

Committee date 10/10/2023

Application No: 24/23/00020

Application Type: Full Planning

Permission **Case Officer:** Chris Mitchell

Registered Date: 24/07/2023

Expiry Date: 17/09/2023

Parish: East Brent

Division: Brent

Proposal: Retrospective application for the retention of single storey side (South) extension.

Site Location: Rookery Manor, Edingworth Road, Edingworth, Weston-super-mare,
Somerset, BS24 0JB

Applicant: Mr I Clapp



Committee decision required because

This application is referred to the area committee at the request of the Chair and Vice Chair to enable the issues raised by the Parish Council and the elected member to be debated.

Background

The site of Rookery Manor is located in the hamlet of Edingworth to the north east of East Brent

and north west of Rooksbridge with access taken from Edington Road. The building is a detached building comprising of 3 residential apartments built with rendered walls, UPVC windows and doors and tiled roof.

This is a retrospective application for the retention of single storey side extension built with rendered walls, UPVC windows and doors and felt flat roof.

Relevant Planning History

Reference	Case Officer	Decision	Proposal
24/20/00034	DD	GTD	Removal of Condition 3 of Planning Permission 24/20/00004 (Change of use of hotel bedroom accommodation and housekeeping store to 3 No. apartments) to allow for year round occupation.
24/20/00004	LE	GTD	Change of use of hotel bedroom accommodation and housekeeping store to 3 No. apartments

Consultation Responses

Consultee Name	Summary of Response
Axe Brue Drainage Board	No comments received
East Brent Parish Council	At our PC meeting held 04.09.23 it was agreed unanimously to object to this Application It is unclear as the definition - unclear if a holiday let or residential Not clear as being in a flood zone 3 - that there is no flood contingency plan (not defined) There is no associated parking stated
Brent 1 - Bob Filmer	This has been a contentious site and I think a public hearing of this application would be worthwhile, so would ask this goes before the committee.
Brent 2 - Tony Grimes	No comments received

Representations:

There have been two letters of objection received, summarised as:

- The development is outside of permitted development boundaries;
- The development has no community development;
- This is a holiday unit and there is reason to allow it to be extended;

- Retrospective applications should be refused;
- The elevation is out of keeping with the existing building and local area.

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.

Sedgemoor Local Plan 2011-2032

S2 Spatial Strategy for Sedgemoor

CO1 Countryside

D1 Flood risk and surface water management

D2 Promoting high quality and inclusive design

D14 Managing the Transport Impacts of Development

D19 Landscape

D20 Biodiversity and geodiversity

D25 Protecting residential amenity

National Planning Policy Framework February 2021

Section 9 – Promoting sustainable transport

Section 12 – Achieving well-designed places

Section 15 – Conserving and enhancing the natural environment

Main Issues

Principal

The concern raised by the Parish Council whether the apartments were residential or holiday let is noted. Under planning permission 24/20/00034 the apartments had been granted for residential use and therefore could be used for holiday purposes.

The objection that the development is outside of settlement boundary and no further retrospective existing should not be allowed to holiday lets is noted. The property is a dwelling house as detailed above and therefore reasonable extensions to dwelling houses are permitted providing, they do not cause visual harm to the existing property or adversely impact upon neighbouring dwellings.

The previously approved permission placed conditions for the removal of permitted development rights and off-street car parking this can be re-iterated by informative on any planning permission granted.

Visual Amenity

The objection that the design of the extension is not in keeping with the existing property is noted. The extension is single-storey with a roof lantern results in minimal visual impact upon a modern building where it is mostly screened by a boundary fence. Therefore, officers do not consider that it results in any visual harm upon the local landscape character.

The built single-storey extension to the apartment is considered to be of an appropriate scale, design and detailing that would respect the form and character of the existing building and identity of the locality. In this respect the proposal complies with policy D2 of the Local Plan (LP).

Residential Amenity

It is considered that the built single-storey extension 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 LP.

Other Matters

The objection to not permitted retrospective application is noted. However, there is no rule that retrospective application should be automatically refused, they must be considered on their own merits. In this case the single-storey rear extension is acceptable as detailed above.

Flood Risk

As the property is within Flood Zone 3, the implementation of flood resilience measures that have been detailed in their Flood Risk Assessment. The electrical sockets shall be raised above the ground floor level by 0.4m and raise all electrical appliances above ground floor level, flood barriers are provided. A condition shall be placed on any permission granted to this effect.

Highways

The concern raised by the Parish Council that off-street parking is not indicated on the block plan is noted. The agent has submitted a parking plan detailing off -street parking provision is provided to the 3 apartments. Therefore, officers are satisfied that there is sufficient off-street parking at the site. Furthermore, the development is an extension not forming any additional bedrooms.

In this respect the proposal complies with policy D14 the LP.

Conclusion

The built single-storey extension is of an acceptable design and appearance that would have no adverse impact of the character of the existing building or the locality, residential amenity, or highways safety. As such the proposal complies with policies CO1, D1, D2, D14, D19, D20 and D25

of the Sedgemoor Local Plan.

RECOMMENDATION

GRANT PERMISSION

- 1 The development hereby permitted shall be carried out in accordance with the approved plans listed in schedule A.

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

- 2 The flood resilience measures as set out in submitted and approved Flood Risk Assessment dated 1st September 2023 shall be implemented within 3 months of the date of this permission.

Reason: To safeguard the site and surrounding area from flood risk in accordance with Policy D1 of Sedgemoor Local Plan 2011-2032 .

- 3 Within 3 months of the date of this permission the parking spaces as shown on Parking Plan Dwg. No 2992/11 for the 3 apartments shall be made available and thereafter be retained and maintained.

Reason: To ensure that adequate off-street parking is available in accordance with Policy D14 of the Sedgemoor Local Plan.

Schedule A

Location Plan Drg No. 010

Block Plan Drg No. 2992/9

Existing Floor Plans Drg No. 2992/6

Existing Elevations Drg No. 2992/7

Proposed Floor & Elevations Plan Drg No. 2992/8

Proposed Elevations Drg No. 2992/10

Parking Plan Drg. No 2992/11