

Application Details	
Application Reference	2024/1440/HSE
Application Types	Householder
Extension of Time	Agreed to
Description	Erection of single storey extension to existing garage, first floor extension over existing porch to north elevation, & installation of solar panels
Site Address	Manor Cottage School Lane Doulting Shepton Mallet Somerset BA4 4QE
Parish	Doulting
Conservation Area	Doulting Conservation Area
Somerset Levels and Moors Ramsar Catchment Area	Yes – but as an extension to an existing dwelling this is not a consideration for this application
AONB	No
Case Officer	Jane Thomas
Agent	None
Applicant	Mr B Clarke
Reason for referring application to Members	The application has been referred to the Planning Committee due to Mr Clarke's role as elected Member for the Mendip Central and East Division

1. Recommendation

1.1 Recommendation for approval

2. Executive Summary of key reasons for recommendation

2.1 Works to an existing residential property that will have no adverse impact upon any material planning considerations and accords with the relevant policies of the adopted Mendip Local Plan.

3. Planning Obligations, conditions and informatives

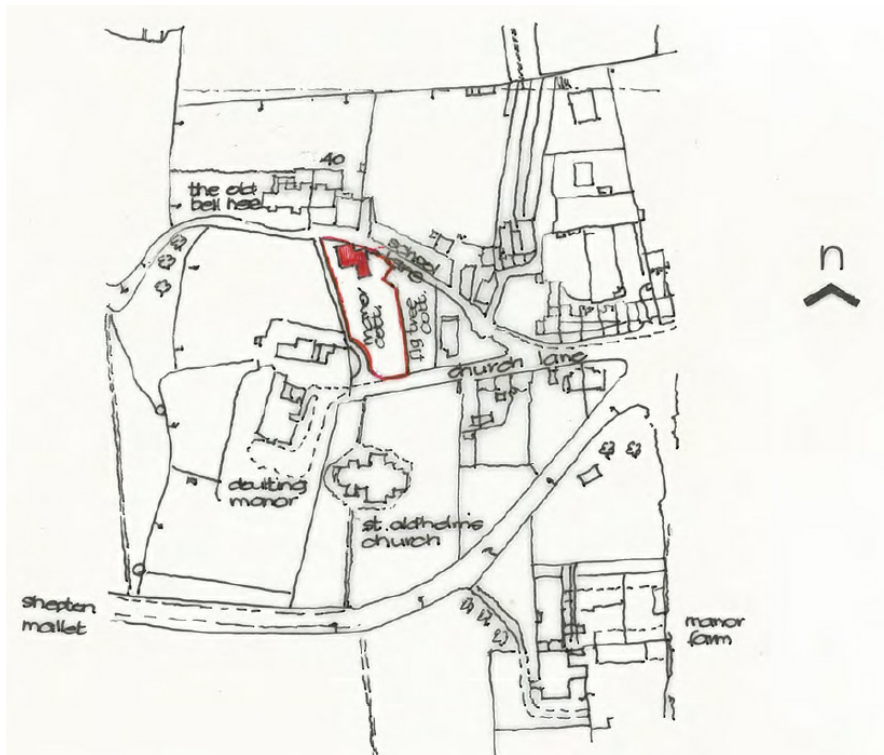
3.1 Obligations

None

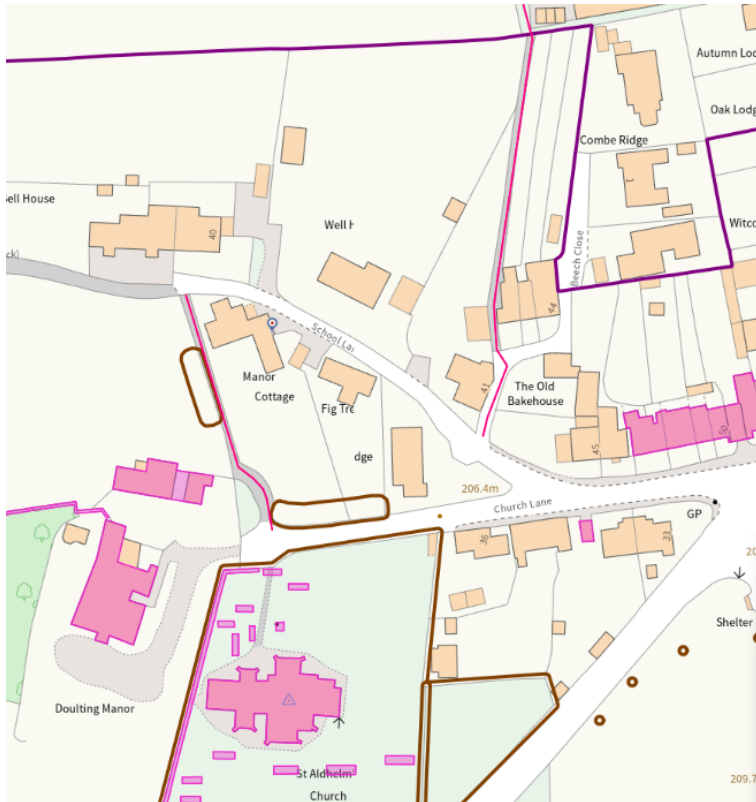
3.2 Conditions

Conditions relating to the specification of solar panels

4. Proposed development, Site and Surroundings



Site and Location Plan as submitted



Mapping extract showing Manor Cottage, Listed Heritage Assets (pink blocks), protected trees (brown), northern boundary of Conservation Area (purple line), and Public Rights of Way (darker pink lines)

Details of proposal

- 4.1 The application seeks approval for the following development:
- Erection of single storey extension to front of existing garage
 - First floor extension over existing porch to north elevation
 - Installation of solar panels to southern roof slope

Site and surroundings

- 4.2 Manor Cottage is a detached period dwelling located on School Lane to the western side of the village of Douling. The property has an attached double garage together with an existing car port and two off street parking spaces. There is a generous garden to the rear (south) of the dwelling.
