

Area West Committee – 21st August 2013

Officer Report On Planning Application: 13/00828/FUL

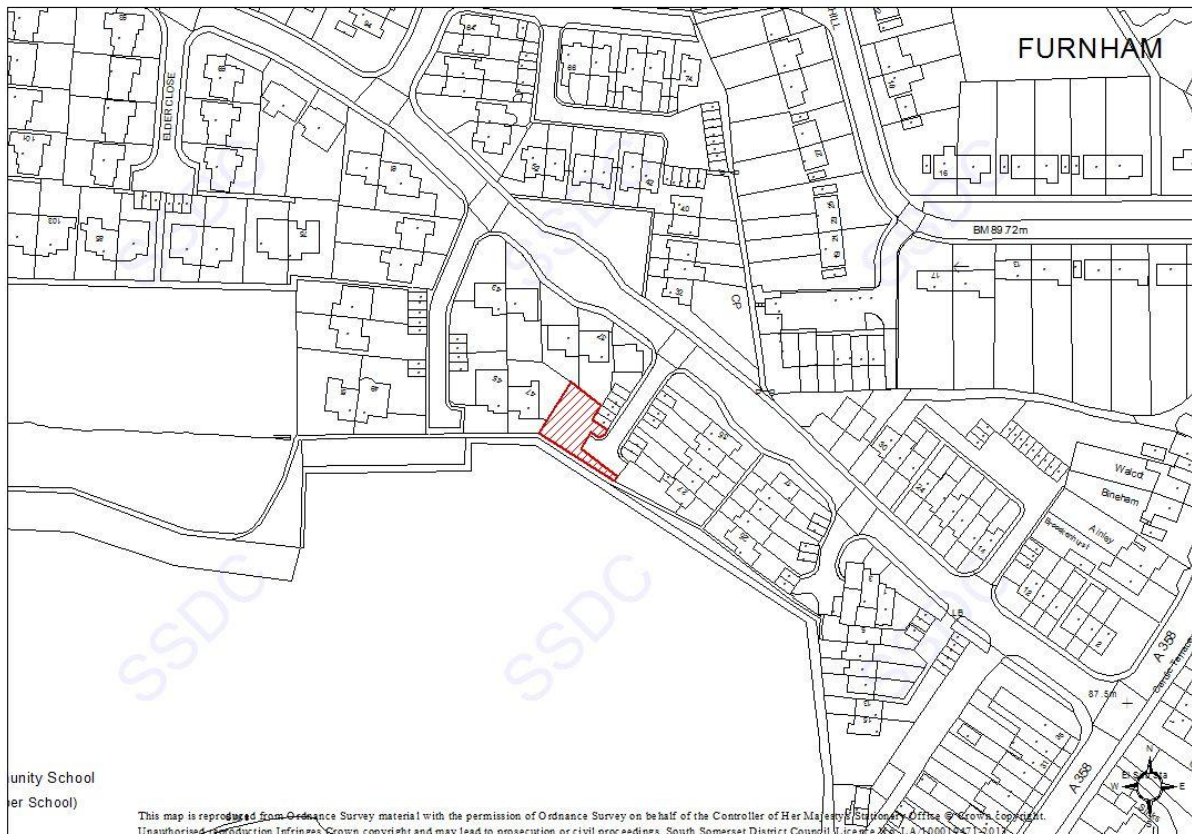
Proposal :	Demolition of garage and the erection of 1 No. single storey dwelling with associated parking. (GR 332529/109101)
Site Address:	47 Glynswood, Chard, Somerset
Parish:	Chard
COMBE (CHARD) Ward (SSDC Member)	Cllr M Wale
Recommending Case Officer:	Linda Hayden Tel: 01935 462534 Email: linda.hayden@southsomerset.gov.uk
Target date :	30th April 2013
Applicant :	Mr Steve Hill
Agent: (no agent if blank)	Mr Ian Pamplin, The Barn Yard, West Street, Seavington St. Mary, Ilminster TA19 0QU
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

The application is presented to the Committee at the request of the Ward Member and with the agreement of the Area Chair in order for the Committee to consider issues relating to design, amenity space and impact upon neighbours.

