
15. FULL APPLICATION – RETENTION OF GARDEN SHED (RETROSPECTIVE) AT ROSEDENE COTTAGE, WOODHOUSE LANE, WINSTER. (NP/DDD/0715/0614, P5988, 424154 / 360600, 26/01/2016/SC)

APPLICANT: MS AMANDA PEARCE

Background

The original application for the retrospective retention of a garden shed and fencing around the garden area of Rosedene Cottage was first considered at the meeting of the Authority's Planning Committee in February 2016. The original officer's report is attached at Appendix 1 and this report set out that the retention of the shed subject to the imposition of conditions, and partly because of the screening provided by the proposed fencing, would not be unneighbourly and would have minimal impact on the listed building and the Conservation Area. Therefore, officers considered the proposals to be acceptable in amenity, conservation and design terms and compliant with policies in the Development Plan and the National Planning Policy Framework in all other respects.

However, members considered that the proposed fencing would be unduly imposing and would harm the setting of the listed building and the Conservation Area, and that the retention of the shed would be acceptable, subject to conditions and without the fencing. Therefore, members were minded to approve this application, subject to the omission of the proposed fencing from the scheme and with the inclusion of conditions relating to the removal of the shed base, lowering the remaining structure to ground floor level and the external timberwork of the shed being stained or painted a recessive grey colour. Subsequently, amended plans have been received from the applicant and the Authority has re-consulted on the revised application

Key Issues

- Whether the omission of the fence would mean the retention of the shed would have a detrimental impact on the amenities of the nearby residential properties or detract from the setting of the listed cottage and/or the special qualities of the Conservation Area.

Consultation

Following re-consultation on the revised application, the Authority has received the following responses:

National Park Authority (Conservation Officer) - Affirms that the removal of the timber fencing would be a positive amendment. However, still considers the summerhouse has a negative impact on both the setting of the listed building and on the conservation area

Parish Council - Other than the removal of the fencing, the proposal remains the same, therefore the Council's original objection remains for reasons previously given.

The Parish Council's comments on the original application were as follows: *The application was best described as a summer house than shed. Its appearance, design, positioning and size is inappropriate within the curtilage of a listed building, the setting of Listed Buildings in the locality and Winster Conservation Area. It is highly visible from the public highway (Woodhouse Lane) and the images shown in the Design and Access Statement fail to demonstrate the proposals true impact. Existing soft landscaping to integrate the building into the locality is outside the control of the applicant and it cannot be guaranteed this will be maintained indefinitely to mitigate. Furthermore, due to the buildings close position to the northern and western boundary it would be difficult to screen the summer house through additional landscaping.*

Representations

Despite the omission of the fencing from the scheme, all but one of the six people who wrote into to object to the original application have replied on the revised application and have repeated their objections to the original application. The main points raised in representations are summarised below:

- Structure does not harmonise with the surrounding properties
- Adverse impact on the Conservation Area & the Listed Cottage
- Capable of facilitating additional sleeping accommodation
- Overlooking of adjacent properties
- Inappropriate fencing in a Conservation Area
- Out of character with the surrounding stone walls and housing

Assessment

Fencing

The fence was to be erected at a height of 1.2m along a section of the west boundary with the neighbouring dwelling (Wood Hayes), before extending inside and along the north and east boundary walling with the adjoining garden area to the north (Ashlea). The Authority's Conservation Officer confirms that the removal of the proposed fencing would be a 'positive amendment', however, still objects to the retention of the shed on the grounds previously declared. In these respects, Planning officers consider that the omission of the fencing reduces the objections to the original application, as it was seen as harmful in its own right.

However, whilst there is no specific objection or support for the removal of the fencing in other representations, as the Parish Council and third party objectors are still of the opinion that the shed itself does not relate well to the setting of the listed building, the conservation area or the amenity of neighbouring dwellings. In the original report to the Planning Committee officers considered that the fencing would have helped to mitigate the visual impact of the shed, and further reduce any potential for the shed to be unneighbourly.

Therefore, the key issues in the determination of the revised application are whether the omission of the fence would mean the retention of the shed would have such a detrimental impact on the amenities of the nearby residential properties, or detract from the setting of the listed cottage and/or the special qualities of the village Conservation Area that the revised application should be refused.

Siting and Design

The shed is not constructed from traditional building materials, and its design does not reflect the style and traditions of local vernacular buildings within the surrounding Conservation Area or the character and appearance of the original house. However, it would be inappropriate to require all incidental buildings within the curtilage of a dwelling, including garden sheds, to be built from stone with a tiled roof, for example, even in a designated Conservation Area and/or within the curtilage of a listed building.

In this case, is considered the shed is relatively modest in size and scale and lowering its height, painting it a recessive colour and providing fencing would all assist in preserving the character and appearance of the surrounding Conservation Area and the setting of the listed cottage.

Notably, the proposed fencing would not have had reduced views of the shed from public vantage points, and was more designed to protect the outlook from neighbouring properties.

It is therefore considered that the retention of the shed would not conflict with the objectives of the wide range of relevant design and conservation policies in the Development Plan and the National Planning Policy Framework set out in the original officer's report because it would not harm the significance of the Grade II listed Rosedene Cottage or its setting, which includes the surrounding Conservation Area, subject to appropriate planning conditions.

Neighbourliness

The fencing was originally considered to help address local concerns that the retention of the shed would be unneighbourly. However, officers remain of the view that even without the fencing, the retention of the shed would not in itself result in a loss of privacy or give rise to gardens being overlooked that are not already visible from the neighbouring properties or Rosedene itself. Moreover, there are no overriding concerns that the retention of the garden shed would detract from the quiet enjoyment of the nearest neighbouring dwellings by way of noise and disturbance, intervisibility between windows in the shed and habitable windows or harm to outlook because of the orientation of the shed, its relatively modest scale and design, and the distances involved between the shed and the nearest houses in separate ownership.

Conclusions

In conclusion, whilst the shed does occupy a visible position within the garden area of Rosedene Cottage, it is considered with the imposition of relevant conditions that the shed would not be unneighbourly. Therefore, officers do not consider the omission of the fence would necessitate recommending refusal of the revised application on amenity grounds. In terms of design and siting, the visual impact of the shed would not be so substantial without the fencing that refusal of the revised application is warranted on conservation grounds subject to appropriate mitigation. Subsequently, officers recommend approval of the revised application in light of the fencing being omitted from the current application and subject to the following conditions.

That the revised application be APPROVED subject to the following conditions:

- 1. The proposed fencing to be omitted in accordance with the amended plans**
- 2. Within 3 months of the date of this decision, the platform/base of the shed shall be removed and the shed hereby permitted shall be re-sited on the pre-existing ground level or in accordance with a scheme to be first submitted to and agreed in writing by the Authority.**
- 3. At the time the shed hereby permitted is lowered in accordance with the requirements of Condition 1, above, the external timberwork of the shed shall be painted a Stone Grey (RAL 7030) and shall be permanently so maintained thereafter.**