- 4.3 Manor Cottage lies within the designated Conservation Area for the village. The property is not listed.
- 4.4 Grade II* listed Douling Manor and Stables (previously listed as The Vicarage) (List Entry Number 1221290) and grounds lies immediately to the

west/south-west of Manor Cottage with generous space between the properties. Grade I listed St Aldhelm's Church (List Entry Number 1217750), together with various associated Grade II features, lies to the south to the opposite side of Church Lane.

- 4.5 There are a number of protected trees within and adjacent to the curtilage of Manor Cottage collectively protected as a group under Tree Preservation Order reference M1326.
- 4.6 Public Right of Way Footpath SM 7/91 runs north to south immediately alongside the western boundary of Manor Cottage.

5. Relevant Planning History

2014/0487/HSE	Installation of sash window to provide fire escape to 2nd storey extension approved under 2013/2620/HSE and erection of single storey garden room. Approved with conditions 28.05.2014
2013/2620/HSE	Erection of two storey side extension and insertion of 2 roof lights and a dormer window (revision of planning approval 2011/0162 as amended by 2012/1429). Approved with conditions 29.01.2014
2013/2456/NMA	Non-material amendment to extension. Application withdrawn 17.12.2013
2012/1429	Application for a non-material amendment to planning permission 2011/0162 (Installation of rooflight in place of the approved sun tubes). Approval 23.07.2012
2012/0119	Proposed felling of a Sycamore tree subject to Tree Preservation Order M1326 and replacement planting. Approved with conditions 15.03.2012
2011/0162	Erection of first floor side extension and for the insertion of 2 roof lights and a dormer window. Approval 04.04.2011
2011/0152	Proposed pruning of a Beech tree subject to Tree Preservation Order M1326 - Trimming of upper growth. Allowed at appeal 25.07.2011
2010/2994	Proposed pruning of trees in a conservation area. Objection 17.01.2001
059138/006	Erection of single storey extension to be used as a utility room. Approved with conditions 23.05.2003
059138/005	Two storey extension. Refused 17.03.2003

