

Bath & North East Somerset Council

MEETING: **Development Management Committee**

MEETING DATE: **24th August 2016**

AGENDA
ITEM
NUMBER

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RESPONSIBLE OFFICER: Mark Reynolds – Group Manager (Development Management) (Telephone: 01225 477079)

TITLE: **APPLICATIONS FOR PLANNING PERMISSION**

WARDS: ALL

BACKGROUND PAPERS:

AN OPEN PUBLIC ITEM

BACKGROUND PAPERS

List of background papers relating to this report of the Group Manager, Development Management about applications/proposals for Planning Permission etc. The papers are available for inspection online at <http://planning.bathnes.gov.uk/PublicAccess/>.

- [1] Application forms, letters or other consultation documents, certificates, notices, correspondence and all drawings submitted by and/or on behalf of applicants, Government Departments, agencies or Bath and North East Somerset Council in connection with each application/proposal referred to in this Report.
- [2] Department work sheets relating to each application/proposal as above.
- [3] Responses on the application/proposals as above and any subsequent relevant correspondence from:
 - (i) Sections and officers of the Council, including:
 - Building Control
 - Environmental Services
 - Transport Development
 - Planning Policy, Environment and Projects, Urban Design (Sustainability)
 - (ii) The Environment Agency
 - (iii) Wessex Water
 - (iv) Bristol Water
 - (v) Health and Safety Executive
 - (vi) British Gas
 - (vii) Historic Buildings and Monuments Commission for England (English Heritage)
 - (viii) The Garden History Society
 - (ix) Royal Fine Arts Commission
 - (x) Department of Environment, Food and Rural Affairs
 - (xi) Nature Conservancy Council
 - (xii) Natural England
 - (xiii) National and local amenity societies
 - (xiv) Other interested organisations
 - (xv) Neighbours, residents and other interested persons
 - (xvi) Any other document or correspondence specifically identified with an application/proposal
- [4] The relevant provisions of Acts of Parliament, Statutory Instruments or Government Circulars, or documents produced by the Council or another statutory body such as the Bath and North East Somerset Local Plan (including waste and minerals policies) adopted October 2007

The following notes are for information only:-

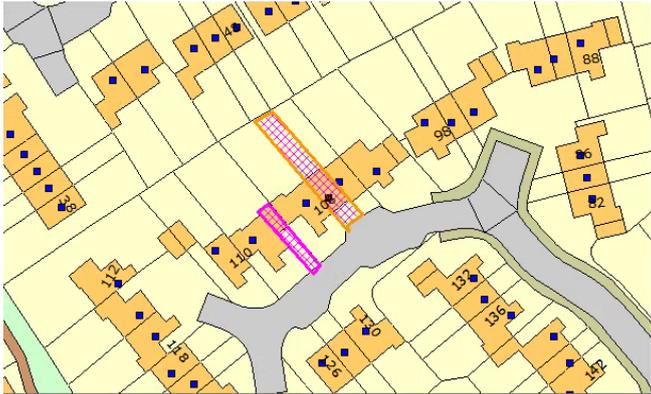
- [1] "Background Papers" are defined in the Local Government (Access to Information) Act 1985 do not include those disclosing "Exempt" or "Confidential Information" within the meaning of that Act. There may be, therefore, other papers relevant to an application which will be relied on in preparing the report to the Committee or a related report, but which legally are not required to be open to public inspection.

- [2] The papers identified or referred to in this List of Background Papers will only include letters, plans and other documents relating to applications/proposals referred to in the report if they have been relied on to a material extent in producing the report.
- [3] Although not necessary for meeting the requirements of the above Act, other letters and documents of the above kinds received after the preparation of this report and reported to and taken into account by the Committee will also be available for inspection.
- [4] Copies of documents/plans etc. can be supplied for a reasonable fee if the copyright on the particular item is not thereby infringed or if the copyright is owned by Bath and North East Somerset Council or any other local authority.

