

**Ward** Ottery St Mary Rural

**Reference** 18/2425/FUL

**Applicant** Dr Rob Amos

**Location** Meadowgate West Hill Road West Hill Ottery St Mary EX11 1UZ

**Proposal** Retention of removal of front garden and construction of garage to front



**RECOMMENDATION: Approval - standard time limit**



		<b>Committee Date: 8<sup>th</sup> January 2018</b>
<b>Ottery St Mary Rural (WEST HILL)</b>	<b>18/2425/FUL</b>	<b>Target Date: 17.12.2018</b>
<b>Applicant:</b>	<b>Dr Robert Amos</b>	
<b>Location:</b>	<b>Meadowgate West Hill Road</b>	
<b>Proposal:</b>	<b>Retention of removal of front garden and construction of garage to front</b>	

**RECOMMENDATION: Approval - standard time limit**

#### **EXECUTIVE SUMMARY**

**This application is before Members as it adjoins another application on the Agenda (18/1721/FUL) where the Committee are carrying out a Site Inspection to assess whether the design and layout of a garage and drive have an acceptable impact upon the street scene. As this application also proposes a garage to the front of Meadowgate, and as the officer recommendation differs from the view of a Ward Member, this application has also been placed on the Agenda for consideration alongside the other application for Meadowgate.**

**The site is located on the northern side of West Hill and the surrounding area is entirely residential in character.**

**This application seeks to retain grounds works that have resulted in the lowering of part of the front garden and proposes the construction of a garage to the front of the dwelling.**

**Whilst the garage is situated forward of the bungalow it serves, and will be visible from the public highway above the boundary fencing, its scale, bulk, use of sympathetic materials and modest form results in a development that has a neutral impact upon the street scene. The lowering of the front garden is acceptable as it is widely screened by boundary fencing.**

**Access to the garage is proposed directly off West Hill Road and is therefore acceptable.**

**The application is considered acceptable and therefore recommended for approval.**

## **CONSULTATIONS**

### **Local Consultations**

#### **Ottery St Mary Rural - Cllr P Carter**

I would like to comment on this application, that the proposed garage and associated works would completely change the street scene and bring forward the building line. I feel due consideration should be given to these changes on how they impact the local community and how they match our Village plan recommendations. I look forward to further discussion on a possible way forward for this application, at the same time keeping an open mind until I have all the relevant information to make a decision.

#### **Ottery St Mary Rural - Cllr G Pratt**

These proposals are very damaging to the street scene.

The planning officer must consider carefully The Ottery St. Mary and West Hill Neighbourhood Plan Policy NP26 West Hill Design (Page 75) since it would appear that this application is in breach of many of the provisions as set out in the Policy.

I am very much against these proposals and accordingly I consider that this application is refused.

#### **Parish/Town Council**

This application was considered at the Parish Council meeting on 6th November 2018. Councillors recommended refusal of this application and reinstatement of the additional dug-out area. The application was incomplete as it did not show the existing permitted site plan, nor a contour map which is needed to understand the impact of the proposals. The excavations which have been done far exceed that permitted in the earlier permission, and what is shown on the present application. They are very damaging to the street scene and the proposed garage will not improve this. There would be unacceptable damage to the street scene. The proposed garage would also cause loss of amenity to the host bungalow.

### **Technical Consultations**

None.

#### **Other Representations**

At the time of writing the report no third party representations have been received.

## **PLANNING HISTORY**

<b>Reference</b>	<b>Description</b>	<b>Decision</b>	<b>Date</b>
14/2416/FUL	Construction of detached bungalow and new access to highway.	Approval with conditions	22.12.2014

## **POLICIES**

### **East Devon Local Plan**

Strategy 6 - (Development within Built-up Area Boundary)

Policy D1 - (Design and Local Distinctiveness)

Policy TC2 - (Accessibility of New Development)

### **National Planning Policy Framework**

### **Ottery St. Mary and West Hill Neighbourhood Plan**

#### **Policy NP2: Sensitive, High Quality Design**

All proposals for development should demonstrate a high quality of design, which has regard to the local context, is appropriately scaled and sited and makes an overall positive contribution to the Neighbourhood Plan Area.

Applications for development should demonstrate in the planning submission how they meet the following general principles of high quality design:

1. Development should be of a density and layout that reflects the existing development pattern of the settlement;
2. Supports the use of locally distinctive materials;
3. Incorporates a 'sense of place' into the designs /reinforces local distinctiveness by ensuring the proposals have been informed by the character of the area in which they are located. This should include matters such as building line, building height, plot widths, windows and features and boundary treatments;
4. Conserves or enhances heritage assets and their settings where appropriate;
5. Respects and enhances the natural environment through retention of existing natural features maintaining and providing green linkages within and around development sites and delivering an overall improvement to biodiversity value;
6. Protects the amenity of neighbouring properties;
7. Provides adequate, well designed off-road parking spaces.

#### **Site Location**

The site is located on the northern side of West Hill adjoining an area that has received planning permission for the construction of a bungalow under application 14/2416/FUL which is nearing completion. The surrounding area is entirely residential in character.

#### **Proposal**

This application seeks the retention of works to remove/lower the front garden (by approximately 1.8m), and alongside this a new garage is proposed to the front of the dwelling on the lowered land.

The garage is proposed to be finished in rendered blockwork, UPVC cladding and brown roof tiles to match the host dwelling.

## **ANALYSIS**

The key issue in relation to this application relate to the impact upon the surrounding character and visual appearance of the area.

### **Visual impact**

Although the garage is proposed forward of the host dwelling, it is proposed at a level lower than the main dwelling and located within the garden screened by existing fencing.

The introduction of garages in front gardens is not unusual although it does need to respect the character and layout of the area.

Whilst concerns have been raised to the visual impact from the garage being in front of the dwelling, there is no strong uniform character of development in the immediate area and it is not considered that the proposal would result in a harmful street scene or development that would be contrary to the Neighbourhood Plan, particularly as the materials proposed would respect the host dwelling and the garage is of an appropriate scale.

Whilst the lowering of the ground level changes the character of the front garden, this is again screened by fencing and will enable the garage to be constructed at a lower level to the dwelling which will help to protect the outlook from the bungalow.

### **Highway Safety**

The proposal seeks to utilise an existing access and with adequate parking and turning facilities provided within the site, there are no highway safety concerns with the application.

## **CONCLUSION**

The proposed garage and lowering of ground levels are considered to be acceptable.

Whilst the objections received to the application area noted, and there are Local Plan and Neighbourhood Plan Policies to ensure good design that does not harm the character of the area, and it is appreciated that some of the works have been carried out without permission, the changes to the garden level and garage are not considered to be harmful to an extent that could justify a refusal of permission. It is not unusual for a garage to be proposed within a front garden and given the boundary screening and lack of strong uniform character to the area, it is not considered that the works would cause harm to the visual amenity of character of the area.

The application is therefore considered acceptable and recommended for approval.

## **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 and shall be carried out as approved.  
(Reason - To comply with section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
2. The development hereby permitted shall be carried out in accordance with the approved plans listed at the end of this decision notice.  
(Reason - For the avoidance of doubt.)

### **NOTE FOR APPLICANT**

#### **Informative:**

In accordance with the aims of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 East Devon District Council works proactively with applicants to resolve all relevant planning concerns; however, in this case the application was deemed acceptable as submitted.

#### **Plans relating to this application:**

5	Location Plan	22.10.18
6	Proposed Site Plan	22.10.18
7	Proposed Combined Plans	22.10.18

#### **List of Background Papers**

Application file, consultations and policy documents referred to in the report.