- 059138/004 Works to 3 x Hornbeams, 1 x Sycamore and 1 x Lime tree in Conservation Area. No objection 12.09.2001
- 059138/003 Replace roof to kitchen and covered area. Approved with conditions 26.03.1996
- 059138/002 Erection of an attached double garage. Approved with conditions 22.04.1988

6. Habitat Regulations Assessment

6.1 Not required for this application

7 Consultation and Representations

Statutory consultees (the submitted comments are available in full on the Council's website).

7.1 Statutory/Non Statutory Consultees

7.2 It should be noted not all statutory consultees are consulted on all planning applications. The circumstances for statutory consultation are set out in the Development Management Procedure Order.

7.3 The full comments are available on the Council's website.

Consultees	Consultee Comments
Doulting Parish Council	Doulting Parish Council support the application. Councillors noted that the proposed solar panels would be shaded by mature trees which are covered by a TPO and which should not be cut or trimmed to improve this situation.
Tree Officer	No objection. Advised that due to the protected trees on and adjacent to the site advice should be sought regarding the siting of any solar panels permitted to avoid tree issues in future

7.4 Local consultation and representation

A site notice was displayed, a press notice published, and letters sent to all properties that adjoined the site.

One representation was received:

Summary of response	Consultee Comments
Neutral	Supportive of renewable energy installation but concern about protection of neighbouring trees in the Conservation Area, both within and adjacent to the proposal site, in particular after installation of any solar panels approved.

8. Relevant planning policies and Guidance

8.1 Section 70(2) of the Town and Country Planning Act 1990, as amended ("the 1990 Act"), requires that in determining any planning application regard is to be had to the provisions of the Development Plan, so far as is material to the application and to any other material planning considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) ("the 2004 Act") requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

8.2 The site lies in the former Mendip area. For the purposes of determining current applications the local planning authority considers that the adopted development plan comprises:

- Mendip District Local Plan Part I: Strategy and Policies (December 2014)
- Mendip District Local Plan Part II: Sites and Policies (December 2021) (post JR version)

8.3 Listed Buildings and Conservation Areas Act 1990 (section 66 and 72) is relevant to assess the impact on heritage assets.

8.4 Relevant policies of the development plan in the assessment of this application are listed below.

Policies of the Mendip District Local Plan Part I: Strategy and Policies (December 2014)

- DP1 Local Identity and Distinctiveness
- DP3 Heritage Conservation
- DP4 Mendip's Landscapes
- DP7 Design and Amenity of New Development
- DP9 Transport Impact of New Development
- DP10 Parking Standards

Other Relevant Documents

- National Planning Policy Framework (NPPF) (2023)
- National Planning Practice Guidance
- Design and Amenity of New Development, Policy DP7 SPD (March 2022)
- National Design Guide (2019)
- Mendip District Council House Extension Design Guide (1993)

Neighbourhood Plans

None relevant

The National Planning Policy Framework 2023

The revised National Planning Policy Framework (NPPF), last update December 2023 sets the Governments planning policies for England and how these are expected to be applied.

