

48/2005/019

MR D CLEERE

**RETENTION OF DETACHED GARAGE AT 4 KYRENIA COTTAGE, SCHOOL ROAD, MONKTON HEATHFIELD.**

25490/26810

RETENTION OF BUILDINGS/WORKS ETC.

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**PROPOSAL**

A previous application 48/2004/074 was considered at the meeting in January, 2005 for the retention of a domestic garage at 4 Kyrenia Cottage which was refused for the following reason: The biding by reason of its bulk and roof height will detract from the amenities and outlook of adjoining dwellings. The garage measures some 9 m x 5.1 m in ground area and 4.6 m to ridge height. It is constructed of rendered concrete block and concrete interlocking tiles, incorporates patio doors in one elevation, and is sited at the bottom of rear garden on an end of terrace cottage. The adjoining terraced unit also has a garage which immediately adjoins the proposal. Vehicular access is via an unadopted private highway which serves a large residential parking area. Planning permission was granted in June 2003, reference. 48/2003/031, for a two storey side extension, new porch, rear conservatory and detached garage. The approved garage was in the same location as that built, comprised the same length of 9 m but was 3.9 wide, and incorporated a mono-pitch of 3 m in height. An appeal has been lodged against the recent refusal.

The current proposal whilst identical to the earlier refusal provides additional information in the form of a statement which advises inter alia, of the following:- the garage is not for commercial use but is a private garage; the materials used are complementary to the house extension; there are a great many garages of a similar if not larger roof size within the locality (photographs of examples included);a access to the neighbouring property's garage has not been compromised; he acknowledges that it was remiss of him to undertake the development without first obtaining planning permission; prior to the work commencing, the property was in a decrepit state of repair with a harmful impact on visual amenity; a boundary fence has recently been reinstated and accordingly a significant part of the garage is no longer openly visible. 6 letters of support accompany the application.

**CONSULTATIONS AND REPRESENTATIONS**

COUNTY HIGHWAY AUTHORITY the garage fronts a private garage area, and one additional garage would not substantially increase traffic using the access road, there is sufficient space for turning, although current parking arrangements block access to the garages, the garage area and small access road are not adopted highway.

PARISH COUNCIL The Parish Clerk has received this morning notification of an appeal being lodged on refusal of planning permission. The comments of the Parish Council are unchanged by the notification of the appeal. The comments are that the Parish Council remains extremely dissatisfied that the building was put up not in accord with

the plans for which permission had originally been granted. The original building had a flat or slightly sloping roof, in keeping with the area, but the unauthorised building has a much higher roof line with an apex roof, too high for the immediate environment. The Parish Council considers that the planning process is being brought into disrepute, by the building of a structure for which planning permission had not been given, by the subsequent application for retrospective planning permission, and then the subsequent lodging of an appeal against the decision of the Local Planning Authority. The Parish Council objects to this apparent disregard for regulations. Furthermore, the structure as it stands is of a construction and a scale that are out of keeping with the area, and the materials are not in accord with locally used building materials. If the structure remains it is likely to affect the neighbouring properties' enjoyment of the area. The Parish Council notes that, whilst not in itself a planning objection, the orientation of the garage, and the access door on the east side of the garage, thus leaving French doors and two windows on the south elevation facing the property, leave some unanswered questions about vehicular access to the east facing door.

6 LETTERS OF OBJECTION have been received raising the following issues:- no accurate plans have been submitted; the building does not appear to be an everyday garage; regulations and legislation should be adhered to; the building has a huge over exaggerated roof, and is too large.

### **POLICY CONTEXT**

Policies S1 and S2 of the Taunton Deane Local Plan seek to safeguard, inter alia, visual and residential amenity.

### **ASSESSMENT**

Previous application was refused because Members considered that the bulk and height would detract from visual amenity. Clearly therefore there is not an issue relating to impact on residential amenity in terms of light or privacy. The fact that the application is retrospective is not a reason for refusal in itself despite the Parish Council's comments. The sole issue relates to impact on visual amenity and given that a similarly sited garage has already been granted permission (48/2003/031), given that the property has been dramatically improved visually, and given that the recently built timber fence makes the garage less open to view, I can only reiterate my previous recommendation that visual amenity has not been adversely affected, and that permission should therefore be granted.

### **RECOMMENDATION**

Permission be GRANTED subject to condition re domestic use only.

REASON(S) FOR RECOMMENDATION:- The proposed development would not adversely affect visual or residential amenity and therefore does not conflict with Taunton Deane Local Plan Policies S1 and S2.

**In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1998.**

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NOTES: