

**REPORT TO THE DEVELOPMENT CONTROL
COMMITTEE**

Report No.

Date of Meeting	25th February 2009
Application Number	08/02729/FUL
Site Address	Hedgerows, Grove Lane, Yatton Keynell, Wilts. SN14 7BS
Proposal	Erection of Oak Framed Single Garage and Log Store
Applicant	Mr M Rimes
Town/Parish Council	Yatton Keynell
Grid Ref	386821 176744
Type of application	Full Application

Reason for the application being considered by Committee

This application has been submitted to the Committee for decision under the scheme of delegation in force after the 8th April 2002 because 5 letters of objection have been received

The application was deferred from the meeting on 28th January 2009 to allow officers to investigate alternative proposals that would reduce the impact upon neighbouring properties.

Summary of Report

This application proposes the erection of a timber single garage and log store on the site of a recently erected dwelling. The site lies within the Conservation Area and is immediately adjacent to a listed building and therefore the key points to consider are as follows:

- Implications on DC Core Policy C3
- Impact upon appearance of the site within the Conservation Area (Policy HE1)
- Impact upon the setting of a listed building (PPG15)
- Affect of the residential amenity of existing properties
- Impact on the Area of Outstanding Natural Beauty (Policy NE4)

Revised proposals have been received and further consultations undertaken.

Officer Recommendation

Planning Permission be GRANTED subject to conditions

Contact Officer	Brian Taylor	01249 706683	briantaylor@northwilts.gov.uk
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Proposal and Site Description

The site is occupied by a recently constructed dwelling (permitted under 07/00289/FUL). This application seeks to erect a detached timber garage to the side and rear. The site is within the conservation area. To one side is a listed cottage and to the other a more recent dwelling. The new dwelling had been the subject of considerable negotiation to secure a simple, modest traditionally detailed dwelling. Permission for an extension to the dwelling was refused and an appeal against refusal was dismissed.

The garage is a simple timber design with a lean-to log store. The building has a footprint of about 4.0 metres wide x 5.6 metres long. The width is made up of a single garage of 2.9 metres and a lean-to log store of 1.1 metre. Eaves are at their highest 2.1 metres. However, following the January Committee the overall ridge height has been reduced by 300mm from 3.55 metres to 3.25 metres. In addition the garage has been moved a further 2.5 metres away from the boundary with Sealeys Cottage (the adjacent listed building).

Planning History		
Application number	Proposal	Decision
06/00932/FUL	3 bed detached dwelling and detached garage	withdrawn
07/00289/FUL	3 bed detached house	permit
07/03176/FUL	Amendment to provide single storey utility extension	Refuse (appeal dismissed)

Consultations

Yatton Keynell Parish Council objects as the garage height and position i.e. being too close to a listed building. However, the Parish Council did not reject the principle of a garage and therefore recommends an appropriate amendment to the application.

Any additional comments on the revised proposals will be reported on the 'additional information' pages.

Representations

6 letters of objection have been received.

Summary of key points raised:

- Should be no more development on site
- Will create a precedent for further development
- Unacceptable encroachment on views within Conservation area
- Encroachment of root system of existing tree
- Would harm the character of the existing house
- No need for a garage
- Storage building could be lower
- Impact on listed cottages

Any additional comments on the revised proposals will be reported on the 'additional information' pages

Planning Considerations

Principle of development

The dwelling that now occupies the site was the subject of considerable negotiation. As part of that negotiation process the house was much reduced in size and a detached garage that was originally proposed was omitted. The main concerns regarded the impact on the conservation area and the adjacent listed building and that there was a desire not to overdevelop or overcrowd the site.

Whilst the dwelling was under-construction a further application was submitted seeking a modest extension to the dwelling. This was refused permission and an appeal dismissed. The comments of the Inspector are important to consider in any additional development at this site.

“The proposed extension would protrude from the western elevation, nearest to the listed cottages. This would erode the open space that presently separates them from the new house and which creates part of the open space that surrounds the cottages. I saw that this space is important in maintaining a rural setting for the cottages, which has been gradually eroded by the expansion of the village on three sides. As a result of the further erosion that would result from the proposed extension, I conclude that the setting of the listed cottages would not be preserved.

