

Area North Committee – 26 January

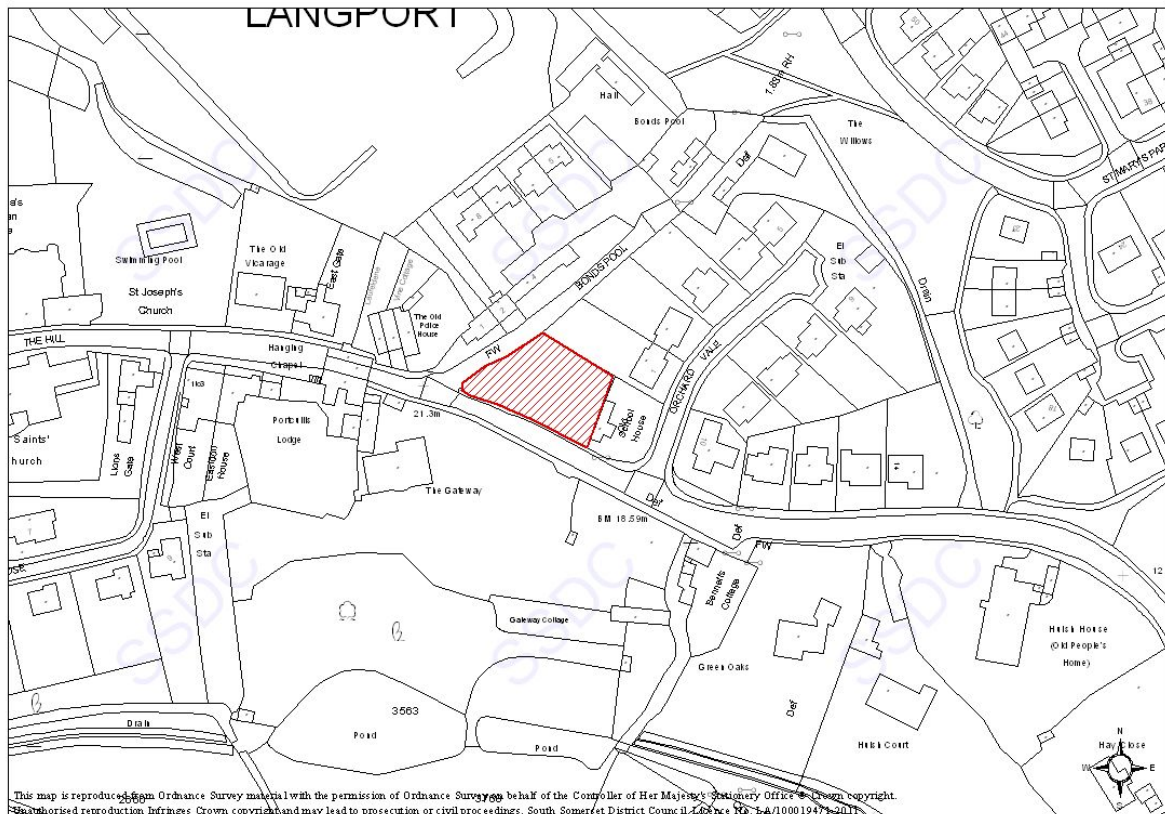
Officer Report On Planning Application: 10/02333/FUL

Proposal :	Alterations and the erection of two storey extension to dwellinghouse and the formation of a new vehicular access (Revised Application)(GR 342405/126734)
Site Address:	The Beeches, The Hill, Langport
Parish:	Huish Episcopi
LANGPORT AND HUISH Ward (SSDC Member)	Mr Roy Mills (Cllr)
Recommending Case Officer:	Dominic Heath-Coleman Tel: 01935 462643 Email: dominic.heath-coleman@southsomerset.gov.uk
Target date:	10th September 2010
Applicant:	Miss Anne Cook
Agent:	Mr Andrew Hunter, Ian Pamplin Associates Rugg Farm Stables, Limington, Yeovil BA22 8EQ
Application Type:	Other Householder - not a Change of Use

REASON FOR REFERRAL TO COMMITTEE

The application is before the committee at the request of the ward member and with the agreement of the Area Chair to allow further consideration of the impact of the proposals upon the character of the building. The application was referred to the ward member, as the officer recommendation is contrary to the opinions of the parish councils and the occupiers of neighbouring properties.

