

Application No:	3/04/19/003
Parish	Brushford
Application Type	Full Planning Permission
Case Officer:	Sarah Wilsher
Grid Ref	Easting: 286973 Northing: 124867
Applicant	Mrs Jan Aldridge
Proposal	Erection of balcony to the rear elevation, replacement garage and workshop/store with garden room
Location	Moorland View Cottage, Oldways End, Tiverton, EX16 9JQ
Reason for referral to Committee	

Recommendation

Recommended decision: Refuse

Reasons for refusal:

- 1 In the opinion of the Local Planning Authority the significance and the character the Methodist Chapel, a historical monument and non-designated heritage asset, will be harmed by the close proximity of the proposed garage extension. This identified harm is not outweighed by the proposed benefits of the proposal. The proposal is therefore not in accordance with policies NH1 and NH2 of the West Somerset Local Plan and the Government's policy as laid out in the NPPF, particularly Section 16 and paragraph 197.

Informative notes to applicant

- 1 This decision relates to Drawing Numbers:
(A4) DrNo M.V.1.A Location Plan
(A3) DrNo M.V.3.A Proposed Floor Plans and Elevations
(A3) DrNo M.V.5.A Proposed Balcony - Floor Plan and Elevations
- 2 **STATEMENT OF POSITIVE WORKING**

In determining this application the Local Planning Authority considers it has complied with the requirements of paragraph 38 of the National Planning Policy Framework. Pre-application discussion and correspondence took place between the applicant and the Local Planning Authority. During the course of pre-application discussions the applicant was informed that, in the view of the local planning authority, the proposal was considered to be unacceptable in

principle because it was contrary to the strategic policies within the Development Plan / policies within the National Planning Policy Framework in respect of its effect on a heritage asset. Despite this advice the applicant chose to submit the application. The concerns raised during the pre-application discussions/ correspondence remain and, for the avoidance of doubt, were reiterated to the applicant during the course of the application.

For the reasons given above and expanded upon in the planning officer's report, the application was considered to be unacceptable and planning permission was refused.

Proposal

It is proposed to extend the existing garage to the south on the roadside elevation. Currently the single garage is 11m long and 5.1m wide and 4.4m in height, built of painted stone with a corrugated metal hipped roof. In order to use it more easily more vehicular storage it is intended to extend it to the west by about 3m and to raise it in height by about 400mm. The extension will be rendered blockwork and the roof will be replaced with natural slates. Originally there were to be two timber double doors on the front elevation, but as these would open out onto the adjacent highway they have been replaced with two roller shutter doors.

To the east of the garage there is a workshop/store building which has a steel frame under a dual-pitched corrugated metal roof. Behind this there is a second workshop/store which sits perpendicular to the first. This is similar in appearance to the workshop to the south but has some timber cladding and is lower in height. The two workshops are linked with a flat roofed section. The two workshop/stores form in effect an L-shaped building which is 9m long on the roadside elevation and protrudes to the north by about 11.3m, with a width of about 4m. It is proposed to replace these buildings with an L-shaped building to comprise a workshop on the roadside elevation with a garden room and garden store behind. This building will cover the same footprint as the existing buildings but will be slightly higher by about 300mm. It will be rendered with a dual-pitched slate roof to match the garage.

In addition, it is proposed to extend the existing raised platform to the rear of the bungalow to create a balcony with storage space beneath. This will be about 0.8m high with 1.1m high balustrading. It will be accessed from ground level by steps to the west elevation and by a door on the rear elevation. On part of the west elevation there was proposed to be a screen, which would fit beneath the eaves and slope down from about 2.4m in height to about 1.8m in height, then 1.1m high balustrading would be erected on the most northern part of the west elevation. To prevent any loss of privacy to the neighbouring property, amended plans were sought to continue the screen for the whole of the west elevation. A 2m screen is thus proposed on the west elevation.

Site Description

Moorland View Cottage is a rendered bungalow under a concrete tiled hipped roof with upvc fenestration. It is on an elevated position situated between two roads. There is a high hedge bordering part of the front garden to the south beyond which is a parking area with a fence of about 1m bordering the roadside. Within the west side of the front garden there is the L-shaped workshop/store and further to the west there is the garage to be extended.

Relevant Planning History

None.

Consultation Responses

Brushford Parish Council - The parish council examined it at their meeting on May 14th and approved it.

Highways Development Control - The red line and part of the development encroaches onto the adjoining highway, ie the new garage doors. This element of the proposal should be amended otherwise refusal is recommended.

Conservation Officer - The garage extension will adversely affect the setting of the chapel, which is considered to be a heritage asset (verbal).

Representations Received

One letter giving comments - requesting clarification on distances of garages from boundaries.

Four letters of support as follows:

- The existing buildings are an eyesore and replacing them will improve the aesthetic appearance.
- Their current delapidated state mean that they are susceptible to coming apart in severe weather.
- The land between the existing structures and the chapel should be utilised as part of the proposal. This will not have a detrimental affect on the chapel itself and will improve the overall appearance of the village.
- The proposed buildings are in keeping with the rest of the village and will improve the overall appearance of the local area.

Planning Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan for the West Somerset planning area comprises the West Somerset Local Plan to 2032, retained saved policies of the West Somerset District Local Plan (2006) Somerset Minerals Local Plan (2015) and Somerset Waste Core Strategy (2013).

