

42/21/0081

MS STUART

Demolition of garage and erection of a single storey extension to the side of Trendle, 49 Church Road, Trull

Location: TRENDLE, 49 CHURCH ROAD, TRULL, TAUNTON, TA3 7LG

Grid Reference: Full Planning Permission

Recommendation

Recommended decision: Conditional Approval

Recommended Conditions (if applicable)

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: In accordance with the provisions of Section 91 Town and Country Planning Act 1990 (as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

(A4) DrNo A01 Site Location Plan
(A4) DrNo A12C Block Plan As Proposed
(A3) DrNo A13C Floor Plans As Proposed
(A3) DrNo A14C Elevations As Proposed
(A4) DrNo A15C Sectional Elevation AA As Proposed

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order (England) Order 2015 (or any order revoking and re-enacting the 2015 Order) (with or without modification), no window/dormer windows shall be installed in the north-west elevation of the development hereby permitted without the further grant of planning permission.

Reason: To protect the amenities of adjoining residents.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification) the upvc windows to be installed in the north west elevation of the extension shall be obscured glazed and non-opening. The type of obscure glazing shall be submitted to and agreed in writing by the Local Planning Authority prior to its installation and shall thereafter be so retained.

Reason To protect the amenities of adjoining residents.

Notes to Applicant

1. In accordance with paragraph 38 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the applicant and has negotiated amendments to the application to enable the grant of planning permission.

2. WILDLIFE AND THE LAW. Any activities undertaken on trees must take into account the protection afforded to wildlife under UK legislation.

BREEDING BIRDS. Nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended) and if discovered must not be disturbed. If works are to be carried out in the breeding season (February to August, possibly later) then the tree(s) should be checked for nesting birds before work begins.

BATS. The applicant and contractors must be aware that all bats are fully protected by law under the Conservation of Habitats and Species Regulations 2017 (as amended), also known as the Habitats Regulations, and by the Wildlife and Countryside Act 1981 (as amended). It is an offence to damage, deliberately destroy or obstruct access to structures or places of shelter or protection used by bats, or recklessly or intentionally disturb bats while they are using these places.

TREES with features such as rot and woodpecker holes, split branches or gaps behind loose bark, or covered with ivy with stems over 50mm may be used as roost sites for bats. Should a bat or bats be encountered while work is being carried out on the tree(s), work must cease immediately and advice must be obtained from the Government's advisers on wildlife, Natural England (tel. 0300 060 3900). Bats should preferably not be handled (and not unless with gloves) but should be left in situ, gently covered, until advice is obtained.

Proposal

It is proposed that the existing garage is demolished, and a single storey extension is to be erected to the side of Trendle, 49 Church Road to provide one en suite bedroom and an extension to the kitchen. The proposed extension will be finished in

red brick with white upvc doors and window frames and interlocking tiles on the roof to match the existing dwelling.

The applicant is a member of staff at Somerset West and Taunton Council.

Site Description

The proposal site is an existing two storey semi-detached dwelling. The external materials consist of red brick walls with an interlocking tiled roof and white upvc doors and window frames.

Relevant Planning History

No relevant planning history

Consultation Responses

TRULL PARISH COUNCIL – No Comments Received

SCC - ECOLOGY – No Comments Received

SCC - TRANSPORT DEVELOPMENT GROUP – Standing Advice

Habitats Regulations Assessment

The site lies within the catchment area for the Somerset Moors and Levels Ramsar site. As competent authority it has been determined that a project level appropriate assessment under the Conservation of Habitats and Species Regulations 2017 is not required as the Council is satisfied that as the proposed development is an extension to an existing dwelling it does not increase nutrient loadings at the catchment's waste water treatment works. The Council is satisfied that there will be no additional impact on the Ramsar site (either alone or in combination with other projects) pursuant to Regulation 63(1) of the Habitats Regulations 2017.

Representations Received

No Representations Received

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 Taunton Deane comprises the Taunton Deane Core Strategy (2012), the Taunton Site Allocations and Development Management Plan (2016), the Taunton Town Centre Area Action Plan (2008), Somerset Minerals Local Plan (2015), and Somerset Waste Core Strategy (2013). Where they are formally adopted, Neighbourhood Plans form part of the development plan under section 38(6).

District Wide Design Guide SPD

The National Planning Policy Framework 2021 (the NPPF) is a material consideration.

Relevant policies of the development plan are listed below.

DM1 - General requirements,
D5 - Extensions to dwellings,
A1 - Parking Requirements,

There is no neighbourhood plan for the area.

Local finance considerations

Community Infrastructure Levy

This application is not liable to CIL

Determining issues and considerations

It is considered that the main determining issues and considerations are the visual amenity, residential amenity and highway safety.

Visual Amenity.

The proposed development will use materials to match the existing dwelling. The extension is proposed to the side of the dwelling to replace the existing garage. The proposal would therefore have no adverse impact on the street scene or visual amenity. The proposed extension is in keeping with the rest of the dwelling, using matching materials and implementing a pitched roof in the same style as the existing dwelling. The proposal is subservient in scale and design. Accordingly, the proposal would comply with policies DM1 and D5 of the Taunton Deane Core strategy.

Residential Amenity.

The proposed extension would have two additional windows installed on the north west elevation. Upon a thorough assessment of the site, it was apparent that there would be overlooking of the adjoining property resulting from the positioning of these windows. Obscured glazing of the proposed north west elevation windows has therefore been conditioned to negate any overlooking. The proposal would therefore comply with policy DM1 of the Taunton Deane Core Strategy.

Highways.

The application proposes one additional bedroom. Policy A1 requires a maximum of three off-street parking spaces. The existing site has sufficient space to accommodate two off-street parking spaces. However there is sufficient space to provide additional spaces if required. The proposal would comply with policy A1 of the Site Allocations and Development Management Plan.

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

Contact Officer: Ben Perry