SITE DESCRIPTION AND PROPOSAL



The proposal seeks permission for alterations, the erection of a two storey extension and the formation of a new vehicular access. The property is a two storey semi-detached house constructed from natural stone, with stained timber window frames under a tiled roof. The house is a Grade II listed building. The house is located within a development area and a conservation area as defined by the local plan. The property is located close to variety of residential properties. The proposed extension will be constructed of stone and tiles to match the existing building. The side and rear elevations will be rendered and the window frames will be constructed of black anodised aluminium.

HISTORY

10/02334/LBC - Alterations and the erection of a two storey extension to dwellinghouse and the formation of a new vehicular access (revised applications) - Pending consideration

09/03899/FUL - The erection of a two storey extension to dwellinghouse - Application withdrawn 13/11/2009

09/03900/LBC - The erection of a two storey extension to dwellinghouse - Application withdrawn 13/11/2009

03/00438/FUL - Erection of a replacement garage - Application permitted with conditions 07/04/2003

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.

Relevant Development Plan Documents

Somerset and Exmoor National Park Joint Structure Plan
STR1 - Sustainable Development

South Somerset Local Plan (Adopted April 2006)

ST6 - Quality of Development

ST5 - Principle of Development

EH1 - Conservation Areas

EH3 - Change of Use and Alterations to Listed Buildings

EH5 - Setting of Listed Buildings

PPS 5

CONSULTATIONS

SCC Archaeology - No objections

SSDC Technical Services - No comment

County Highways

"Although the proposed access, to be achieved by a 'gap in the wall' in this conservation area, provides for pedestrian and driver to driver intervisibility it is narrow and for some manoeuvres into the property a driver will probably steer their vehicle across the centre of The Hill turning in and out of the property or risk shaving the stone pillars. Although this is not ideal The Hill has relatively low and light traffic flows governed by a 20mph speed limit; so these manoeuvres may add to traffic friction to help to naturally enforce the low traffic speeds desired in this location.

Therefore, as before, previous comments and recommended conditions in a letter from Ian McWilliams dated 10 November 2009 regarding application number 09/03899/FUL which I attach for your convenience, apply. The conditions include one on where any gates should be hung though I understand from the applicant and discussions with Adron Duckworth that given this condition it is unlikely that any gates shall be erected."

Parish Council (Huish Episcopi)

"This application has raised strong feelings locally, as a Grade 2 listed building, although there is no doubt that the plans will address some of the less desirable aspects of the present building. The Council has concerns about the possibility that, if this goes ahead, the building could be split into two properties and this should be avoided. There are also worries about the new access and loss of privacy for the immediate neighbours. HEPC is pleased by the recent improvements the owners have made to this interesting local building, however Councillors do not feel qualified to determine whether the proposed extension and alterations are acceptable for a Grade 2 listed building in a Conservation Area and very close to the Hanging Chapel, an outstanding historical building. HEPC strongly recommends that the decision on this planning application should go to Committee."

Town Council (Langport) -

"1. It is the view of the Council that it fails to comply with the following policies which form part of the South Somerset Local Plan:

EH1 - It is the Council's view that the proposed development is detrimental to the character of the conservation area, particularly when consideration is given to the visibility and proximity to the Grade 1 listed hanging chapel.

EH3 - The Council believes that the size of the proposed development and the materials to be employed in its construction adversely affect both the listed building and its setting.

EH5 - It is the opinion of the Council that this development will have an adverse effect on the setting of the listed building and its contribution to the local scene.

2. The proposal to demolish a section of the historic wall running along The Hill will detract from the appearance of the conservation area and the aspect of the street scene as seen from the Hanging Chapel."

SSDC Conservation Manager -

10/08/2010 "Extending a listed building requires careful design and sensitivity to its character and historic interest. It is not always possible without harm. In this case the land form, the size of the plot and the relative lack of interest of the north east elevation allows the potential to extend this small house on that side in a way that will not dominate the original building. The proposal adopts the design strategies that the conservation team have suggested as the means to minimise impact and harm, achieve built form that reflects the character of The Beeches without replicating the original detail. No objections. I recommend usual materials conditions and also specific conditions to

control window and door design, all roof eaves, ridge, hip and verge details, chimney and verandah structure design details."

13/10/2010 "My advice and recommendations about the extension to the listed building remain in support as previously stated but you asked for conservation views on the proposed new access onto The Hill from the property. I had previously not considered this but now have to recommend against it. I believe that it will have a severely detrimental impact upon both the setting of The Beeches and that of adjacent listed buildings and structures.

While the boundary wall is probably not of great historic interest in itself, the introduction of the access drive, with splay wall, visibility requirements and a 6m inset for the gateway will entail an undesirable disruption of the site enclosure and also upon the conservation area street scene. The street in this area is particularly special. The change that would result and disruption of this simple, uncluttered section of the street, the setting of The Beeches, the listed walls to Gateway, the Hanging Chapel, not to mention affect upon historic paving and kerbing I consider would be highly undesirable."

03/12/2010 "I withdraw my objection to the proposed access off The Hill and confirm that I believe that the amended design as shown of dwg PO4 is a reasonable compromise to providing for a safe and usable access to the property while minimising the impact upon this sensitive part of the conservation area and setting of listed buildings. In my view it is essential that natural lias stone kerbs, pavings and walling are incorporated to preserve the consistency of materials and character in the area."

REPRESENTATIONS

56 letters of objection were received. 36 were from the occupiers of properties within the Langport/Huish Episcopi area. The remaining 20 were from the occupiers of properties outside the Langport/Huish Episcopi area. Two letters of support were received from the occupier of a neighbouring property, who raise no objections to the scheme.

Objections were raised on the following grounds:

- Detrimental to the setting of the nearby Hanging Chapel
- Detrimental to the appearance of the listed building, by way of size, position, design and materials
- Overlooking of neighbouring properties
- Overbearing to neighbouring property
- Overshadowing of neighbouring properties
- Negative impact on highway safety
- Detrimental to the character of the conservation area
- Possible future intensification of use

In a letter received 06 September 2010 that applicants have refuted the number of objections received, stating that the online comment system has been misused.

CONSIDERATIONS

VISUAL AMENITY, IMPACT ON LISTED BUILDING AND IMPACT ON CONSERVATION AREA

The conservation officer did raise an initial objection to the impact of the proposed access on the street scene and the surrounding conservation area. However, on the

receipt of amended plans, altering the design of the proposed access, he withdrew his objections subject to the use of conditions to ensure suitable materials are used. He did not raise any objections to the proposed extension.

As can be seen from the above comments the SSDC conservation officer is of the opinion that, contrary to the objections raised by a number of neighbours, the proposed extension and alterations will not harm the character and appearance of the existing listed building. The opinion of the conservation officer is considered to hold considerable weight in applications of this nature. As such, it is not considered that the proposal will adversely affect the character, setting, or any features of special architectural or historical interest that the building possesses in accordance with policy EH3 of the South Somerset Local Plan.

A large number of the comments made in relation to the application have objected on the grounds that the proposal will adversely impact the setting of other nearby listed buildings, in particular the hanging chapel. However, the affected elevation is not particularly prominent and public views of both the alterations and nearby listed buildings are limited. In any case the design and materials of the extension are considered to be appropriate. As such the proposal is not considered to have an adverse impact on the setting of any listed buildings or their contributions to the street scene in accordance with policy EH5 of the South Somerset Local Plan.

