

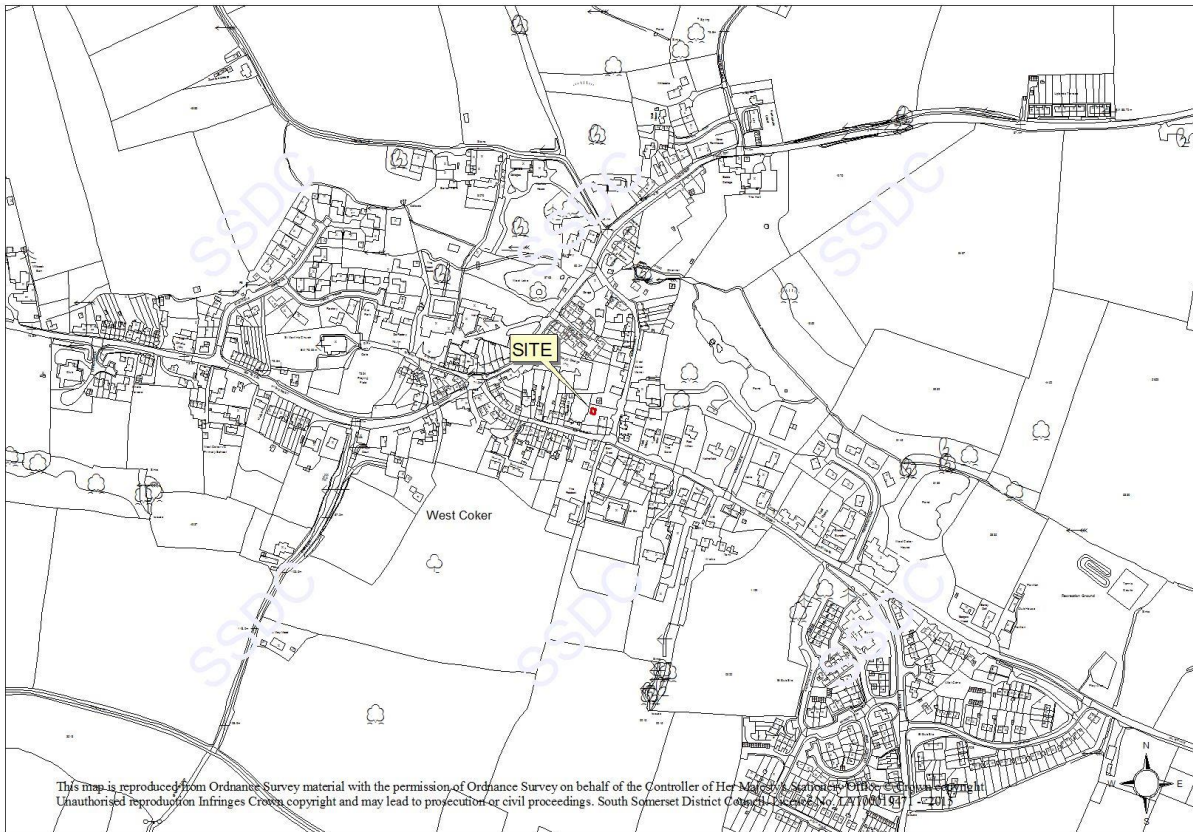
Officer Report On Planning Application: 15/02683/FUL