SITE DESCRIPTION AND PROPOSAL





The application site forms the side garden to No. 47 Glynswood, which forms part of the larger Glynswood development; to the north of the centre of Chard. The site is a rectangular piece of land that includes the existing single garage to No. 47. The site is accessed via a small cul-de-sac that provides access to garages and parking for other properties in the vicinity. The site shares boundaries with residential properties to the north and west and faces a footpath (public right of way) that runs alongside the school playing fields.

This application proposes the erection of a two bedroom bungalow with associated parking for the proposed dwelling and also the existing dwelling at No.47. The property would be constructed in matching materials to No. 47 (brickwork and tiles).

The site is within the development area of Chard.

HISTORY

There is no planning history for this site.

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 decisions must be made in accordance with relevant Development Plan documents unless material considerations indicate otherwise.

Relevant Development Plan Documents

South Somerset Local Plan 2006:
Policies:-

Chard is recognised as a 'Town' within the 2006 Plan and as such was considered a 'primary' location for future development.

ST5 - General Principles of Development

ST6 - The Quality of Development

NPPF:-

Chapters:-

6. Delivering a wide choice of high quality homes

7. Requiring good design

Other relevant policy documents

Somerset County Council Parking Strategy 2012

CONSULTATIONS

Chard Town Council:-

Recommended refusal of the original plans 'on the grounds of scale of site, overlooking and proximity to adjacent properties (39 and 37), members also agreed that the proposed new development would have an adverse impact on the existing property 47), overcrowding, lack of amenity space, inappropriate streetscape and not in keeping with existing properties, highways issues regarding cars turning in front of the block of garages.'

In response to amended application, the Town Council recommend refusal on the same grounds as before.

County Highway Authority:

On the basis of the amended plans showing additional parking spaces, the County Highway Authority has no objection.

Rights of Way Officer (SCC):-

Advises that any works should not encroach onto the width of the footpath.

Area Engineer, Technical Services Department:-

No observations.

REPRESENTATIONS

Six letters of objection were received in response to the original plans, the comments are summarised as follows:

- Access is via a side road and turning area which is already congested, garages can become blocked. More vehicles will increase this problem.
- Privacy will be lost as new dwelling will look straight into neighbours.
- New dwelling will block light and is very close to boundaries.
- Unstable ground - construction drilling for underpinning will impact upon neighbours
- Concerned about overloading of drainage system
- A tree is to be removed this is not shown on the plans
- Query the landownership shown the part of the plans
- Concern about possible roof conversions.

Four letters of objection have been received in response to the amended plans (summarised):-

- Amendments have resulted in greater proximity to existing dwellings.
- Pitch of roof is different to surrounding dwellings.
- Amended plans haven't addressed issues regarding drains, underpinning, privacy, parking/turning, overlooking.

CONSIDERATIONS

The site is situated within the defined development area of Chard where the principle of development is accepted, subject to compliance with other development plan policies. As such, the main planning considerations relate to impacts upon neighbouring amenity, visual impact and highway safety.

Impact upon neighbouring amenity

Whilst it is recognised that this is a relatively tight urban site, it is not considered that the impacts of a new single storey dwelling in this location would result in such a significant loss of amenity as to justify refusal of the application. The proposed dwelling is of a similar design to those surrounding the site and will be no higher than the adjoining property at No.47. As such, the dwelling will not result in overlooking of neighbouring properties as there will only be doors and windows at ground floor level. The back to back distances will be the same as those within the immediate vicinity. Overall, whilst the concerns of the neighbours are noted, the proposal is for a single storey dwelling with a plot size very similar to the surrounding properties and as such it is considered that it would be difficult to substantiate a reason for refusal based on the grounds of loss of amenity. A condition can be imposed to preclude permitted development extensions and dormer windows.

Visual Impact

As mentioned above the proposed dwelling is of a similar size and design to those in the immediate vicinity and as such it is considered that it will be in character with this relatively densely developed estate. It should be noted that the dwelling at No. 35a, to the north of the site, was granted on appeal and it has a smaller plot than that proposed. In the circumstances, it is not considered that the proposal could be refused on the basis that it is out of character with the area.

Impact upon highway safety.

