REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No. 3

Date of Meeting	20th September 2018
Application Number	18/04913/FUL
Site Address	2 Duchy Cottages
	North Road
	Mere
	Warminster
	BA12 6HG
Proposal	Removal of Single Garage and Shed on Driveway and
	Replacement with a Double Garage.
Applicant	Mrs J Ritter
Town/Parish Council	MERE
Electoral Division	MERE – Councillor Jeans
Grid Ref	381275 132734
Type of application	Full Planning
Case Officer	Christos Chrysanthou

Reason for the application being considered by Committee

The application has been called-in to Committee by Councillor Jeans citing concerns in respect of the scale, design and visual impact of the development and the relationship to adjoining properties.

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 which are considered to be material in the determination of this application are listed below:

- Scale, siting and design
- Impact on amenity
- Highways/drainage

3. Site Description

The application site is a red brick mid-terraced cottage situated within an established residential area in Mere. The site is accessed off North Road and is within an adopted housing policy boundary.

4. Planning History

17/05893/FUL Proposed garage REF/ APPEAL DISMISSED
17/00526/FUL Proposed two storey rear extension, garage Refused
16/08146/FUL Proposed two storey rear extension, garage and annex REF 11/10/16
Proposed two storey rear extension, garage and annex REF 19/12/16

5. The Proposal

Planning permission is sought for the removal of single garage and shed on driveway and replacement with a double garage.

6. Local Planning Policy

National Planning Policy Framework

- 2. Achieving Sustainable Development
- 4. Decision-making
- 12. Achieving well-designed places

<u>Wiltshire Core Strategy (WCS)</u> Core Policy 1 Settlement Strategy Core Policy 57 Ensuring high quality design and place shaping

7. Summary of consultation responses

Mere Town Council Objection

In addition to the Town Council's previous objection, which it reiterates below, members noted that the Transport Technician had pointed out that the proposed garage would only be large enough to accommodate one vehicle as the minimum internal measurements of a double garage are required to be 3m X 6m. Whilst the revisions are an improvement in terms of lessening the height from the street, members felt it was unnecessary to propose the development of a garage that was still of such a large scale and mass when it would not qualify as a double garage (as the proposal is worded).

The Town Council considers that this application does not address the previous reasons for refusal. The proposal site in relation to the garage directly abuts the side garden area serving No. 1 Duchy Cottages, and the site itself is readily visible in the surrounding street scene, being positioned closer to the road than the existing dwellings. The proposed garage, by reason of its excessive scale and mass and siting would have a detrimental impact on the character and setting of the street scene, and would have an overbearing impact on the amenities of neighbouring property No. 1 Duchy Cottages. The proposed development is therefore considered contrary to the aims and objectives of CP57 of the Wiltshire Core Strategy and the aims and objectives of the National Planning Policy Framework.

WC Highways No objection subject to conditions

The proposal is for the removal of the existing single garage and shed on the driveway and to replace with a double garage. The external measurements of the proposed garage is 5m x 6.7m, this is only large enough to accommodate one vehicle. The internal measurements of a garage are required to be a minimum of 3m x 6m, however this does not affect the highway observations.

8. Publicity and summary of representations

The application was advertised by site notice and neighbour consultation letters. 1 Letter of Support and 1 Letter of Objection have been received.

Support – Would improve the area of the property making it a neat/tidy area.

Objection – Size, mass, inadequate surface water drainage, perceived overlooking, encroaching on neighbours land, fundamentally the same scheme as previous refusal, not a double garage but a large single garage, at odds with existing ancillary structures in the vicinity.

9. Planning Considerations

Scale, siting and design

Planning permission is sought for the removal of single garage and shed on driveway and replacement with a double garage.

Core Policy 57 states a high standard of design is required in all new developments, including extensions, alterations, and changes of use of existing buildings. Development is expected to create a strong sense of place through drawing on the local context and being complimentary to the locality.

Four previous applications consisting of a double garage have been previously refused on the site.

The most recent refusal was subsequently dismissed at appeal (LPA ref: 17/05893/FUL, appeal decision ref: APP/Y3940/W/17/3189216). In assessing the impact of the dismissed proposal on the street scene, the inspector concluded that the scheme was unacceptable in scale, siting and design:

The overall scale and proportions of the proposed garage would introduce a bulky and obtrusive structure onto the site, fundamentally at odds with the scale of existing ancillary structures in the vicinity...

