

**Committee date 12/09/2023**

**Application No:** 33/23/00017

**Application Type:** Full Planning Permission

**Case Officer:** Amelia Elvé

**Registered Date:** 05/04/2023

**Expiry Date:** 30/05/2023

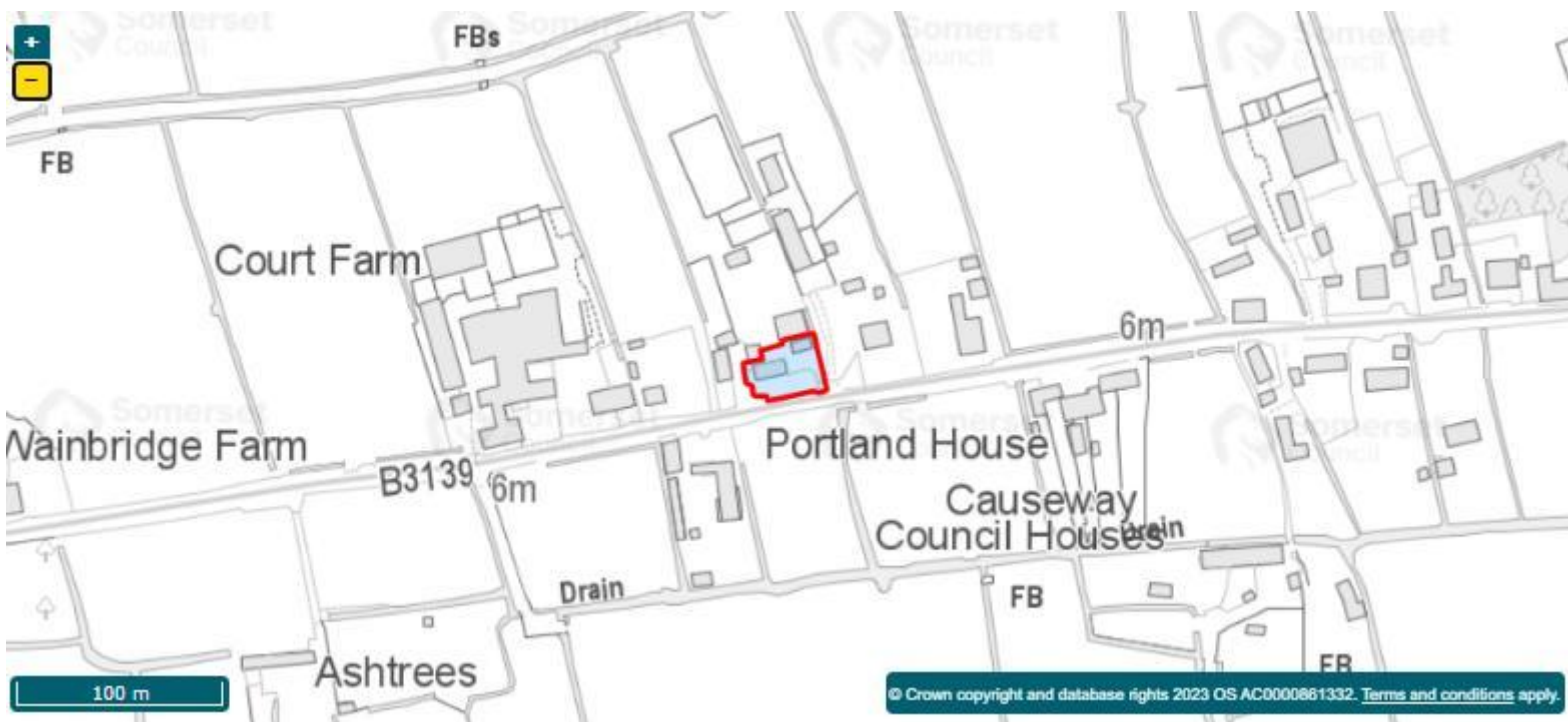
**Parish:** Mark

**Division:** King Alfred

**Proposal:** Erection of a two storey extensions to the East & West elevations with 2no. dormers on the South elevation of existing garage to form annexe.

**Site Location:** Portland House, The Causeway, Mark, Highbridge, Somerset, TA9 4QF

**Applicant:** PL BUILDING DESIGN LTD



**Committee decision required because**

The officer's recommendation is contrary to the view of the Parish Council.

## **Background**

*Portland House* is a Grade II Georgian dwelling sited to the north of a Class B road. The property is currently served by a single storey, triple bay, garage sited to the east of the dwelling. The existing garage is constructed with a pitched roof, finished with grey slate tiles and rendered walls.