Relevant Chapters of the NPPF include:

- 2: Achieving sustainable development
- 4: Decision-Making
- 11: Making efficient use of land
- 12: Achieving well-designed places
- 14: Meeting the challenge of climate change, flooding and coastal change
- 15: Conserving and enhancing the natural environment
- 16: Conserving and enhancing the historic environment

9. Material Planning Considerations

9.1 The main planning issues relevant in the assessment of this application are as follows:

- The principle of development
- Design, Appearance, and Scale of the Development
- Heritage Conservation
- Residential Amenity
- Ecology and Tree Protection
- Highway Safety and Parking Provision

Principle of Development

- 9.2 As works to an existing dwelling the principle for the development is sound subject to the planning issues listed above and considered below

Design, Appearance, and Scale of the Development

- 9.3 Policy DP1: Local Identity and Distinctiveness states that all development proposals should contribute positively to the maintenance and enhancement of local identity and distinctiveness across the district. Proposals should be formulated with an appreciation of the built and natural context of their locality recognising that distinctive street scenes, townscapes, views, scenery, boundary walls or hedges, trees, rights of way and other features collectively generate a distinct sense of place and local identity.
- 9.5 The two proposed works to Manor Cottage are modest in scale and appropriate for the size of the existing dwelling and the plot within which it stands. Materials for the two proposed extension elements within the proposal will match those of the existing dwelling.
- 9.6 The garage extension will add approximately 1200mm to the length of the existing double garage allowing more effective use of that secure parking capacity. This will obviously be visible from the highway.
- 9.7 The proposed first floor extension will be directly above the existing porch of the dwelling. This will be visible in glimpsed views from the highway above the existing high boundary wall.
- 9.8 The proposed solar panels will be to the southern roof slope to the rear of the dwelling and will be visible in glimpsed views from certain parts of the public realm.

Heritage Conservation

- 9.9 Policy DP3: Heritage Conservation states that proposals and initiatives will be supported which preserve the significance and setting of the district's Heritage Assets.
- 9.10 There is a duty placed on the Council under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the preservation or enhancement of the character of the surrounding Conservation Area.
- 9.11 This is a small-scale development involving improvements to an existing dwelling. The works proposed respond to the local context and will not have any impact upon the character or appearance of, nor views into or from, the Doulting Conservation Area

- 9.12 There is a further duty under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, when considering development within the setting of a listed building, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. This is a light touch development proposal that will not impact upon nor cause any harm to the significance of any nearby designated heritage asset.

Residential and Public Amenity

- 9.13 The proposed will be of amenity benefit for current and future occupants of the property. It is a light touch development that will have no impact upon neighbouring properties nor upon users of the church nor the footpath that runs to the west of Manor Cottage.

Ecology and Tree Protection

- 9.14 There are a number of protected trees within and adjacent to the curtilage of Manor Cottage protected as a group under Tree Preservation Order reference M1326.
- 9.15 This group consists of: 1 x Beech (*Fagus sylvatica*), 1 x sycamore (*Acer pseudoplatanus*), and 3 x limes (*Tilia spp*) to the southern end of the garden of Manor Cottage; and 2 x hornbeams (*Carpinus betulus*) along the footpath/edge of Doultling Manor paddock adjacent to Manor Cottage
- 9.16 The proposed works at Manor Cottage will not impact directly any important or protected trees on or adjacent to the proposal site.
- 9.17 However the Somerset Tree Officer has advised that, taking into account the 'double protected' nature of the trees on/adjacent to the site it would be prudent to take the advice of a solar panel installer to determine the optimum location for any panels and to carry a shade assessment prior to implementing any permission granted by this application and in order to avoid any potential tree issues later
- 9.18 As a Householder application this proposal is exempt from BNG legislation and there is no requirement for Biodiversity Net Gain for this current application.

Highway Safety and Parking Provision

- 9.19 The proposed extension to the existing double garage at Manor Cottage will enhance the secure parking provision at the property making it more practical for use. The existing car port will be retained unaltered.

- 9.20 There will be a small reduction in the size of the existing off street parking provision at the property but this will still accommodate at least one vehicle (application states that room is retained for two vehicles)
- 9.21 The Somerset Countywide Parking Strategy specifies a requirement for 3 spaces plus visitor parking for a house of this size at this location so the parking provision at Manor Cottage is in accordance with this requirement.
- 9.22 The proposed parking arrangements at Manor Cottage will require either entry or exit to the parking spaces to be made in reverse gear but this is the situation at present and this is not considered to give rise to any highway safety concerns.