“The character and appearance of a conservation area is made up from the interrelationship of its constituent parts. In this case, the generous space around the existing buildings, including the new house, helps to create the spacious feeling of the semi rural location adjacent to open fields. I have found that the proposed extension would encroach into the setting of the cottages, and would harm the appearance of the new house, both of which are prominent and important features of this part of the conservation area.”

The Inspector's comments regarding the openness of the site and the rural setting of the listed cottages adjacent are clearly particularly important when assessing the current application.

The applicant's desire to have a garage and storage space is recognised, but this does not override any concerns about the impact on the Conservation Area and setting of the listed building (i.e. there is no right to be able to provide a garage if this would harm acknowledged amenity/conservation issues). In an effort to minimise any impact the applicants have proposed a garage of timber construction so that it appears as ancillary and subordinate to the solid, stone construction of the dwelling. They have also located to the rear of the site to retain the openness at the front of the site, so at least in public views any visual impact the building may have is minimised. Officers believe that in this way the proposal overcomes concerns expressed by the Inspector – the appearance of the new house is not compromised and to a large extent the appearance of openness is retained. There is clearly an issue about the impact of the building on the setting of a listed building. Officers believe that the design of garage is appropriate for this rural location. However it is a question of whether a building here is acceptable at all. Whilst the Inspector raises concerns about the rural setting of the listed cottages Officers believe this is maintained by this proposal.

The site is within the AONB but the proposals are not considered to conflict with the policy aim of conserving and enhancing the areas natural beauty.

Objectors have raised concerns about further development on this site. Officers worked very hard to secure a suitably sized and designed dwelling for this important site. Recent applications to extend the property have been successfully resisted. The applicant has sought to address his desire/need for additional storage space in a way that respects the character of the area and the comments of the Inspector. Officers believe that this proposal is acceptable given those constraints, but are also of the view that additional building could continue to be resisted.

Objectors have commented that the size and location of the building harm the outlook of neighbouring properties. The building is in Officers view not unduly large. It would be unusual to have any building

with eaves lower than the 2.1m shown. With a traditional 45 degree roof pitch a height of 3.5 metres is again not considered excessive. The building is located 800mm from the boundary of the listed building and 2.0m from the rear boundary. This is not considered to have an overbearing effect.

Concerns have been raised regarding a tree within the adjacent site. The Councils Landscape Planning Officer considers that the tree is unlikely to be harmed by the development although moving the building further away (by about 1.0m) would be an improvement. Given that Officers believe that the building better addresses the concerns expressed by the Inspector by locating it further back in the site, and the tree issue is not critical this amendment has not been sought, however the applicant has indicated that he is happy to consider an alternative location.

Revised Plans

At the Development Control Committee on 28th January Members resolved to defer making a decision to allow Officers to investigate alternative locations for the garage/store to reduce the impact on the adjacent listed building. It was not considered appropriate to locate the garage immediately to the rear or front of the dwelling for amenity reasons. A number of alternative designs and locations in the area between the new house and Sealeys Cottage were discussed. As a result the applicant has reduced the overall height of the garage by 300mm (reducing the height by any more resulted in a poor appearance for the garage) and moved the garage away from the boundary by a further 2.5 metres.

It is considered that this will have a much reduced impact upon the amenity and setting of the listed building.

Recommendation and Proposed Conditions/Informatives

Planning Permission be GRANTED subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out strictly in accordance with the approved plans subject to such minor amendments to the development as may be approved in writing under this condition by the local planning authority.

Reason: To ensure that the development is implemented in accordance with this decision in the interests of public amenity, but also to allow for the approval of minor variations which do not materially affect the permission.

Informative:

1. This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

Plan References

Drawing Nos 612/CAM/2006/2 and CH7776/01 (received by the local planning authority 5th December 2008)

Reason for Decision

The proposed garage and log store will not have an adverse impact upon the appearance of the dwelling, the amenity of nearby residential properties, the character of the conservation area or the setting of the adjacent listed buildings and the application is considered to comply with Policies C3, HE1 and NE4 of the North Wiltshire Local Plan 2011.

Appendices:	NONE
Background Documents Used in the Preparation of this Report:	1:20; 2.02; 5.01; 5.04; 4.02; 4.04