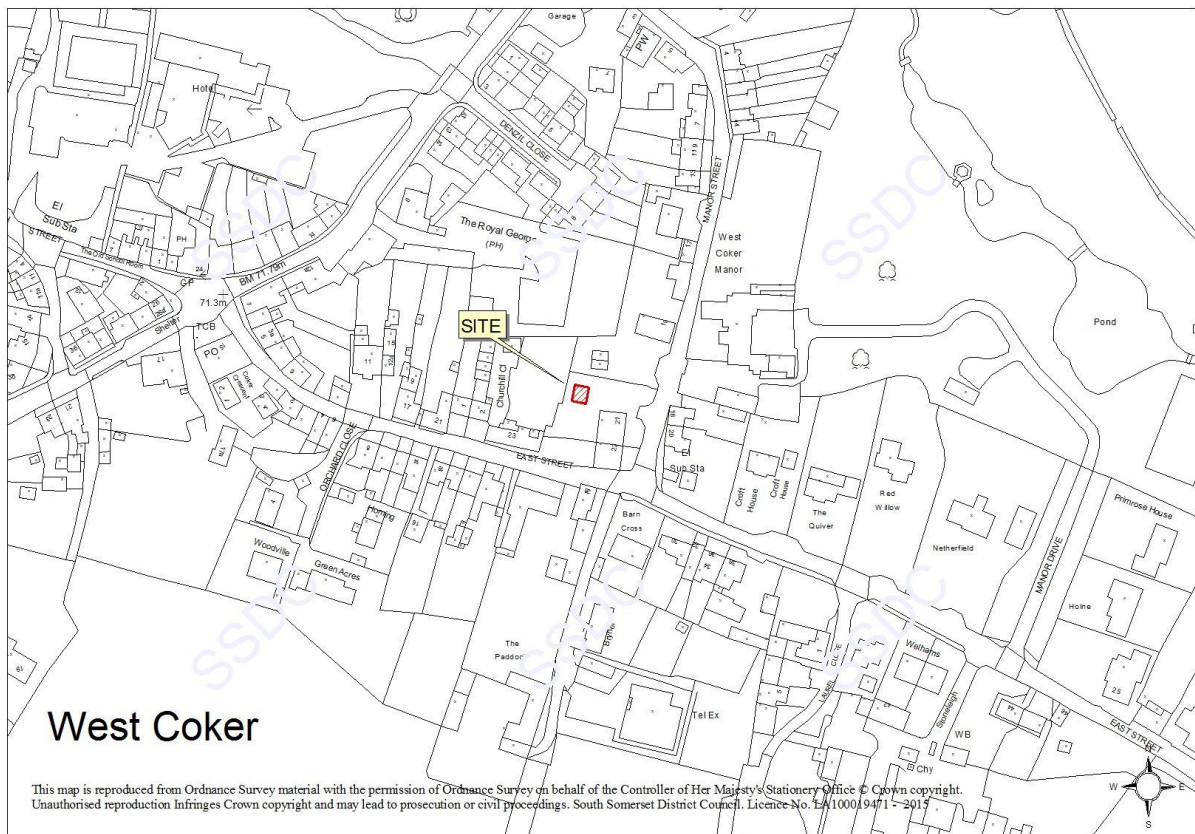
Proposal :	Alterations and the erection of an extension above existing garage to provide additional residential accommodation (GR 351944/113486)
Site Address:	Heathfield, 21 Manor Street, West Coker
Parish:	West Coker
COKER Ward (SSDC Member)	Cllr G Seaton Cllr Cathy Bakewell
Recommending Case Officer:	Andrew Collins Tel: 01935 462276 Email: andrew.collins@southsomerset.gov.uk
Target date :	29th July 2015
Applicant :	Mrs Louise Crocker
Agent: (no agent if blank)	James Ewart Fox, 55 The Park Yeovil Somerset BA20 1DF
Application Type :	Other Householder - not a Change of Use

REASON FOR REFERRAL

This application is referred for Committee consideration at the request of the two Ward Members and with the agreement of the Chairman to allow the application to be debated in public given the concerns raised by local residents and West Coker Parish Council.

SITE DESCRIPTION AND PROPOSAL





The site is located on the western side of Manor Street, near the junction with East Street. The property is a semi-detached dwelling and is on the northern side of the pair.

The site is within the designated Conservation Area, the property to the Western boundary, 23 East Street is a Grade II listed dwelling. Located to the northeast of the site, on the eastern side of Manor Street is The Manor House, a Grade I listed building.

Towards the rear of the site is a mainly flat roofed double garage with attached workshop to the side. The garage has a parapet to the front and the roof slopes gradually to the rear. This is located in close proximity (400mm) to the northern boundary with Birch Court, 19 Manor Street and 3.1m from the western boundary with The Old Dairy House, 23 East Street. The garage structure is 1.5 - 2m lower than the neighbouring surrounding level. There is an existing 1.2m high boundary fence between the application site and no 19 Manor Street. Under permitted development in front of this fence it is proposed to erect a 2m high fence. The current garage is a maximum of 2.7m in height.

This application seeks permission for the erection of a first floor extension over the existing garage. During the course of the application the design has been amended and the proposed use has been clarified.

It was originally proposed to be a self-contained annexe. Now it is proposed to be used as additional residential accommodation. On the ground floor the double garage will be retained with a change to more sympathetic doors and a study located to the rear. At first floor is a bed / sit area and a bathroom.