INDEX

ITEM NO.	APPLICATION NO. & TARGET DATE:	APPLICANTS NAME/SITE ADDRESS and PROPOSAL	WARD:	OFFICER:	REC:
001	16/01581/FUL 30 June 2016	Mr Griffiths 104 Faulkland View, Peasedown St. John, Bath, Bath And North East Somerset, BA2 8TQ Erection of a single storey extension to garage.	Peasedown St John	Chloe Buckingham	PERMIT

REPORT OF THE GROUP MANAGER, DEVELOPMENT MANAGEMENT ON APPLICATIONS FOR DEVELOPMENT

Item No:	001		
Application No:	16/01581/FUL		
Site Location:	104 Faulkland View Peasedown St. John Bath Bath And North East Somerset BA2 8TQ		
			
Ward:	Peasedown St John	Parish:	Peasedown St John
Grade:	N/A		
Ward Members:	Councillor Sarah Bevan Councillor Karen Walker		
Application Type:	Full Application		
Proposal:	Erection of a single storey extension to garage.		

LB

Constraints:	Affordable Housing, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Housing Development Boundary, SSSI - Impact Risk Zones,
Applicant:	Mr Griffiths
Expiry Date:	30th June 2016
Case Officer:	Chloe Buckingham

REPORT

REASON FOR REPORTING APPLICATION TO COMMITTEE:

An objection has been received from Peasedown Parish Council as the proposal will result in significant change to the material impact of the street scene and because the proposed development does not meet with the recommended thresholds for garage widths as detailed in the DCLG & DoT Manual for Streets (item 8.3.41 refers). Councillor Sarah Bevan who lives next door to this development has also objected to the proposal. The chair of the committee has therefore decided that this application should be considered by committee.

This application was deferred at the last meeting of the Committee to allow members to visit the site.

DESCRIPTION OF SITE AND APPLICATION:

This application relates to a garage that is in the ownership of no.104 Faulkland View but situated between no.s 106 and 108 Faulkland View. The application seeks planning permission for the erection of a single storey front extension to the existing garage which will be joined to an identical proposed extension to the garage for no.106 which is attached to the garage for no.104.

The garage for no.104 is proposed to be extended to the front by 3m with the inclusion, when viewed from the front, of a mono-pitched roof. Behind the mono-pitched roof will be a flat felt roof joining the extension to the existing garage. A planning application for an identical and conjoined proposal for the adjoining garage for no.106 Faulkland Road (16/01580/FUL) is also for consideration by committee. If the proposed garage extension to no.104 Faulkland View is built independently from the proposed extension at no.106 Faulkland View then the exposed side wall will be constructed of materials to match the existing walls.

SUMMARY OF CONSULTATIONS/REPRESENTATIONS

Highway Development Officer:

- This will serve to extend the existing garage by a further 3m to around 8m in length so insufficient to house two vehicles.
- This will reduce the effective length of the remaining driveway and its capacity to park a second vehicle clear of the highway boundary.
- Having checked the adopted highway limits of this shared surface road there is sufficient driveway space for the parking of a second vehicle between the extended line of the garage and the highway. Therefore, there are no objections to his application.

OTHER REPRESENTATIONS / THIRD PARTIES

Two neighbour objection comments have been received, one from no.108 and one from no.126 on the other side of the road can be summarised as follows:

- 1) The extension will block damp course ventilations in the wall on the side elevation of no.108.
- 2) The extension to the garage would prevent the owner of no.108 from maintaining this wall.
- 3) It will compromise the link detached status of no.108. This will necessitate a change in the deeds, and may therefore compromise the value of the property.
- 4) The wiring for the satellite dish will need to be re-routed, which will incur unnecessary expense.
- 6) No.108 would however prefer that only one garage is extended as the extension to the garage for no.104 will still materially affect no.108.
- 7) The extensions involve a flat roof which is out-of-keeping with the wider area.
- 8) The residents opposite the application site cannot safely access or exit their family car from their private driveway due to the length of the trade vehicles parked on both applicants' driveways. This will present an even greater danger if both driveways are reduced in length.
- 9) Both applicants already use their existing garages as business premises in order to carry out noisy construction work. If the application is approved this is likely to increase noise.
- 10) This will result in the displacement of the trade vehicle when parked to the end of the driveway. This will overshadow/block the light to the sitting room and front garden of no.108. This will cause damage to the grass and fig tree in the front garden.
- 11) Development will create a dominant, almost overbearing form, Thus creating a terraced effect on properties that are currently link detached, spoiling the characteristics of the cul-de-sac.
- 12) The proposed extensions do not leave room for commercial vans to be parked either in their garage or on their driveways. Therefore, the only option will be to park them on the road. There are many young children living in the street and blocking the road with vans will only cause more traffic congestion. This does not support the 'Peasedown St John Local Parish Plan 2010', which highlights plans to create safer communities within the village, as quoted on page 7 of the plan "overnight parking of cars and lorries on roads within the residential areas of the village causes concern for some. This can be attributed to the increase in car ownership and parking of company vehicles adjacent to drivers' houses, particularly where parking takes place on pavements or blocks access or sightlines to residential driveways".

RELEVANT PLANNING HISTORY:

- There is no relevant planning history for this site.

POLICIES/LEGISLATION

The Core Strategy for Bath and North East Somerset was formally adopted by the Council on 10th July 2014. The Core Strategy now forms part of the statutory Development Plan and will be given full weight in the determination of planning applications. The Council's Development Plan now comprises:

- Bath & North East Somerset Core Strategy (July 2014)
- Saved Policies from the Bath & North East Somerset Local Plan (2007)
- Joint Waste Core Strategy

The following policies of the Core Strategy are relevant to the determination of this application:

- CP6 - Environmental Quality
- CP2 - Sustainable Construction

The following saved policies of the Bath and North East Local Plan, including minerals and waste policies, adopted October 2007 are also relevant to the determination of this application.

- D2 - General Design and public realm considerations
- D4 - Townscape considerations
- T24 - General development control and access policy
- T26 - Parking

At the Council's Cabinet meeting on 2nd December 2015 the draft Placemaking Plan was approved for consultation purposes and also approved for Development Management purposes. However, currently the Plan has limited weight in the determination of planning applications. The following policies are relevant:

- D.1 General urban design principles
- D.2 Local character and distinctiveness
- D.6 Amenity
- ST.1 Promoting sustainable travel.

Peasedown St John Local Parish Plan (2010)- Note: this document does not form part of the statutory Development Plan.

Peasedown St John Village Statement (2001)

Other possible Relevant Considerations (without limitation):

- National Planning Policy Framework
- National Planning Practice Guidance

OFFICER ASSESSMENT

PRINCIPLE OF DEVELOPMENT:

There is no objection in principle to extending a domestic garage by 3m in length within the housing development boundary of Peasedown St John. However, the details of the proposal must be considered acceptable and this is addressed below.

DESIGN OF THE DEVELOPMENT AND IMPACT ON THE STREET SCENE AND SURROUNDING AREA:

The design of the extension to the garage is considered to be in-keeping with the design of the existing garages and properties within the street scene. The extension extends to the front by 3m and has a proposed mono-pitched roof design (when viewed from the front), matching the tiles and brickwork of the existing garage. The development is considered to be of an acceptable scale, siting and design that will ensure that the character and appearance of the property is safeguarded.

IMPACT ON RESIDENTIAL AMENITY:

The proposed extension is situated to the front of the existing garage, with an identical extension proposed to the garage for no.106 which is situated to the side of the garage for no.104. The modest nature of the extension is such that there are not considered to be any significant negative impacts in terms of overlooking, loss of privacy or loss of light for any of the surrounding properties. The dwellings to the front of the property are considered to be a sufficient distance away from the property, separated by an access road and garden space. No.108 to the side of the property also has a large blank side elevation nearest to the garage and the garage extension is not proposed to extend beyond the front elevation of no.108. There have been objections made from no.108 to explain that the displacement of the trade vehicle will create a loss of light to the sitting room and front garden of no.108. However, the development is not considered to result in any significant loss of light to the sitting room and front garden of no.108. Overall, given the way in which the single storey extension to the garage is well integrated with the existing building, the development is not considered to result in any harm to the residential amenity of the neighbouring occupiers.