The application seeks consent to extend the eaves and ridge height of the garage, with the installation of two gabled dormers to the front and a two-storey extension to the side, to create annex accommodation at first floor. The ridge is proposed to increase by approx. 0.425m, the front eaves to increase by approx. 2.3m and the rear eaves to increase by approx. 1.0m. The proposal would be finished with materials to match the existing building.

## **Relevant History**

**33/74/00002** – Erection of bungalow on land adjoining Portland House - **Refused**

**33/75/00008** – Erection of bungalow on land adjoining Portland House - **Refused**

**33/88/00001** – Erection of dwelling and garage and formation of access thereto on land opposite  
– **Refused**

**33/97/00001** – Erection of three garages and formation of access thereto – **Granted**

**33/97/00018** – Demolition of single storey lean-to rear extension – **Granted**

**33/99/00023** – Erection of single storey extension to west elevation on site of garage and lobby  
(to be demolished) – **Granted**

**33/03/00018** – Replacement of five windows in front (South) elevation and four windows in rear  
(North) elevation with sixteen pane, double glazed windows – **Refused**

## **Supporting information supplied by the applicant**

Location Plan Drg No. 997/01

Existing Block Plan Drg No. 977/02

Existing Floor Plan Drg No. 977/03

Existing Elevations Drg No. 977/04

Proposed Block Plan Drg No. 977/05A

Proposed Floor Plans Drg No. 977/06A

Proposed Elevations Drg No. 977/07A

## **Consultation Responses**

### **Mark Parish Council – Support**

*Mark Parish Council recommend that planning permission be granted as the proposals are unlikely to have a detrimental impact upon any nearby dwelling.*

### **Highways – Standing Advice**

**Environmental Health – No comment/observation**

### **Conservation Officer – Object**

*Portland House is a grade II listed building that commands a prominent within the historically significant (NPPF paras. 194 & 195) area known as Mark Causeway. In spite of an abundance of additions and alterations delivered to this listed house, the character of the earlier house is still displayed through the proportions of the Georgian/Victorian developmental growth of this dwelling. Within recent years a three bay garage structure has been built within the grounds and has affected the setting of both the house and the character of the area. The design of this garage has assumed a traditional low ridges coach house with timber doors. A useful addition to the listed building and controlled to ensure that scale and proportion are not contrary to the main house.*

*This set of applications, both LBA and full planning ask to enlarge the recent garage building. The enlargement will increase the ridge height, the eaves height and be extended to the east and west.*

*All together or cumulatively imposing harm to the setting of the listed building through the enlarging of the garage into a House (para 199). This action will deliver a conflict between the greater listed building and the ancillary structure of the coach house or garage (para 200).*

*I am unable to support this proposal as the conversion of the low roofed garage building will deliver harm to the setting of the listed building through a conflict of scale and proportion that has not been addressed through the heritage statement with any justification of public benefit to mitigate this request (paras 199 & 200).*

## **Representations**

None received

### **Most Relevant Policies**

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF require that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

#### National Planning Policy Framework July 2021

Section 9 – Promoting sustainable transport

Section 12 – Achieving well-designed places

Section 15 – Conserving and enhancing the natural environment

Section 16 – Conserving and enhancing the historic environment

#### Sedgemoor Local Plan (2011-2032)

D2: Promoting High Quality and Inclusive Design

D12: Residential Annexes

D14: Managing the Transport Impacts of Development

D20: Biodiversity & Geodiversity

D25: Protecting Residential Amenity

D26: Historic Environment

### **Community Infrastructure Levy (CIL)**

The application is for residential development in Mark where the Community Infrastructure Levy (CIL) is £111.81 per sqm of additional gross internal floor area created. This amount does not take into account any existing floor space on site that may be converted or demolished, or any CIL exemption or relief that may be eligible.

### **Main Issues**

## Principle of Development

The proposal relates to the creation of annex accommodation within the roof space of an existing domestic garage. Policy D12 supports residential annexes providing they comply with the criteria set out within the policy.

The proposal relates to the extension of an existing domestic building that serves an existing dwelling. No sub-division of the garden areas is proposed, and the parking area would be shared. The principle of the proposed annex accommodation is therefore considered compliant with policy D12.

## Visual Amenity & Heritage Assets

Policy D2 seeks to achieve high quality, sustainable and inclusive design which responds positively to and reflects the local characteristics of the site and identity of the surrounding area. The policy supports developments that generate *safe and attractive public open spaces and street scenes* and encourages development to respond positively to local character, history and local context.