The extension over the existing garage / workshop was originally proposed to have dormers on the eastern and southern elevations and a decking area to the rear. Due to concerns

expressed by the Conservation Officer amended plans were submitted.

The amended plans have removed the dormer windows, created a lower eaves level and changed the materials. A traditional pitched roof is proposed over the existing building. At the southern end of the building a gable end is proposed. Whilst on the northern elevation a half hip is proposed. Following a meeting on site and at neighbouring properties with representatives from the Parish Council, Planning and Conservation Officers from SSDC, the agent and a Ward Member further amended plans have been submitted. The eaves height for the building will now be at 2.1m and the ridge height is at 5.5m. Two conservation rooflights are proposed on the eastern elevation and a vertical sun tube is to serve a bathroom on the western elevation in place of a rooflight.

The roof and the side (north and south) walls of the building are to be finished in slate. Slate hanging is proposed to the walls. Clay tiles are now proposed along the ridge.

HISTORY

15/01681/TCA - Notification to fell a Silver birch tree within a designated conservation area - Application Permitted - 07/05/2015

841099 - The replacement of flat roofs to dwellinghouse with pitched roofs - Conditionally approved - 17/7/84

62972/J - Formation of vehicular access - Conditionally approved - 14/3/74

740429 - Erection of double garage - Conditionally approved - 31/7/74

(NB. It is noted that there was a building control application - 88/01992/LUDBN for a workshop extension to garage in 1988).

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.

On the 5th March 2015 the South Somerset Local Plan (2006 - 2028) was adopted. Therefore it is considered that the development plan comprises this plan.

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

Policy SD1 - Sustainable Development

Policy SS1 - Settlement Strategy

Policy TA5 - Transport impact of New Development

Policy TA6 - Parking Standards

Policy EQ2 - General Development

Policy EQ3 - Historic Environment

National Planning Policy Framework

Chapter 7 - Requiring Good Design

Chapter 12 - Conserving and Enhancing the Historic Environment

Other Relevant Considerations

Somerset County Council Highways Standing Advice

CONSULTATIONS

WEST COKER PARISH COUNCIL - Initially commented;

The Parish Council objects to the application for the following reasons:

Design:

The extension is an inappropriate development for a conservation area and within close proximity of both Grade I & Grade II listed properties. It is considered to be overdevelopment of the site as the roofline proposed is too high.

Parking and Congestion:

The proposed extension will increase the traffic and parking problems in the area. It is often difficult to drive along Manor Street and East Street due to the number of vehicles parked on the street and the possible addition of more vehicles will compound this issue."

On the basis of the amended plans;

"The West Coker Parish Council discussed the amended plans for the above application at the meeting held on the 30th July 2015. After much deliberation, it was agreed the amended plans were not accurate and detailed enough to arrive to a final decision. The Councillor's main concern is the height of the garage which was not noted in the amended drawings.

Cllr C Bakewell was also in attendance and with the support of the Parish Council she will suggest to SSDC the application goes to the Committee for determination."

COUNTY HIGHWAY AUTHORITY - Standing advice applies. In this case ensuring that there is sufficient parking on site.

SSDC HIGHWAYS CONSULTANT - No significant highways issues provided proposed annex is ancillary to main residence. Parking demand may increase but there appears to be sufficient space within the site to accommodate an additional car parking space if required.

ARCHAEOLOGIST - Limited or no archaeological implications to the proposals.

CONSERVATION OFFICER - Initially raised an objection with the following comments provided;

"Heathfield, 21 Manor Street, West Coker is a semi-detached property located within the historic core of West Coker village. There are several Listed properties in the vicinity. To the north east of the application site there is Grade 1 Listed West Coker House. To the western boundary of Heathfield is Grade 2 Listed 23 East Street (The Old Dairy House) and the car park of Grade 2 Listed The Royal George. To the south of the application site, beyond East Street itself is Grade 2 Listed 26 and 28 East Street. An intrusion of modern residential development punctuates the Conservation Area directly to the north of the property in 19 and 15 Manor Street, along with Denzil Close. Barn Cross to the south east of Heathfield is also modern. On the 1930 map the car park to The Royal George (Grade 2 Listed) and the garden of 23 East street is wooded, possibly orchard, and has clearly seen change in the modern period. Considering the setting of the many Listed Buildings and the Conservation Area this is clearly a sensitive historic environment. However this part of the Conservation Area has seen quite significant change since the 1888 and 1903 maps and contains several more modern structures.

