

Area West Committee – 21<sup>st</sup> May 2014

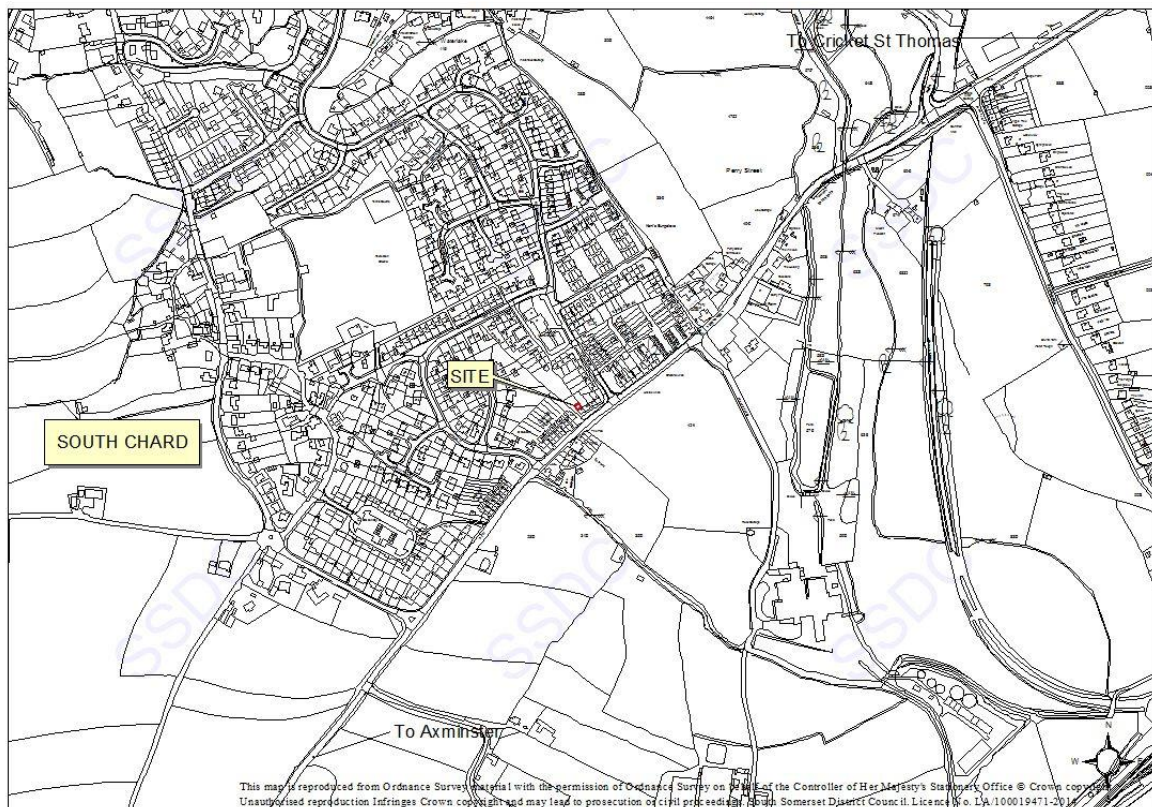
**Officer Report on Planning Application: 14/00745/FUL**

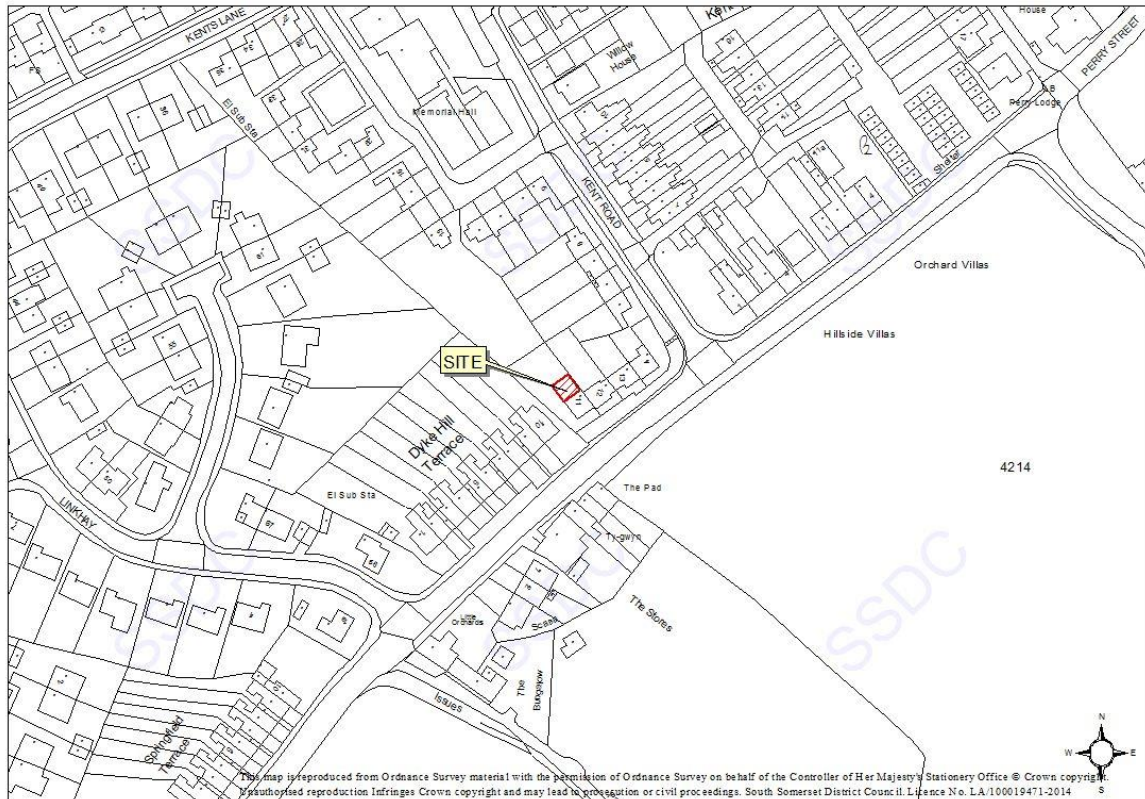
<b>Proposal:</b>	The erection of a single storey ground floor extension and first floor extension above an existing flat roof extension. (GR 333284/105163)
<b>Site Address:</b>	11 Dyke Hill Perry Street South Chard
<b>Parish:</b>	Tatworth And Forton
<b>TATWORTH AND FORTON Ward (SSDC Member)</b>	Cllr A Turpin
<b>Recommending Case Officer:</b>	Chloe Bevis Tel: (01935) 462321 Email: chloe.bevis@southsomerset.gov.uk
<b>Target date:</b>	24th April 2014
<b>Applicant:</b>	Mr & Mrs H Mizen
<b>Agent: (no agent if blank)</b>	Paul Rowe Caparo 11 Mervyn Ball Close Chard Somerset TA20 1EJ
<b>Application Type:</b>	Other Householder - not a Change of Use