The plans have been updated in order to include appropriate parking provision, as required by the County Parking Strategy. The cars will exit onto the end of the cul-de-sac and therefore it is not considered that the use of the parking would cause unacceptable difficulties to others using the access road.

In terms of the location of the parking, it is not considered ideal that the existing dwelling will use parking spaces adjacent to the proposed dwelling but it is not felt that it would be so unacceptable as to justify refusal of the application.

Other Matters

Unstable ground - this issue will be dealt with at the Building Regulation stage and it would not be reasonable to refuse the application on this basis.

Drainage - a condition can be imposed to require the submission of details.

Summary

The proposal is for a dwelling of similar size and design to the existing properties in the vicinity. It will be single storey only and will provide appropriate parking. As such, it is considered that the proposal is acceptable in terms of its impact upon neighbours, relationship to the character of the area

RECOMMENDATION

Approve

01. The proposal, by reason of its size, design, materials and location, represents an appropriate development that respects the character of the area, causes no demonstrable

harm to highway safety or residential amenity in accordance with the aims and objectives of saved policies ST2, ST5, ST6 and TP7 of the South Somerset Local Plan 2006 and advice contained within 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: Drawing No.'s; 07 received 28 February 2013; 01 Rev B, 02 Rev B, 03, 04 Rev A, 05 rev A, and 06 Rev A all received 22 May 2013; and 08 received 3 June 2013.

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 Policy ST6 of the South Somerset Local Plan (2006).

04. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The agreed boundary treatment shall be completed before the building is occupied and thereafter maintained as such, unless otherwise agreed in writing by the Local Planning Authority.

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

05. The area allocated for parking on the submitted plan (2 spaces for the existing and 2 spaces for the proposed), shall be kept clear of obstruction and shall not be used other than for parking of vehicles in connection with the development hereby permitted and no. 47 Glynswood.

Reason:- In the interests of highway safety and to accord with Policy ST5 of the South Somerset Local Plan (2006).

06. Before any part of the development hereby permitted is commenced, a scheme of hard landscaping (to include drainage) for the parking and turning areas shall be submitted to and approved in writing by the Local Planning Authority. Such scheme shall be completely implemented before the development hereby permitted is occupied.

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

07. Before the development hereby permitted is commenced, foul and surface water drainage details to serve the development, shall be submitted to and approved in writing by the Local Planning Authority and such approved drainage details shall be completed and become fully operational before the development hereby permitted is

first brought into use. Following its installation such approved scheme shall be permanently retained and maintained thereafter.

Reason: To ensure appropriate drainage facilities are provided.

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), no 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 visual and residential amenity in accordance with Policy ST6 of the South Somerset Local Plan (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 garages/outbuildings shall be erected without the express grant of planning permission.

Reason: In the interests of visual and residential amenity in accordance with Policy ST6 of the South Somerset Local Plan (2006).

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

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

Informatives:

01. The applicant's attention is drawn to the comments of the Rights of Way Officer (Somerset County Council):-

'I can confirm that there is a public right of way (PROW) recorded on the Definitive Map that abuts the site at the present time (footpath CH 31/22). I have attached a plan for your information.

Any proposed works must not encroach on to the width of the footpath.

The health and safety of walkers must be taken into consideration during works to carry out the proposed development. Somerset County Council (SCC) has maintenance responsibilities for the surface of the footpath, but only to a standard suitable for pedestrians. SCC will not be responsible for putting right any damage occurring to the surface of the footpath resulting from vehicular use during or after works to carry out the proposal. It should be noted that it is an offence to drive a vehicle along a public footpath unless the driver has lawful authority (private rights) to do so.

If it is considered that the development would result in any of the outcomes listed below, then authorisation for these works must be sought from Somerset County Council Rights of Way Group.

- A PROW being made less convenient for continued public use.
- New furniture being needed along a PROW.
- Changes to the surface of a PROW being needed.
- Changes to the existing drainage arrangements associated with the PROW.

If the work involved in carrying out this proposed development would

- make a PROW less convenient for continued public use (or)

- create a hazard to users of a PROW
then a temporary closure order will be necessary and a suitable alternative route must be provided. A temporary closure can be obtained from Sarah Hooper on (01823) 483069.'