The starting point for the consideration of planning applications which affects a listed building or its setting is the statutory requirement on local planning authorities to 'have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses' (section 66).

Section 72 of the Act requires that special attention shall be paid in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a

conservation area.

The Court of Appeal has made it absolutely clear that the statutory duties in relation to sections 66 and 72 do not allow a local planning authority to treat the desirability of preserving the settings of listed building and the character and appearance of conservation areas as mere material considerations to which it can simply attach such weight as it sees fit. When an authority finds that a development would harm the setting of a listed building or character or appearance of a conservation area, it must give that harm considerable importance and weight. Finding of harm gives rise to a strong presumption against planning permission being granted. This presumption is a powerful one, but not irrefutable. It can only be outweighed by material considerations powerful enough to do so.

The South Somerset Local Plan (2006-2028) (Adopted 2015) policy EQ3 similarly positions that proposals should seek to safeguard or where appropriate or enhance the significance, character, setting and local distinctiveness of heritage assets.

Whilst the application site and the plot of the Grade 1 Listed Building are close there is over approximately 45 metres between the two buildings themselves. The proposed annexe is set back from Manor Street by over approximately 20 metres. The application building is at a higher ground level however there is a much higher raised area of garden, bounded by a stone wall, between the garages at number 21 and number 19, which has its own modern garages. On top of this boundary is planting and a fence in the back half of the plot where the conversion is located. West Coker Manor, since at least the 1888 map has been historically been associated with quite a high and changing level of development on the west edge of Manor Street. I have considered the setting of the Manor House in this context. Whilst the proposal does increase the height and visibility of the proposed conversion a clear visual separation is maintained between the proposed conversion and the Manor House. There is a relatively large distance between the two properties and a limited public view from this direction, with a well screened raised border. Furthermore the view approaching the Manor House from the south from Manor Street is mostly screened by the form of 23 and 21 Manor Street. Therefore I do not consider that there is any effect on the setting of the Grade 1 Listed Building.

It is difficult to assess the exact impact of this proposal on other surrounding properties and the Conservation Area when there are concerns over the accuracy of the plans, particularly with the boundary treatments. Notwithstanding this; the building would be increasing in height from approximately 2.7 metres, although varying degrees of this is dug into the ground along the profile, to approximately 5.9 metres. Despite the digging in (from the plans submitted approximately 1.9-2 metres at its greatest) this still represents a substantial increase in the height. The garages are mostly hidden at present from views from the north, south and west and thus the visual impact of this structure on the Conservation Area is significantly increased by this proposal. The greatest impact will however be on the east of the site. The garages that it is proposed to alter are directly in line with the gates to the property. This provides a clear and strong view of the existing building when looking directly into the site from Manor Street.

Due to the proposed annexe being on higher land than the cottage its prominence is increased. The timber boarded section exacerbates the scale by providing a strong set of parallel horizontal lines. The proposed waney edged timber boarding is not part of the local vernacular. With the height of the roof, and amount of features proposed, there is a danger that the planned annexe building would not appear subservient to the main dwellinghouse. This could detract from the simple, attractive, cottage frontage.

I am also concerned with the scale and amount of dormers proposed. Dormers are uncharacteristic of the West Coker Conservation Area. Where dormers do exist here they appear generally appear to be smaller, older structures. The proposed dormers on the east elevation, facing Manor Street, appear particularly large, taking up the majority of the roof slope. They also have unusually wide cheeks. The east and south elevations where these dormers are proposed are potentially the most publically visible elevations. The hipped gables of the roof are also uncharacteristic of the West Coker Conservation Area.

I have further concern that the building begins to intrude on the setting of Grade 2 Listed, 23 East Street although until we know we have accurate sections it is difficult to make a full assessment of this.

Due to the height and form of the proposed building and its massing overall massing from the size and amount of proposed features, it is considered inappropriate in the setting of this Conservation Area. As such I object to this proposal.

As an alternative a pitched roof could be formed directly over the existing building providing for a basic level of accommodation within the roofspace, perhaps lit with flush conservation rooflights rather than dormers."