Objections have been raised on the grounds that the proposed extension and new access will adversely affect the character of the surrounding conservation area. However, as stated above the extension will not be particularly prominent on the street scene and is in any case considered to be of an appropriate standard of design. The proposed access will involve the formation of a new gap in the existing boundary wall of the property. However, the formation of a gap in itself is not considered to be inappropriate, and the detailing of any new wall and gate required can be satisfactorily controlled by the imposition of suitable conditions on any consent issued. As such, the proposal is considered to preserve the character of the conservation area in accordance with Policy EH1 of the South Somerset Local Plan.

RESIDENTIAL AMENITY

The occupiers of the adjoining property have raised objections on the grounds that the proposed extension will adversely impact their residential amenity by way of overlooking, overshadowing and overbearing of their property. Interestingly the one letter received in support of the full application was from the occupier of the only other immediately adjacent property. In terms of overshadowing it is noted that there may be some loss of evening light to the driveway/amenity area of the adjoining property. However, given the height of the extension, the proposed hipped roof, and the small area of the neighbouring property that will be affected, it is not considered that the loss of light or potential overbearing impact will be so significant as to warrant refusal of the application.

In terms of potential overlooking, there are two windows proposed on the east elevation, which faces towards the objector's property. One of which is a ground floor kitchen window which will be partially obscured by existing boundary treatment and does not look directly into any windows on the neighbouring property or any particularly private areas of the objector's garden. The second window on the east elevation is a first floor landing window that will be almost entirely obscured by an existing extension to the rear of the neighbouring property. Any views from the window will therefore be extremely limited, and again not towards any windows or private garden areas of the neighbouring property. The only other first floor window with the potential to overlook a neighbouring property is on the north elevation of the proposed extension. However, the window will

be a high-level bathroom window and a suitable condition could be imposed on any consent issued to ensure that it is obscure glazed and of restricted opening. The proposed windows on the west elevation are a significant distance (at least 30 metres) from any neighbouring properties and, despite objections received from the occupiers of neighbouring properties, are not considered to raise any issues of overlooking. As such, the proposed extension is not considered to adversely impact the residential amenity of neighbouring properties in accordance with policies ST5 and ST6 of the South Somerset Local Plan.

HIGHWAY SAFETY

Objections have been raised on the grounds that the proposed access will have a negative impact on highway safety. However, as the county highway authority have raised no objections, subject to the imposition of certain conditions on any consent issued, it is considered that the proposed access will not impinge on highway safety.

OTHER ISSUES

Objections have been received that the proposed extension may at some future point be used as a separate dwelling, a holiday let, or some other intensification of the use. However, the application solely seeks permission for additional residential accommodation. If at some future point the applicants wished to change the use of the extension a separate application would be required and considered on its own merits.

CONCLUSION

In conclusion, the proposed access, extension and alterations are considered to preserve the character of the conservation area and cause no demonstrable harm to the character of the listed building, the setting of nearby listed buildings, nor the residential amenity of neighbouring occupiers in accordance with policies EH1 (Conservation Areas), EH3 (Alterations to Listed Buildings), EH5 (Setting of Listed Buildings), ST5 (Principles of Development) and ST6 (Quality of Development) of the South Somerset Local plan.

As such the proposal should be recommended for approval.

RECOMMENDATION

Grant permission for the following reason:

01. The proposal, by reason of its size, siting, materials and design, has no adverse impact on the character of the conservation area, is considered to respect the historic and architectural interests of the listed building, and causes no demonstrable harm to visual and residential amenity in accordance with policies EH1 (Conservation Areas), EH3 (Alterations to Listed Buildings), EH5 (Setting of Listed Buildings), ST5 (Principles of Development) and ST6 (Quality of Development) of the South Somerset Local plan 2006.

