

Officer Report on Planning Application: 14/04466/FUL

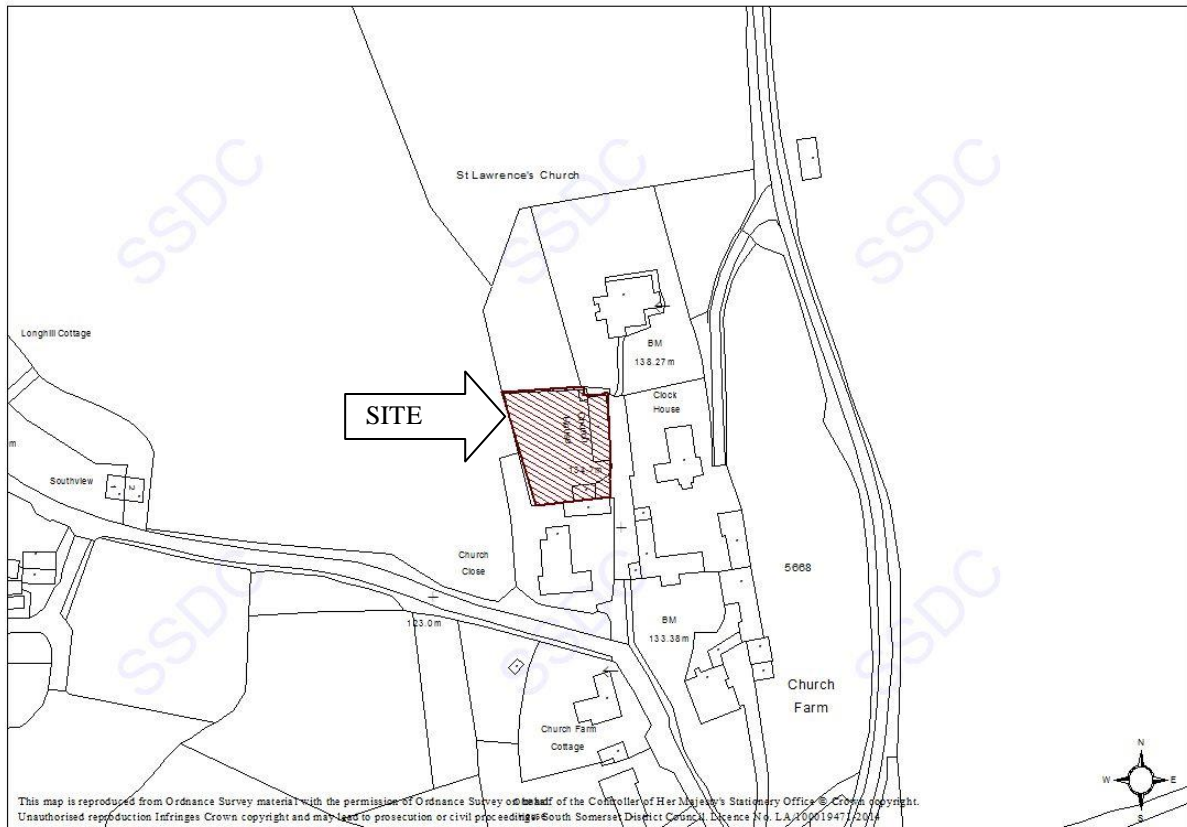
Proposal :	Demolition of existing garage. Construction of new detached garage, home office and garden store (GR 375514/127736).
Site Address:	Church House Cucklington Wincanton
Parish:	Cucklington
TOWER Ward (SSDC Member)	Cllr Mike Beech
Recommending Case Officer:	Lee Walton Tel: (01935) 462324 Email: lee.walton@southsomerset.gov.uk
Target date :	10th December 2014
Applicant :	Mrs Kerry Bowen
Agent:	Mr John Heaton Mill Farm, Hembridge, East Pennard Shepton Mallet, BA4 6TZ
Application Type :	Other Householder - not a Change of Use

REASON FOR REFERRAL

This application is referred to committee by the Chairman at the Ward Member's request in response to neighbour comments that have been received to permit Members an opportunity to consider the issues arising.

SITE DESCRIPTION AND PROPOSAL





The site is located outside of the development area in the village of Cucklington, near the Grade II* Listed Church.

The property is a Grade II listed detached, two-storey dwelling constructed of natural stone that had been lime washed under a natural slate roof.

This application seeks permission for the demolition of the existing garage and construction of a new detached garage, home office and garden store. External materials include render and timber weather board finishes under a natural slate roof.

During the course of the application re-consultation took place following receipt of a street scene drawing, and an amended plan setting the building back to address parking concerns.

NB. Involving demolition of a building erected after 1948, there is no required for a separate application for Listed Building Consent.

HISTORY

11/00126/FUL and 11/00127/LBC - Internal and external alterations and the erection of an extension to dwelling house - Approved.