On the basis of the amended plans raises the following comments;

"I know the area well, and have reviewed the many photos we have from the road, from within the site and from within neighbouring gardens. I note the previous comments from my colleague Chris Goodwin, which were prepared in full consultation with me. I also note the content of the various objections that have been lodged.

The new roof will sit directly over the garage doors in a traditional manner, with a low eaves. The roof will be steeply pitched, again matching traditional building forms. The bulky form of the previous proposal resulted from the dormers and half storey form, and was made worse by the horizontal waney edge boarding. These matters have been addressed.

The section plans have been revised so we can no more accurately assess the impact on the neighbouring listed building. In terms of the listed building to the rear the view will change, but only a limited area of traditional slate roof will be visible, set back from the boundary, in an area of garden that is distant from the listed building. I do not consider this to harm the setting of the listed building.

I consider the amended scheme to be a significant improvement. I suggest that it will enhance the appearance of the existing building, which in its current form could be considered to have a negative effect on the character of the area. Therefore, I can confirm that this revision addresses our concerns and we no longer object.

Should you be minded to approve the scheme I suggest the use of the following conditions covering materials, details of the rooflights, details of any external services (boiler flue, soil pipes etc) and a drawing of the eaves (at a scale of 1:5)."

ARBORIST - Verbally discussed the application in relation to trees along the northern boundary. As the site is located within the Conservation Area consent would be required to carry out works to the trees. It was suggested that a condition requiring a Tree Protection Plan be included to protect the trees and that hedgehog gutter guards be included on the building.

REPRESENTATIONS

Letters of objection have been received from a resident of West Coker and 5 neighbours to the site, with one neighbour being particularly vociferous writing 9 letters / emails during the course of the application. The same neighbours have also raised objections to the submitted amended plans. The following concerns are raised (summarised);

- Traffic is a problem within Manor Street and concerns that the proposal will increase vehicles in the area.
- Considered to be an overdevelopment of the site.
- The proposed fence should be retained under a condition.
- The building could easily be converted into a separate dwelling in the future.
- Considers that other options would be more favourable. Has the applicant considered extensions to the existing dwelling to the rear / west?
- Adverse effect upon the neighbouring listed building - The Old Dairy House, 23 East Street.

- The proposals would have an overbearing impact and cause overshadowing.
- Impact upon light and overlooking to property on opposite side of Manor Street.
- Affect upon Conservation Area.
- The proposal would block light, cause overshadowing and have an overbearing impact upon a small area of private garden to Birch Court, 19 Manor Street that is south facing.
- Proposal could set an undesirable precedent.
- Concerns over inaccurate plans.
- Concerns over potential overlooking from the rooflights.

CONSIDERATIONS

Principle

The existing garage is located within the residential curtilage of a dwellinghouse and therefore subject to material planning considerations the principle is deemed to be acceptable.

Impact upon Visual Amenity

There is an existing garage on the site. This is faced with stone to the east elevation with render to the remainder of the building. The building is set into the site but is considered to be unsympathetic to the Conservation Area.

The existing building is at a lower level (1.5m - 2m) than the surrounding land and whilst set into the site an extension on top in relation to visual amenity, is acceptable. .

The plans have been amended during the course of the application to have a design and form that reflected the conservation area. At 5.6m in height, the building would still be subservient to the main dwelling in terms of scale and design.

Conditions are proposed by the Conservation Officer and subject to these details the proposal is appropriate. 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.

Impact upon Historic Assets

In addition to the impact upon the Conservation Area which is detailed above, the setting of listed buildings is a key consideration.

The site is located next to The Dairy House, 23 East Street which is a Grade II listed building and The Manor House located to the northeast is a Grade I listed building.

Section 72 of the Act requires that special attention shall be paid in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area.

The Court of Appeal has made it absolutely clear that the statutory duties in relation to sections 66 and 72 do not allow a local planning authority to treat the desirability of preserving the settings of listed building and the character and appearance of conservation areas as mere material considerations to which it can simply attach such weight as it sees fit. When an authority finds that a development would harm the setting of a listed building or character or appearance of a conservation area, it must give that harm considerable importance and weight. Finding of harm gives rise to a strong presumption against planning permission being granted. This presumption is a powerful one, but not irrefutable. It can only be outweighed by material considerations powerful enough to do so.

