 06/08/2014.

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

03. The development hereby permitted shall not be commenced until particulars of the materials (including the provision of samples where appropriate) to be used for external walls and roofs have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity, in accordance with saved policy ST6 of the South Somerset Local Plan (adopted 2006).

04. No work shall commence on site unless details of all boundary treatments, including type, height and materials, have first been submitted to and approved in writing by the Local Planning Authority. Before first occupation of the dwelling, the approved details shall be implemented and retained as such thereafter.

Reason: In the interests of visual and residential amenity, in accordance with saved policies ST5 and ST6 of the South Somerset Local Plan (adopted 2006).

05. The area allocated for parking on the submitted plan (FH/1 sht 1 Rev B) shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby approved.

Reason: In the interests of highway safety, in accordance with saved policy ST5 of the South Somerset local Plan (adopted 2006).

06. Prior to the development hereby approved being first brought into use, rooflights V1, V2 and V3 on the first floor, and windows W8 and W9 on the ground floor(as denoted on approved plan FH/1 sht 2 Rev B) shall be fitted with obscure glass and shall be permanently retained and maintained in this fashion thereafter.

Reason: In the interests of residential amenity, in accordance with saved policy ST6 of the South Somerset Local Plan (adopted 2006)

07. 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 windows/dormer windows other than those expressly authorised by this permission shall be constructed.

Reason: In the interests of residential amenity, in accordance with saved policy ST6 of the South Somerset Local Plan (adopted 2006).

08. 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), there shall be no extensions to this building without the prior express grant of planning permission.

Reason: In the interests of visual and residential amenity, in accordance with saved policies ST5 and ST6 of the South Somerset Local Plan (adopted 2006).