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: 202/01/P05, 202/01/P04, 202/01/P01, received 17 June and 16 July 2010 and 202/01/P04 and 202/01/P02 Rev A received 24 November 2010.

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: To safeguard the character of the listed building in accordance with policy EH3 of the South Somerset Local Plan (Adopted April 2006).

04. No work shall be carried out on site unless full details the new natural stonework walls, including the materials, coursing, bonding, mortar profile, colour, and texture along with a written detail of the mortar mix, have been provided in writing; this shall be supported with a sample panel to be made available on site and approved in writing by the Local Planning Authority. The work shall be carried out in accordance with the agreed details, and the sample panel shall remain available for inspection throughout the duration of the work.

Reason: To safeguard the character of the listed building in accordance with policy EH3 of the South Somerset Local Plan (Adopted April 2006).

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. This will include detailed drawings including sections of at least 1:5. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: To safeguard the character of the listed building in accordance with policy EH3 of the South Somerset Local Plan (Adopted April 2006).

06. No work shall be carried out on site unless design details of all roof eaves, verges, watertabling, ridges, hips, corbels and abutments, including detail drawings at a scale of 1:5, 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: To safeguard the character of the listed building in accordance with policy EH3 of the South Somerset Local Plan (Adopted April 2006).

07. No work shall be carried out on site unless design details of the verandah and chimney structure, including detail drawings at a scale of 1:5, 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: To safeguard the character of the listed building in accordance with policy EH3 of the South Somerset Local Plan (Adopted April 2006).

08. The bathroom window in the north elevation hereby approved shall be glazed with obscure glass and of restricted opening. Details of the mechanism for restricted opening shall be submitted to an approved in writing by the local planning authority prior to work commencing on site. The windows shall not be altered without prior written consent of the Local Planning Authority.

Reason: To ensure the privacy of the adjoining occupiers in accordance with policy ST6 of the South Somerset Local Plan (Adopted April 2006).

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

Reason: To ensure the privacy of the adjoining occupiers in accordance with policy ST6 of the South Somerset Local Plan (Adopted April 2006).

10. The access hereby permitted shall not be brought into use until drop kerbs have been installed at the carriageway edge and a vehicle cross-over constructed across the footway fronting the site for the width of the access.

Reason: In the interests of highway safety

11. The proposed access over at least the first 5.0m of its length, as measured from the edge of the adjoining carriageway, shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details, which shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety

12. Any entrance gates erected shall be hung to open inwards and shall be set back a minimum distance of 5.0m from the carriageway edge.

Reason: In the interests of highway safety

13. The gradient of the access way shall not at any point be steeper than 1 in 10 for a distance of 5.0m from its junction with the public highway.

Reason: In the interests of highway safety

14. The existing access shall be stopped up and its use permanently abandoned within one month of the new access hereby permitted being first brought into use.

Reason: In the interests of highway safety

15. At the access there shall be no obstruction to visibility greater than 900mm above adjoining road level forward of the line drawn 2.4m back from the carriageway edge on the centre line of the access and extending to the extremities of the site frontage to the west. Such visibility shall be fully provided before works commence

on the development hereby permitted and shall thereafter be maintained at all times.

Reason: In the interests of highway safety

Informatives:

01. Note: Having regard to the powers of the Highway Authority under the Highways Act 1980 the applicant is advised that the creation of the new access will require a Section 184 Permit. This must be obtained from the Highway Service Manager for the South Somerset County Council at The Highways Depot, Houndstone Business Park, Yeovil BA22 8RT, Tel No. 0845 345 9155. Application for such a permit should be made at least four weeks before access works are intended to commence.

 02. Note: The Applicant is advised that the Highway Service Manager, at South Somerset District Area at The Highways Depot, Houndstone Business Park, Yeovil BA22 8RT, Tel No. 0845 345 9155 must be consulted with regard to the required reinstatement of the verge/footway crossing at the access which is to be closed.
-