10. Recommendation

- 10.1 The proposal by reason of its design, scale, and materials is acceptable. It contributes and responds to the local context and maintains the heritage, character and appearance of the surrounding area. It respects the amenity of occupants, neighbours and the public. Protected trees will not be adversely affected by the works proposed. Parking provision on site continues to meet the requirements for a dwelling at this location.
- 10.2 The proposal is therefore considered to accord with Policies DP1, DP3, DP5, DP7, DP9, and DP10 of the adopted Local Plan Part I (2014) and the relevant parts of the NPPF.
- 10.2 Recommend for Approval subject to the condition below:

Conditions

1. Standard Time Limit (Compliance)

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990 (as amended) and to avoid the accumulation of unimplemented planning permissions.

2. Plans List (Compliance)

This decision relates to the following drawings:

- Sht1 Location Plan
- Sht2 Proposed Site Plan
- Sht3 Existing Elevations
- Sht4 Proposed Elevations/Sections
- Sht5 Proposed Elevations
- Sht6 Existing Floor Plans
- Sht7 Proposed Floor Plans
- Sht8 Existing/Proposed Roof Plans

Reason: To define the terms and extent of the permission.

3. Photovoltaic Panels - Submission of Details (Bespoke Trigger)

No photovoltaic panels shall be installed unless full details have been first submitted to and approved in writing by the Local Planning Authority. Such details shall be at full or half scale and shall include cross-sections, profiles, finish and colour. The works shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of the appearance of the development and the surrounding area in accordance with Development Policies 1, 3 and 7 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

Informatives

1. Condition Categories

Your attention is drawn to the condition/s in the above permission. The heading of each condition gives an indication of the type of condition and what is required by it. There are 4 broad categories:

Compliance - The condition specifies matters to which you must comply. These conditions do not require the submission of additional details and do not need to be discharged.

Pre-commencement - The condition requires the submission and approval of further information, drawings or details before any work begins on the approved development. The condition will list any specific works which are exempted from this restriction, e.g. ground investigations, remediation works, etc.

Pre-occupation - The condition requires the submission and approval of further information, drawings or details before occupation of all or part of the approved development.

Bespoke Trigger - The condition contains a bespoke trigger which requires the submission and approval of further information, drawings or details before a specific action occurs.

Please note all conditions should be read fully as these headings are intended as a guide only.

Failure to comply with these conditions may render the development unauthorised and liable to enforcement action.

Where approval of further information is required you will need to submit a conditions application and pay the relevant fee, which is 145GBP per request (or 43GBP where it relates to a householder application). The request must be made in writing or using the Standard Application form (available on the Planning Portal, see council's website). For clarification, the fee relates to each request for the discharge of condition/s and not to each condition itself. There is a no fee for the discharge of conditions on a Listed Building Consent, Conservation Area Consent or Advertisement Consent although if the request concerns condition/s relating to both a planning permission and Listed Building Consent then a fee will be required.

2. The responsibility for ensuring compliance with the terms of this approval rests with the person(s) responsible for carrying out the development. The Local Planning Authority uses various means to monitor implementation to ensure that the scheme is built or carried out in strict accordance with the terms of the permission. Failure to adhere to the approved details will render the development unauthorised and vulnerable to enforcement action.

3. In determining this application the Local Planning Authority considers it has complied with the aims of paragraph 38 of the National Planning Framework by working in a positive, creative and pro-active way.

4. Building Regulations Approval

Please note that your proposed work may also require Building Regulations approval, which is a separate consent process to the consideration of a planning application. The Council's Building Control team are available to provide Building Regulations advice from pre-application stage to completion of a development and can be contacted on 0300 303 7790. Further details can also be found on their website:

<http://www.sedgemoor.gov.uk/SomersetBCP/>

