

Date of Meeting	16 February 2017
Application Number	16/10866/FUL
Site Address	4 Union Street, Ramsbury SN8 2PR
Proposal	Erection of a shed in garden
Applicant	Mr Richard Daniel
Town/Parish Council	RAMSBURY
Electoral Division	ALDBOURNE AND RAMSBURY – Councillor James Sheppard
Grid Ref	427844 171766
Type of application	Full Planning
Case Officer	Jennifer Allen

Reason for the application being considered by Committee

This application is brought before the Committee at the request of the Division Member, Councillor Sheppard for the following reasons:

- Scale of the development
- Impact upon the surrounding area
- Design – bulk, height and general appearance

1. Purpose of Report

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that the application be approved.

2. Report Summary

The main issues to consider are:

- Impact on character and appearance of conservation area
- Impact on North Wessex Downs Area of Outstanding Natural Beauty (AONB)
- Impact on residential amenity

3. Site Description

The application site comprises 4 Union Street Ramsbury, which is a semi-detached cottage located within the Ramsbury Conservation Area. It is also located within the North Wessex Downs Area of Outstanding Natural Beauty. The rear garden of the property is primarily laid to grass with approximately 2 metre high timber fencing around the boundaries. The cottage itself is two storeys in height and is served by a separate drive and garage located between no. 5 Union Street and 'Ravenbourne'.

4. Planning History

13/01580/FUL - Retaining wall to the front – Approve with conditions - 14/10/2013
E/10/1193/FUL - Two Storey Rear Extension. Bathroom window to existing side elevation. – Approve with conditions - 18/10/2010
K/82/0978 - Replace existing garage with detached garage – Approve with conditions - 20/01/1983
K/77/0118 - Extension on rear of dwelling – Approve - 28/03/1977

5. The Proposal

The application seeks planning permission for the erection of a shed within the rear garden of the property. The shed would be of timber construction with a slate tile roof. It would be 4 metres by 3.8 metres, with a ridge height of 3.8 metres. The shed would have a double door in the front elevation and a single door in the rear elevation. No windows are proposed with the exception of a roof light in the front-facing roof slope.

6. Local Planning Policy

National Planning Policy Framework 2012 namely
Section 7 Requiring good design
Section 11 Conserving and enhancing the natural environment
Section 12 Conserving and enhancing the historic environment

Wiltshire Core Strategy 2015
Core Policy 57 Ensuring high quality design and place shaping
Core policy 51 Landscaping
Core Policy 58 Ensuring the conservation of the historic environment

From the point of view of the historic environment a primary consideration is the duty placed on the Council under Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 to pay special attention to the preservation or enhancement of the character or appearance of the surrounding Conservation Area.

7. Summary of consultation responses

Ramsbury and Axford Parish Council:

Does not object to a garden shed at the property but feels that this particular structure is large for a small plot and would not enhance or improve the appearance of the conservation area.

8. Publicity

The application was advertised by site notice and neighbour notification.

Representations have been received from the occupiers of 2 neighbouring properties, which raise the following key concerns:

- The description of the proposal as a 'shed' is inaccurate
- The building would be excessively tall for a shed
- The building would be too close to the site boundaries and would take up too much of the garden area (53%), which would represent an overdevelopment of the site

- The building would have an overbearing impact and block light due to its height and proximity to the boundary
- The soakaway is not shown on the plans
- The applicant had already applied for a 2 storey garage with annexe. It should therefore not be possible for the shed to be converted to living or office space in the future
- No objection would be raised to a flat-roofed 2.25m shed which would not be used for any other purpose

The applicant responded to the points raised as follows:

- Definition of a shed provided
- Height and sloping roof not harming neighbours' amenity due to tree on the boundary
- Not overdevelopment as ownership includes a second parcel of land
- Soakaway not shown as this is not achievable within the site. Rainwater will run off into the ground
- Building would be sited where a previous building was located which was of a similar area to those surrounding the site
- Boundary fence is approximately 1.9 metres on No 4's side of the boundary (between no 4 and Beenham House)

One of the neighbours has responded to the applicant's rebuttal as follows:

- There is no tree in the garden which overhangs the boundary or obscures the view of the ridge
- The bay tree referred to is trimmed annually and does not block or light and air
- The pergola referred to is 2.8m high and is 1.97 square metres. It is not a larger more dominating building than the one that is proposed
- As the building is listed, planning permission was not required for the pergola structure
- The concerns raised regarding proximity to the boundary are regarding the foundations encroaching onto the neighbouring property

9. Planning Considerations

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

Impact on Conservation Area

The proposed development would comprise a building with a modest footprint within the grounds of a detached cottage, which would be used for purposes ancillary to the host property. The proposed shed would be in a landlocked position, surrounded by the gardens of adjacent properties. Although taller than a standard shed, the proposed location of the building is such that it would be some distance from the nearest roads and due to the presence of intervening buildings and vegetation, would not be readily visible from public viewpoints. The proposed materials – stained timber and slate tiles – would be in keeping with the surroundings. For these reasons, it is considered that the proposal would have a neutral impact on the character and appearance of the conservation area.

Impact on AONB

The proposed building would be situated within the main built up part of the settlement. As there would be no encroachment into countryside, no harm would be caused to the special qualities of the AONB.

Impact on Residential Amenity

The proposed building is taller than a standard shed and would be positioned close to the boundaries with the adjoining properties. Whilst the neighbours would have a view of the building from their properties, this would not necessarily result in a level of harm that would justify the refusal of planning permission.

The boundaries between the site and the adjoining properties are demarcated by fences of just under 2 metres in height. In light of this and the fact that no windows are proposed in the side elevation of the building, there would be no overlooking issues.

Concerns have been raised regarding the height of the proposed building. At a height of 3.8m, it would be fairly tall, however, the impact on the neighbours would be reduced by the gable roof design. As a consequence, the building would be visible to the occupiers of neighbouring properties but not overbearing. Furthermore, none of the windows in the neighbouring properties would be in such close proximity as to cause a significant loss of light.

Concerns have also been raised regarding future uses of the building. The applicant has made it clear that the building is to be used as a shed and there is no evidence to suggest otherwise. It is also relevant to consider what is permissible under the General Permitted Development Order (England) 2015. In accordance with Class E, buildings, enclosures, swimming pools etc. are permitted where they are 'incidental' to the enjoyment of the dwellinghouse. So, a domestic outbuilding can typically be used as a home office, garden room, playroom or as annexe accommodation without the need for planning permission. It would therefore not be possible to restrict the use of the building to a shed only. The limited footprint of the building would also in itself restrict how it could realistically be used.

The concerns raised regarding the encroachment of the foundations due to the close proximity of the building to the site boundaries are a private matter for resolution between the respective landowners.

10. Conclusion (The Planning Balance)

Although taller than a standard shed, the positioning and design of the building is such that it would not cause harm to the character and appearance of the conservation area, or the AONB. Also, whilst the building would be visible to the neighbours it would not result in a significant loss of amenity. There are insufficient grounds to refuse the application and it is therefore recommended for approval.

RECOMMENDATION

That 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 the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Application Form

Design and Access Statement

Revised Drawing No. 01 'Proposed Shed' received on 12 January 2017

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

- 3 No paint or stain shall be applied to the timber cladding until details of the paint or stain to be applied have first been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the building being first brought into use.

REASON: In the interests of visual amenity and the character and appearance of the conservation area.

- 4 No development shall commence on site until details (including a sample if required) of the tile to be used in the construction of roof have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the conservation area.

- 5 INFORMATIVE TO APPLICANT:

The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowner's consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