An objective of policy D26 of the Local Plan is to ensure *historic assets are maintained and enhanced*. Development should *enhance the significance of heritage assets and their setting, in a manner consistent with their historical significance*. Sensitive regeneration that exhibit *appropriately sympathetic design in terms of siting, mass, scale and use of materials* will be supported. The policy sets out that development will be supported where it *proposes appropriate design, form, scale and materials, including contemporary solutions which positively enhance the character, appearance and significant of the designed heritage asset*.

The main dwelling is a Grade II listed property, and the proposal relates to the extension of a modern garage. Nevertheless, the setting of the listed building and potential harm that could be caused in respect of the character of the protected heritage asset must be considered.

The Conservation Officer considers the current garage to respect the character of the existing dwelling due to its modest proportions, including low ridge and eaves height, providing overall subservience to the adjoining listed building. The Conservation Officer objects to the proposal

based on the increased scale and massing of the building and the resultant harm on the setting of the listed building. The increased eaves and ridge height and extension, cumulatively imposes harm to the setting of the listed building.

It is therefore considered that the enlargement of the existing building would result in an unacceptable impact on the setting of the listed building and as such, does not comply with policies D2 and D26 of the Local Plan.

It should be noted that officers do not object to the principle of converting the building to an annex, and consider that this could be achieved with a design that retains more of the original form and appearance of the existing building.

### Residential Amenity

Policy D2 states that development should 'respect the amenity value of the occupiers of nearby buildings or the wider area' which is supported by Policy D25 which states that 'Particular consideration will be given to the extent that the proposal could result in unacceptable impacts'. This includes consideration of loss of privacy, overlooking, visual dominance, loss of light, noise/disturbance, odour, fumes, vibration and living conditions of future occupants.

In relation to adjoining occupants, the proposed extension is appropriately distanced to not give rise to an unacceptable impact on the amenities of neighbouring residents.

In terms of future occupiers of the proposed accommodation, this would be served by adequate levels of natural light and is of a size that would not prejudice residential amenity.

The proposed alterations would not prejudice the amenities of occupiers of the property and, in terms of its bulk, window arrangement and proximity to the neighbouring properties, would not adversely affect the amenities of the occupiers of the neighbouring properties. In this respect the proposal complies with policies D2 and D25 of the Local Plan.

### Highways Safety

The Highways Authority consider *Standing Advice* to apply to this proposal. In respect of this application, this requires the resultant development to be adequately served by an appropriate and safe parking provision.

The proposal would create an additional bedroom, and a 4-bed property in this location is recommended to be served by at least 3.5 off-road parking places. Additionally, as the site is accessed via a classified road, adequate turning space should also be provided to allow for vehicles to enter and exit the highway in a forward gear.

It is considered that the combination of the retained parking spaces at the ground floor of the garage and the area within the curtilage of the property allows for this level of parking with suitable turning space. As such, in this respect, the application complies with policy D14 of the Local Plan.

### Ecological Issues

Policy D20 seeks to ensure that development should contribute to maintaining and where appropriate, enhancing biodiversity and geodiversity.

The application site is within Band C Bat Consultation Zone. If consent were to be granted, conditions could be imposed to ensure adequate biodiversity enhancement measures are provided along with an informative to remind the applicant of the legal protection afforded to certain species. As such, the application is considered to comply with policy D20 of the Local Plan.

### Conclusion

The principle of the annex accommodation along with the potential impacts on highways safety, residential amenity and ecological issues are considered to be compliant with policies D12, D14, D20 and D25 of the Local Plan. However the enlargement of the building is considered to cumulatively impose harm to the setting of the listed building and therefore, does not comply with policies D2 and D26 of the Sedgemoor Local Plan 2011-2032.

## **RECOMMENDATION**

### **REFUSE PERMISSION**

- 1 The proposed increase in the width of the building, and of the eaves and ridge heights would result in a building out of scale and proportion to the adjacent Grade II listed building and results in an unacceptable impact to the detriment of its setting.. As such, the proposal is contrary to policies D2 and D26 of the Sedgemoor Local Plan 2011-2032.

### **Schedule A**

Location Plan Drg No. 997/01

Existing Block Plan Drg No. 977/02

Existing Floor Plan Drg No. 977/03

Existing Elevations Drg No. 977/04

Proposed Block Plan Drg No. 977/05A

Proposed Floor Plans Drg No. 977/06A

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## **DECISION**

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