42455 - Conversion of church cottages to form one dwelling - Permitted development - 18/4/58

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. The policies of most relevance to the proposal are:

Save policies of the South Somerset Local Plan (Adopted April 2006):

Policy ST3 - Development Areas

Policy ST5 - General Principles of Development

Policy ST6 - The Quality of Development

Policy EH3 - Change of Use and Alterations to Listed Buildings

Policy EH5 - Setting of Listed Buildings

Policy EC3 - Landscape Character

Regard shall also be had to:

National Planning Policy Framework (March 2012):

Chapter 7 - Requiring Good Design

Chapter 12 - Historic Built Environment

South Somerset Sustainable Community Strategy

CONSULTATIONS

Cucklington Parish Council - Many people have approached to say they are pleased that an ugly concrete garage is being demolished and replaced. A number of people have written to you and their comments are on the website. The PCC has responded to say that it has no opinion as the site cannot be seen from the Church.

Objections have been raised on the grounds of increase in size, the structural influence on adjacent buildings and reference to listed building and conservation area status which the Planners are best placed to comment on.

County Highway Authority - standing advice applies, to consider parking and turning requirements.

County Archaeologist - No objection subject to condition securing implementation of a programme of archaeological work.

SSDC Conservation Officer - No objection. This proposal was discussed in detail at the pre-application stage where the impact of the proposal on the setting of the listed building was carefully considered. The building has a straightforward and relatively modest form, particularly when viewed from the lane to the Church. It is also set well back from the principle elevation of the house so is visually contained between the house and the neighbour's barn.

The garden on the opposite side drops away steeply from the rear of the house. The garage will be fairly visible from this perspective, but will sit fairly neatly along the side boundary and is much lower than the principle dwelling. The long and somewhat dramatic west facing elevation of the rear of the house will remain the principle feature.

County Rights Of Way - General comments made.

REPRESENTATIONS

Neighbour notifications were sent out on two occasions following the original consultation. The

first concerned receipt of a street scene drawing, the second showed the setting back of the garage.

In response to the original, and 1st re-consultation, there were 8 neighbour letters received of which 3 supported the proposal and 5 objected.

The 3 letters of support include:

- Structure will not distract from Church House or setting of listed church
- The style, dimensions and building materials will be in harmony with adjacent buildings
- The present garage is an eyesore
- This new structure would be an improvement
- Sympathetic

The 5 letters of objection concern:

- Impossible to judge relative height of the proposed roof (Officer Note: revised drawing subsequently submitted to show street scene relationship)
- Disturbance and damage to adjacent outbuilding during the construction phase
- 'Duty' to consider the heritage assets, and their significance, and the degree of harm and whether adverse impact to the setting of heritage assets arising from the adjacent development.
- Replacement structure is significantly larger whose large increase in mass and height will detract the eye, competing with the adjacent listed building
- Much larger in every dimension
- Over-development - at the moment the proposal looks almost as big as the cottage.
- Prominence
- Over bearing relationship - the proposed building will be considerably higher than the neighbouring barn
- Detracts from the view of the church
- Loss of privacy

2nd Amendment (setting building back from lane)

There were six neighbour notification letters received. 2 are letters of support, and 4 letters of objection.

The 3 letters of support include:

- I strongly believe that this application will only enhance the approach to the church.
- Sympathetic design and much more in keeping than the current garage

The 4 letters of objections include:

- Unsightly and not necessarily in keeping with the listed building
- Too large in size and will impose on surroundings
- Why is a substantial office and store elements required?
- Significant increase in the eaves height
- Built in part in block render which is not in keeping
- Foundations will need to be substantial

CONSIDERATIONS

Principle of Development:

As a householder application there is support in principle. Accordingly the main considerations include character and appearance, impact on heritage assets, highway safety and neighbour amenity.

Character and Appearance

A garage alongside the house; its scale and height when seen from the roadside, in combination with its setting back from the main dwelling's frontage, is considered acceptable. The adjacent outbuilding is at a lower level, which is typical in a locality that lays on sloping ground, and where different properties sit at different levels.

The garage's rear aspect has a more prominent presence that is enhanced by its two storey nature that makes full use of the change in levels. While this makes the structure that much more prominent, where it might be seen at close quarter, although it is difficult to view the two storey element as a reason to refuse, its effect would be much less so the further away it is seen. With panoramic views out from the site across the adjacent countryside to the west, the visual impact off site of the two storey element is considered would not have a detrimental effect on character and appearance, although the main interest must be possible impact on the heritage assets, namely, the listed grade II host building and the grade II* listed Church.

Impact on Heritage Assets

There is a 'duty' to consider the impact on heritage assets. The conservation officer having considered the issues and been involved in pre-application advice to the applicant has raised no objection to the proposal. Their consultation response is given in full above.