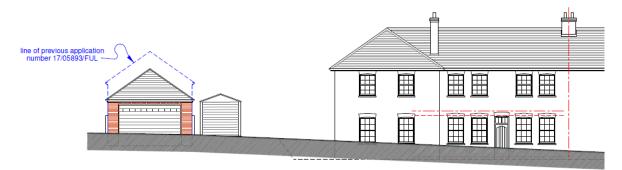
...Owing to its position on a slight curve of North Road and the elevated ground level, the bulk of the proposal would be dominant and prominent. Despite the use of matching materials, and taking into account the modifications to the roof form compared with a previous iteration, the proposal would still appear as an incongruous feature. Even though the appeal site is not within the Mere Conservation Area, the effect would still be to diminish unacceptably the character and appearance of the surrounding area...

...I conclude therefore that the appeal scheme would result in harm to the character and appearance of the area. (Appeal decision paras 5, 6 & 7).

In light of the inspectors decision, this application would need to demonstrate that the proposal is acceptable in terms of its scale, siting and design and would not result in harm to the character and appearance of the area.

The resubmission proposes to demolish the existing garage and shed which are situated to the driveway adjacent to no1 Duchy Cottages and erect a replacement garage. The proposed garage would have a width of 5m and a length of 6.8m (reduced from 9m). The height would be 2.8m to the eaves (reduced from 3m) and 4.6m to the roof ridge (reduced from 5m).

The proposed exterior materials of the garage are to match the main dwellinghouse. The reduced length of the side walls results in the garage not projecting in front of the neighbours single garage and would therefore maintain the existing building line of the street.



Street View (North Road)

Revised plans have been submitted which propose a decline driveway and the garage would be sited on land 0.6m lower than road level thereby reducing the visual impact of the garage from the street. The overall height reduction of the scheme totals 1m in comparison to the previously refused scheme. The section drawing submitted demonstrates that the height to the roof ridge would be approximately at the eaves level of the main cottages.

In light of the changes to the scheme officers consider that revised proposal has overcome the previous reasons for refusal. The scale, siting and design of the proposed garage are considered to be acceptable.

Impact on amenity

Core Policy 57 requires that development should ensure the impact on the amenities of existing occupants is acceptable, and ensuring that appropriate levels of amenity are achievable within the development itself, and the NPPF's Core Planning Principles (paragraph 17) includes that planning should 'always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.'

In assessing the impact on amenity of the previously refused and dismissed proposal, the inspector concluded that there would not be an impact on the amenities of neighbouring properties:

Although the replacement garage would be more visible than the existing structures on the appeal site, the proposal would still be some distance from the house itself, separated by the

access lane and its own garage. I do not consider therefore that there would be any significant enclosing effect on the outlook from the side windows at No 1. For the same reasons, I do not consider that the increase in height and depth would give rise to any shading effects on the neighbouring property...

...Assessing the scheme against the existing and proposed site circumstances, I do not find the proposed changes would materially harm the living conditions of the occupiers of No 1 with regard to outlook and light. (Appeal decision paras 8&9).

As the proposal is a reduced scheme to the previous refused/dismissed proposal which was considered by an inspector to not negatively impact on amenity, officers consider that the proposed garage would not unduly impact upon the amenities of the neighbouring property No1 Duchy Cottages.

Highways/drainage

Criteria (ix) of Core Policy 57 aims to ensure that the public realm, including new roads and other rights of way, are designed to create places of character which are legible, safe and accessible.

WC Highways have considered the proposed development and have responded with no objection subject to conditions.

Officers note the comments relating to the description stating it's a double bay despite the garage not being wide enough to fit two vehicles. It is noted from previous discussions with the applicant that the garage is intended for the parking of a campervan.

Any drainage matters would be dealt with by building regulations.

10. Conclusion

The proposal was recently subject of an appeal decision. It is considered that this revised proposal overcomes the issues raised by the appeal decision. Consequently, the development proposal is considered to accord to the aims and objectives of CP57 of the Wiltshire Core Strategy and the National Planning Policy Framework.

RECOMMENDATION

Approve 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:

Drg. no. 4.8 Garage (Proposed) Date rec. 22/05/18 Drg. no. 5.1 Garage (Proposed) (Revised) Date rec. 10/08/18

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

3 Before the development hereby permitted is first occupied the rear windows in the north elevation of the detached garage shall be glazed with obscure glass only [to an obscurity level of no less than level 3] and the windows shall be maintained with obscure glazing in perpetuity.

REASON: In the interests of residential amenity and privacy.

4 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture those used in the existing main dwelling.

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

5 The development hereby permitted shall not be first brought into use until the first five metres of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

6 No part of the development hereby permitted shall be first brought into use until the access and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), the garage hereby permitted shall not be converted to habitable accommodation.

REASON: To safeguard the amenities and character of the area and to secure the retention of adequate parking provision, in the interests of highway safety.