**REASON FOR REFERRAL TO COMMITTEE**

This application is referred to Committee at request of the Ward Member with the agreement of the Area Chair to enable the issues to be fully debated.

**SITE DESCRIPTION AND PROPOSAL**





The application property is a semi-detached dwellinghouse of rendered elevations under a tiled roof set up on the northern side of Dyke Hill in the village of South Chard.

The property is one of four similar which front Dyke Hill and further dwellings located in Kents Road. The lie of the land slopes to the east.

The application property has a single storey flat roof extension which projects by 5.3 metres from and extends across half of the rear elevation.

Planning permission is sought to erect a first floor extension over the existing single storey whilst erecting a single storey lean-to projecting out the same distance adjacent to the boundary shared with the neighbouring property.

The adjoining property is set further forward than the application property by approximately one metre whilst also being situated on lower ground.

Materials are proposed to match the existing property.

## HISTORY

No recent or relevant history.

## 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.

The policies of most relevance to the proposal are:

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

Policy ST5 - General Principles of Development  
Policy ST6 - The Quality of Development

National Planning Policy Framework (March 2012):

Chapter 7 - Requiring good design

## **CONSULTATIONS**

**Tatworth and Forton Parish Council:** Recommend approval.

**Highways:** No comments.

## **REPRESENTATIONS**

Two neighbours notified and site notice displayed. No representations received.

## **CONSIDERATIONS**

The main issues in considering this application are the impact of the proposed development on the host property and its surroundings and the residential amenity of neighbouring occupiers.

### **Visual Impact**

In visual terms, the proposed first floor extension is long given its size is dictated by the ground floor extension below however it is set well down from the ridge and is considered to present a subservient appearance to the main dwelling with the use of appropriate materials and a design, scale and form that is in keeping with the existing property.

### **Residential Amenity**

Whilst the erection of a first floor extension above the existing single storey is considered acceptable in principle, it is considered the length of the extension proposed will result in significant harm to the residential amenity of the adjoining neighbour.

Using the 45 degree code as a guide to what is acceptable in terms of extensions, amenity and closely spaced dwellings, in this case, the adjoining property to the north east is set back from the rear wall of the application property by about one metre whilst also being situated at a lower ground level, this coupled with the length (5.3 metres), the first floor extension is considered to cause an unacceptable degree of overshadowing, further creating an overbearing and dominating effect on the living conditions of the adjoining occupier both in terms of their ground and first floor windows and rear outside space.

The applicant/agent was asked to consider reducing the length of the proposed first floor extension however did not wish to amend the scheme.

## **Conclusion**

The proposal is considered contrary to saved Policy ST6 of the South Somerset Local Plan (2006) and policies contained within the National Planning Policy Framework (2012)

by reason of the un-neighbourly and harmful form of development leading to an unacceptable degree of overshadowing and the creation of a dominating and overbearing impact on the neighbouring occupier's residential amenity. As such, the application is recommended for refusal.

**RECOMMENDATION**

Refuse.

**FOR THE FOLLOWING REASON:**

01. The proposed first floor extension, by reason of its length, scale and relationship with the adjoining property, will cause unacceptable harm to the residential amenity of the occupiers through loss of light and the creation of an overbearing and dominating impact. This is contrary to saved Policy ST6 of the South Somerset Local Plan (2006) and policies contained within the National Planning Policy Framework (2012).

**Informatives:**

01. In accordance with paragraphs 186 and 187 of the NPPF the council, as local planning authority, takes a positive and proactive approach to development proposals focused on solutions. The council works with applicants/agents in a positive and proactive manner by;
  - offering a pre-application advice service, and
  - as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions

In this case, the applicant/agent was asked to consider reducing the length of the proposed first floor extension however did not wish to amend the scheme.

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