From the front the building is set back, its scale, and in particular the height of the eaves is seen to be subservient to those of the lean to part of the main dwelling. The height, and the setting back of the garage, from the front of the main dwelling, are considered, generally, supportive in accommodating the proposed building. The proposal is considered would not have a detrimental effect on the setting of either listed building or listed church. The use of materials and in particular render in this location needs careful consideration where the natural material is local natural stone. However, this is a new build, replacing a rather poor modern specimen that is best removed, while the adjacent dwelling although stone, this is white washed - so that there is scope to consider a part rendered, part timbered finish as part of a outhouse in this location.

Turning to the back of the proposed building, the presence of a two storey element is clearly controversial and emphasises local concern about scale, as does the garage's overall length. The conservation officer favourably considers the design, scale and the relationship to the listed building. The roof pitch demonstrates a great swath of slate. There would be no openings within the pitches, considered a traditional sight in many villages. A condition seeks to control unsympathetic alterations by removing permitted development rights.

Highway Safety:

An amended drawing was received setting back the front of the garage to give additional space in which to park vehicles. The parking provision is considered, generally, accords with the Highways standing advice.

Neighbour Amenity:

The immediate neighbour most affected are the occupants of Church Close. Apart from the adjoining vernacular outbuilding, there is a domestic garage with a window inserted in its side. The other neighbour is across the lane with views down onto the application site with possible openings facing one another, but the distance and physical presence of built form is considered generally supportive without detrimental impact. It is considered that there would be no neighbour amenity harm arising from the proposal that would unacceptably harm the residential amenity of occupiers of adjacent properties by disturbing, interfering with or overlooking such properties.

Neighbour concerns:

The neighbour concerns are mainly dealt with within the above subheadings. Matters not covered include the concern about the impact of the construction phase on the adjacent property. Reference is made also to past development requiring substantial foundations to prevent movement down the hill. The construction phase must be a matter for the developer to be aware of impact from their development on adjacent property, while building regulation approval needs to be adhered to. A condition is proposed to secure the boundary and by implication measures required to limit impact for the adjacent traditional outbuilding.

RECOMMENDATION

Approve

01. The proposal by reason of its size, scale, location and use of materials cause no demonstrable harm to character, to setting of listed buildings, to highway safety or residential amenity. As such the proposals comply with Policies EH5, ST5 and ST6 of the South Somerset Local Plan 2006, and the NPPF.

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: Location Plan, received 3 October 2014; 6, received 6 November 2014; 1, 2 and 3 received 18 November 2014.

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

03. No work shall be carried out on site unless 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. Such particulars will include the detailed finish (rough sawn, hand tooled, etc.) Slate hooks shall not be used.

Reason: In the interests of character and setting of the listed building further to policy EH5 of the South Somerset Local Plan, and the NPPF.

04. No work shall be carried out on site unless details of the external render to be used have been provided to and approved in writing by the Local Planning Authority. Details shall include the finish, materials and colour of the render, and shall be supported by a sample panel, which shall remain available on site for the duration of the works.

Reason: In the interests of character and setting of the listed building further to policy EH5 of the South Somerset Local Plan, and the NPPF.

05. No work shall be carried out on site unless details of the design, materials and external finish for all new doors, windows, boarding and openings have been submitted to and approved in writing by the Local Planning Authority. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In the interests of character and setting of the listed building further to policy EH5 of the South Somerset Local Plan, and the NPPF.

06. No work shall be carried out on site unless design details of all roof eaves, verges and abutments, including detail drawings, and all new cast metal guttering, down pipes, other rainwater goods, and external plumbing shall be submitted to and approved in writing by the Local Planning Authority. Such details once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In the interests of character and setting of the listed building further to policy EH5 of the South Somerset Local Plan, and the NPPF.

07. No development hereby approved shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority.

Reason: In the interests of the archaeology further to policy EH12 of the South Somerset Local Plan, and the NPPF.

08. Notwithstanding the Town and Country Planning Act 1990 (as amended) and the provisions of Article 3, Schedule 2, Part 1 of the Town and Country Planning General Permitted Development Order, 1995 (or any order revoking and re-enacting that Order) the garage floor space shall be kept unobstructed and not physically altered, and while this shall include ancillary storage space there shall be no other use made, incidental or otherwise including its conversion to habitable floor space, except for what is shown approved in drawing no. 2 received 18 November 2014.

Reason: To enable the LPA to retain adequate control over the development in the interests of visual and neighbour amenity, further to policy ST5 and ST6 of the South Somerset Local Plan, and the NPPF.

09. Before any work is undertaken in pursuance of the development hereby permitted to prepare the site for excavation and the formation of foundations a written description of the steps and works to be taken to secure the immediate and continuing safety and stability at the boundary with the adjacent outbuilding (Church Close) shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: To protect the boundary in the interests of visual amenity and in accordance with policy ST5 and ST6 of the South Somerset Local Plan 2006, and the NPPF.

10. 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 extension, balcony, additional windows, including dormer windows, or other openings (including doors) shall be formed in the building, or other external alteration made without the prior express grant of planning permission.

Reason: In the interests of character and appearance and the setting of listed buildings, further to policy ST5, ST6, and EH5 of the South Somerset Local Plan, and the NPPF.