Relevant policies of the development plan are listed below.

West Somerset Local Plan to 2032

SD1	Presumption in favour of sustainable development
BD/3	Conversions, Alterations and, Extensions
NH1	Historic Environment
NH2	Management of Heritage Assets

Retained saved policies of the West Somerset Local Plan (2006)

SD1	Presumption in favour of sustainable development
BD/3	Conversions, Alterations and, Extensions
NH1	Historic Environment
NH2	Management of Heritage Assets

Local finance considerations

New Homes Bonus would not be applicable to this application.

Determining issues and considerations

The determining factors for consideration are the affect on the amenities of neighbours, the appearance of the development, the impact on the street scene and highway implications.

Amenities of neighbours

The only neighbour likely to be affected by the proposed works is the neighbouring dwelling to the west. There is a fence between the two curtilages which further down the garden has bushes behind, which will prevent some overlooking from the balcony. It is also noted that due to the low height of the fence to the side of the bungalow the neighbouring garden can already be clearly seen from the garden of Moorland View Cottage, but as a balcony can be a dominating and intrusive structure which is used for longer periods of time, than say, glancing out of a window or walking down a garden path, it is considered that the privacy screen will protect the privacy of the neighbour.

Appearance of the development

The balcony is minor in scale but will add interest to the rear of the bungalow, enhancing its current appearance with the plain and bulky raised platform and steps. Although the bungalow is on a raised piece of land above the road to the north, the balcony would not be easily visible from the road due to the size of the back garden (about 19m long) and the trees to the rear. There would therefore be no impact on the street scene.

The rendered buildings with slate roofs will be much more in keeping with the rendered bungalow and the domestic setting than the corrugated agricultural style workshops. They will thus improve the appearance of the curtilage. The new rendered workshop on the south elevation will match the render and slate of the garage and enhance the appearance of the street scene.

The extended garage being wider and higher than existing will be more prominent in the street scene, but as it will be rendered with a slate hipped roof it will blend in with the materials of the proposed workshop to the east and the chapel to the west and provide a stepped appearance along the road frontage. Together the buildings would enhance the roadside elevation.

However, as mentioned above, to the west of the garage there is a small unused methodist chapel dating from 1845. This has rendered walls and a hipped slate roof with a small dual-pitched porch to the front elevation and low walls with railed balustrading enclosing the area to the front. It is 6m wide and 11m long with a height of 6.8m. Two plain pointed arched windows with obscured glass in the bottom panes face the west side of the garage. It is included on the Somerset Historic Environment Record website (no. 18485) but is not listed. Extending the garage will bring it closer to the church, leaving a gap of only about 1m. Although the chapel will continue to dominate the street scene in terms of height it is considered that the loss of space together with the close proximity of a much larger garage would detrimentally affect the presence and setting of the chapel and impact on its character. Its east elevation with the traditional windows would be lost to view and it would appear as just another rendered building along the roadside.

In addition, the size and proximity of the garage to the windows on the chapel's east elevation, which are the only windows in the building, will reduce the amount of light the chapel receives, thus restricting alternative future uses of the chapel. An old photo has been provided by the applicant showing a lean-to building between the garage and chapel in the past, when there used to be commercial premises on the site. This lean-to building looks much lower than the existing garage, so although close, would not create the overbearing presence of the proposed garage extension.

The chapel is considered to be a non-designated heritage asset. Chapter 16 of the National Planning Policy Framework (February 2019) looks at 'Conserving and enhancing the historic environment' and within this chapter paragraph 197 states that 'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing

applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset'. Given the historical importance of the chapel it is considered that the scale of harm to the chapel that will be caused by the garage extension is significant, and as such the proposal is unacceptable.

During the pre-application stage and the course of the application, it was suggested that the garage be extended to the east instead in order to protect the setting of the chapel. However, as the applicant did not wish to lose the workshop/store and the large parking area to the east of the garage and forward of the garden, this would mean moving everything to the east by 3m resulting in the loss of the flat garden area to the front of the dwelling. The applicant did not wish to lose the front garden so this was not an option which she wished to explore. However, this is not a reason to allow the application as submitted.

Highway implications

As the garage doors will not open out onto the highway there will be no encroachment onto the road to the south. The garage is currently a suitable size for a single garage being over 3m wide and 6m long internally. Its increased size of 10.3m long x 7.4m wide internally would comply with the recommended size of a double garage as per County Highways Standing Advice.

Conclusion

The balcony and workshop/garden room and store are acceptable. They would improve the appearance of the curtilage and the street scene with no effect on residential amenity and thus comply with policy SD1 of the West Somerset Local Plan to 2032 and policy BD/3 of the West Somerset District Local Plan (2006). However, it is considered that the garage extension has a harmful and detrimental impact on the setting of the chapel, as a heritage asset, which is unacceptable. This harm is considered to outweigh the benefits of the proposed development and, as such the proposal is contrary to policies NH1 and NH2 of the West Somerset Local Plan to 2032 and paragraph 197 of the National Planning Policy Framework. It is recommended for refusal.

In preparing this report the planning officer has considered fully the implications and requirements of the Human Rights Act 1998.