Further information and amended plans have been received in relation to the setting of The Dairy House, 23 East Street. This includes a section through the building and also an increased section including part of the garden of 23 East Street. On carefully considering these aspects, the proposal is not considered to have an adverse effect upon the setting of the listed building.

Concerns have been raised over the setting of The Manor House. The existing building is set back, 20m from the highway edge and there is existing trees / shrubs located along the northern boundary of the site and in the north-eastern corner adjacent to Manor Street. As such the Manor House cannot be seen from the site and the proposed extension cannot be seen from the Manor House. Therefore in assessing all the above, it is not considered that the proposal has an adverse effect upon the setting of the Grade I listed Manor House.

It is therefore considered that the proposal complies with Policy EQ3 of the adopted Local Plan.

Impact upon Residential Amenity

Concerns have been especially raised over the impact upon residential amenity. The two properties most affected by the proposals are Birch House, 19 Manor Street and The Dairy House, 23 East Street. Both of these properties share a common boundary with the application site and the existing garage / workshop is located in the north-western corner of the site.

Both of these properties have gardens at a higher level and the existing boundary fence to Birch House, 19 Manor Street is a maximum of 300mm higher than the existing building. The existing height of the building is 2.7m and the proposed ridge height is 5.5m. Therefore the increase in height is 2.8m. The raised garden area of Birch House, 19 Manor Street only extends to a small area on their western boundary behind their existing double garage. They have a much larger garden area to the north of their dwelling, but this they claim is the space that attracts the most sun. Therefore an assessment is needed as to whether the proposal would demonstrably affect residential amenity. In considering this, reference is made to the GPDO 2015 in relation to permitted development rights. In relation to Part 1 Class E, Outbuildings it is possible to extend up to 2.5m within 2m of the boundary without planning permission. The Technical Guidance clarifies that this is from natural ground level. When assessing this in relation to the extension we are considering an extra 1.6m from permitted development. This is just above the half hip of the extension. On assessing the above, it is not considered that an addition 1.6m would result in a demonstrable impact upon residential amenity.

Concerns have also been expressed over potential overlooking of Birch Court, 19 Manor Street from the proposed rooflights on the eastern elevation. The section through the building indicates that the rooflights are at eye levels. However along the northern boundary are mature trees within the applicant's ownership that effectively screen the neighbour's property. As the trees are within the Conservation Area they require formal consent for works to be done or for them to be felled. Whilst noting that the trees are deciduous, the area of land immediately adjacent the site is not a private area with parking and turning for the property that can easily be seen from the road. Therefore it is not considered that the proposal would result in demonstrable harm to residential amenity to Birch Court, 19 Manor Street.

In relation to the Dairy House, 23 East Street, the amended plans have resulted in the omission of a rear, western door, decking and a rooflight. The ground level to rear of the Dairy House, 23 East Street is actually at a slightly higher level than Birch Court, 19 Manor Street. Therefore the impact upon residential amenity is even less. Due to the amended

plans, only a slate roof will be visible above the existing boundary fence. The rooflight has now been omitted to the bathroom in the rear roof slope and instead replace with a vertical sun tube.

Therefore it is not considered that the proposal would result in demonstrable harm to residential amenity to the Dairy House, 23 East Street.

Residents of 18 Manor Street have raised an objection regarding overlooking. In considering the garage is set 20m back into the site and the width of the road there is 28m between the application building and this neighbouring property. Also there are already windows in the main dwelling of the 21 Manor Street looking towards 18 Manor Street. Therefore there is no additional impact upon residential amenity on this dwelling.

In assessing all the above, it is not considered that the window layout and general bulk of the extension is such that it 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.

Accordingly the proposal is considered to comply with policy EQ2 and is as such recommended for approval.

Highways

During the course of the application the use of the building has been revised from a self-contained annexe to ancillary living accommodation. The existing double garage is to be retained as a garage and there is sufficient parking and turning on the existing driveway to meet the parking requirements.

As such the proposal complies with policies TA5 and TA6 of the adopted South Somerset Local Plan.

Other Considerations

Concerns have been raised over setting an undesirable precedent. Each application has to be assessed on its own individual merits and every site has its own constraints.

Neighbours have also suggested that other extensions should be considered. In determining a planning application it needs to be assessed as to whether the proposal is acceptable, rather than suggesting other alternatives. Notwithstanding the above, the agent has confirmed that the existing building has been examined by a builder and the external layout is not appropriate for further extensions.

Conclusion

The proposed extension is considered to be appropriate in the Conservation Area, not adversely affect the setting of neighbouring listed buildings or cause a demonstrable harm to residential or visual amenity. As such the proposal complies with Policies SD1, SS1, TA5, TA6, EQ2 and EQ3 of the adopted South Somerset Local Plan (2006 - 2028) and the aims and objectives of the NPPF.

RECOMMENDATION

Grant planning permission for the following reason:

01. In having regard to the size, scale and proposed materials the proposed extension is appropriate in the Conservation Area, does not adversely affect the setting of neighbouring

listed buildings or cause a demonstrable harm to residential or visual amenity. As such the proposal complies with Policies SD1, SS1, TA5, TA6, EQ2 and EQ3 of the adopted South Somerset Local Plan (2006 - 2028) and the aims and objectives of 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: amended location and block plans, received 14 July 2015 and proposed elevation, floor and section plan received 18 August 2015.

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

03. The accommodation hereby permitted shall be used solely in connection with the use of the existing house, known as Heathfield, 21 Manor Street as a single family dwelling and shall not at any time be used as a separate unit of accommodation.

Reason: In the interests of residential and visual amenity in accordance with Policy EQ2 of the South Somerset Local Plan (2006 - 2028).

04. No development shall be undertaken unless particulars of following have been submitted to and approved in writing by the Local Planning Authority;

- a. details of materials (including the provision of samples where appropriate) to be used for the external walls and roofs;
- b. details of the recessing, materials and finish (including the provision of samples where appropriate) to be used for all new windows (including any rooflights) and doors;
- c. details of any external services, boiler flue, soil pipes, etc
- d. details of the rainwater goods and eaves
- e. details of the eaves and fascia details and treatment at a scale of 1:5.

On approved such details shall be fully implemented unless agreed otherwise in writing by the Local Planning Authority.

Reason: To safeguard the character and appearance of the area in accordance with Policies EQ2 and EQ3 of the adopted South Somerset Local Plan (2006 - 2028).

05. No windows, other than those shown on the plan(s) hereby approved, shall be constructed in the wall or roof of the building that faces north and west without the prior written consent of the Local Planning Authority.

Reason: In the interests of residential amenity in accordance with Policy EQ2 of the adopted South Somerset Local Plan (2006 - 2028).

06. The rooflight in the west elevation shall be glazed with obscure glass when installed, with such glazing type thereafter retained. There shall be no alteration or additional windows in this elevation without the prior written consent of the Local Planning Authority.

Reason: In the interests of residential amenity in accordance with Policy EQ2 of the adopted South Somerset Local Plan (2006 - 2028)

07. The proposed 2m high fence on the northern boundary shall be installed prior to occupation of the building and shall thereafter be retained at that height, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of residential amenity in accordance with Policy EQ2 of the adopted South Somerset Local Plan (2006 - 2028).

08. Prior to implementation of this consent, ground-works, heavy machinery entering site or the on-site storage of materials, a scheme of tree protection measures relating to the adjoining protected trees shall be submitted to and agreed in writing with the Council and it will include the following details:

- rigidly-braced HERAS tree protection fencing;
- a commitment to avoiding machinery movements, ground-works, amendments to the soil (including rotavating & additions to soil-grade), the storage of materials, the mixing and discharge of cement liquids, the lighting of fires & the installation of below-ground services (including drainage & soak-aways) within the Root Protection Areas of the adjoining protected trees;

Upon approval by the Council, the measures specified within the agreed scheme of tree protection measures, shall be implemented in their entirety for the duration of the construction of the development, inclusive of landscaping measures.

Reason: To preserve the health, structure and amenity value of existing landscape features (trees) in accordance with the objectives within Policy EQ2 of the adopted South Somerset Local Plan.

Informatives:

01. In relation to condition 07 you are advised to contact the Council's Tree Officer (Phillip Poulton 01935 462670) to arrange a pre-commencement site meeting between the appointed building/groundwork contractors and the Council's Tree Officer, in order to ensure compliance with the submitted scheme of tree protection fencing and other tree protection measures.
02. You are reminded of the requirement to comply with the Party Wall etc Act 1996.
03. The use of hedgehog gutter guards for the building is suggested by the Council's Tree Officer.