PLANNING OFFICER ASSESSMENT OF HIGHWAY ISSUES:

The existing garage will be extended by a further 3m to around 8m in length which is insufficient to house two vehicles. This will reduce the length of the remaining driveway and its capacity to park a second vehicle clear of the highway boundary. However, there is sufficient driveway space for the parking of a second vehicle between the extended line of the garage and the highway and so there are no objections. With this in mind, the proposed development is not considered to cause any issues in relation to parking provision or access.

OTHER MATTERS: There have been objections made from no.108 to explain that the extension will block damp course ventilations in the wall on the side elevation of no.108 and that the extension to the garage would prevent the owner from maintaining this wall. The objection also explains that the extension will compromise the link detached status of the property and compromise the value of the property. However, it must be noted that party wall issues are a civil matter between the neighbours and are not considered through the planning system. Similarly loss of property value is not a material planning consideration and so this cannot be considered within this report. Objections have also been raised to explain that the garage is to be used as a business premises however, this application is for a domestic garage and a separate change of use application would have to be submitted if this were the case.

CONCLUSION:

The modest 3m extension to the front of the garage will not extend beyond the principle building line of no.108 and so there are not considered to be any significant negative residential amenity impacts regarding loss of light, loss of privacy or overlooking for surrounding neighbours. The design and use of materials are also considered to be in-keeping with the streetscene and there is sufficient space within the driveway after the extension has been constructed in order to park one vehicle. Objections have also been raised to explain that the garage is to be used as a business premises however, this application is for a domestic garage and a separate change of use application would have to be submitted if this were the case.

Members should note that whilst it is proposed to extend this garage in association with the proposed garage extension at no.106 Faulkland View it is considered acceptable for this proposal to be constructed on its own.

RECOMMENDATION

PERMIT

CONDITIONS

1 Standard Time Limit (Compliance)

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

Reason: As required by Section 91 of the Town and Country Planning Act 1990 (as amended) and to avoid the accumulation of unimplemented planning permissions.

2 Highways - Garages (Compliance)

The garage hereby approved shall be retained for the garaging of private motor vehicles associated with the dwelling and ancillary domestic storage and for no other purpose.

Reason: To ensure adequate off-street parking provision is retained in accordance with Policy T.26 of the Bath and North East Somerset Local Plan.

3 Plans List (Compliance)

The development/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below.

Reason: To define the terms and extent of the permission.

PLANS LIST:

This decision relates to the Location Plan, the Existing and Proposed Site Plan and the Existing and Proposed Floor Plans and Elevations (16021_P1 Rev A) received by the Council on 19th May 2016.

DECISION TAKING STATEMENT:

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Policy Framework. For the reasons given, and expanded upon in the delegated report, a positive view of the submitted proposals was taken and planning permission was granted.

Condition Categories

The heading of each condition gives an indication of the type of condition and what is required by it. There are 4 broad categories:

Compliance - The condition specifies matters to which you must comply. These conditions do not require the submission of additional details and do not need to be discharged.

Pre-commencement - The condition requires the submission and approval of further information, drawings or details before any work begins on the approved development. The condition will list any specific works which are exempted from this restriction, e.g. ground investigations, remediation works, etc.

Pre-occupation - The condition requires the submission and approval of further information, drawings or details before occupation of all or part of the approved development.

Bespoke Trigger - The condition contains a bespoke trigger which requires the submission and approval of further information, drawings or details before a specific action occurs.

Please note all conditions should be read fully as these headings are intended as a guide only.

Where approval of further information is required you will need to submit a conditions application and pay the relevant fee, details of the fee can be found on the "what happens after permission" pages of the Council's Website. You can submit your conditions application via the Planning Portal at www.planningportal.co.uk or send it direct to planning_registration@bathnes.gov.uk. Alternatively this can be sent by post to The Planning Registration Team, Planning Services, Lewis House, Manvers Street, Bath, BA1 1JG.