

Committee date 12/12/2023

Application No: 24/23/00017

Application Type: Full Planning Permission

Case Officer: Chris Mitchell

Registered Date: 21/08/2023

Expiry Date: 15/10/2023

Parish: East Brent

Division: Brent

Proposal: Erection of two storey rear extension part on site existing conservatory (to be demolished).

Site Location: 25 Red House Road, East Brent, Highbridge, Somerset, TA9 4RX

Applicant: Mr & Ms Barrett & Chase



Committee decision required because

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

Background

The site is located to the north of East Brent with access taken from East Brent Road. The property is a detached dwelling house built with stone walls, UPVC windows and doors and tiled roof.

The proposal is for the demolition of existing rear conservatory and the erection of two storey rear extension that would provide a dining room with sitting room at ground floor with enlarged bedrooms above. The rear extension would be built with stone walls, UPVC windows and doors and tiled roof.

Relevant Planning History

Applications Overlapping the same Spatial Area

Reference	Decision	Proposal
24/21/00042	GTD	Conversion of garage to living accommodation
24/94/00014	GTD	Erection of 35 detached dwellings, garages and formation of accesses thereto
24/90/00022	GTD	Development of land for residential purposes and formation of a village green with parking area and footway/footbridge together with enlargement of farmhouse curtilage

Consultation Responses

Consultee Name	Summary of Response
East Brent PC	<p>At our PC meeting held on 04.09.23 - it was agreed unanimously to object to this application</p> <p>Under policy D125 - the new appearance will be too domineering on the plot.</p> <p>There is not enough space for parking/ turn in is too tight for the 3 parking spaces shown on the plan</p>
Axe Brue Drainage Board 07/10/2023	<p>Further information has been provided by the applicant to the IDB regarding the proposed surface water drainage, which will discharge to an existing Wessex Water surface water sewer. Information has also been provided regarding the current restrictions on maintenance access and how future maintenance could be carried</p>

out.

The Board therefore have **no objection** to this application. The Board would request that the following informative is added to any permission that is granted:

Informative: The applicant is advised that, prior to works commencing on site, Land Drainage Consent is required under section 23 and 66 of the Land Drainage Act 1991 from the Internal Drainage Board for any construction in, or within, 9m of a watercourse and for the introduction of additional flow into a watercourse in the Board's District (or from the Environment Agency for an EA Main River).25/09/2023 – Objection
The Board **requires further information** to fully assess the impacts of the proposals.

The site is bounded on the north-eastern boundary by an ordinary watercourse, and a second ordinary watercourse bisects the site to the north-west of the proposed extension. The proposed extension is over the footprint of the existing conservatory and deck area. Whilst located in line with the wall of the existing dwelling, the extension is located within 6m of the ordinary watercourse to the north-eastern boundary. This will increase the length of restricted access. Maintenance of ordinary watercourses is the responsibility of the Riparian owner, details of how this portion of ordinary watercourse will be maintained should be provided.

The proposals will increase the impermeable areas of the site and therefore the volume of surface water runoff. No information is currently provided regarding the management of surface water runoff. Details of how surface water from the extension will be managed should be provided.

We would also like to remind the applicant that in

	addition to obtaining planning permission, they will need to apply for Land Drainage Consent for any work within 9m of the top of bank of any viewed rhyne or ordinary watercourse. East Brent Parish Council
Somerset Highways	Standing Advice
Somerset County Council - Rights of Way	Public Right of Way: No objection – recommends an informative be placed on any permission granted. Development, insofar as it affects the rights of way should not be started, and the rights of way should be kept open for public use until the necessary Order (temporary closure/stopping up/diversion) or other authorisation has come into effect/ been granted. Failure to comply with this request may result in the developer being prosecuted if the path is built on or otherwise interfered with.

Representations:

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

- Concern to blocking of turning area with trades persons;
- Objection to lack of time to comment upon the application due to being on holiday and varying dates advertised;
- Inaccuracy of the site plan that includes a field to the rear of the garden of the property, this is not residential land and is outside the settlement boundary of East Brent;
- Objection to the loss of light to sitting room from the proposed two-storey rear extension;
- Unneighbourly development upon our rear garden;
- Loss of privacy from windows on the proposed development;
- Issue of noise and disruption to our property during development;
- Concern to ditch being filled in by previous owners and culverting the ditch without appropriate permissions;

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
T3a Tier 3 Settlements – Housing
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

Visual Amenity

The proposed two-storey extension would be on the rear elevation of the dwelling house and therefore, would no visual impact upon street scene of Red House Road.

It is noted that it would be seen from the public right of way AX 17/11 to the north east of the property. However, the two-storey rear extension 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 wider locality. In this respect the proposal complies with policies D2 and D19 of the Local Plan (LP).

Residential Amenity

The objection by the neighbour to the loss of light from the two-storey rear extension to the sitting room of No 23 Red House Road and unneighbourly development to their rear garden is noted. The proposed two-storey rear extension would project by some 3.5m of the rear elevation of the property and whilst it would have an impact upon neighbour's property. However, due to the orientation of the neighbour's house, being stepped back from the rear boundary and at a distance of some 2.5m between properties, officers consider that there would be sufficient light to neighbour's property throughout the day.

The concern raised by Parish Council to the potential dominant impact upon neighbour is noted. As stated above officers do not consider that the proposal would have a domineering impact upon neighbour and it is on the rear elevation so it would have minimal visual impact.

Therefore, officers do not consider that there would be a significant loss of light or dominant impact upon the sitting room to warrant the refusal of this application.

It is considered that the proposed two-storey rear 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.

Ecology

In officers' opinion the conservatory would be of low likelihood for nesting area for protected species there is no requirement for any biodiversity mitigate at the site. It is recommended that an informative be placed on any permission granted detailing that if any bats are found during the works a qualified ecologist must be consulted immediately and all works halted on site.

Therefore, the proposal is considered acceptable in accordance with policies D19, D20 and D23 of the Sedgemoor Local Plan.

Other Matters

The Public Right of Way (PROW) officer raises no objection and recommends an informative be placed on any permission granted that the PROW shall not be obstructed during construction works. The issue of the filling in of ditch to the north west of the site are noted though the agent has confirm that the applicant have done no works reading culverting the ditch. This is a civil matter between the Drainage Board and neighbours.

Following further information provided to Axe Brue Drainage Board by the agent to address their objection the Axe Brue Drainage Board states standing advice and recommends an informative be placed on any permission granted.

The applicant is advised that, prior to works commencing on site, Land Drainage Consent is required under section 23 and 66 of the Land Drainage Act 1991 from the Internal Drainage Board for any construction in, or within, 9m of a watercourse and for the introduction of additional flow into a watercourse in the Board's District (or from the Environment Agency for an EA Main River).

The concern raised to the use of the land to the rear of the applicant's garden where a shed, decked area, play equipment and planting has been undertaken on agricultural is noted. Following a site visit officers confirm that there is no permission to change the use of this land for residential purposes. This is an enforcement matter that would need to be investigated separately. If planning permission were to be approved for the proposed extension, then an informative would be placed on any permission granted that the applicant would need to regularise the use of this land as residential curtilage to this property.

The agent has amended the site location plan with correct red around the garden of the property and blue line around the field area.

The objection to the development and issue of parking of trades persons is a civil matter and not an overriding reason to refuse this planning application.

Flood Risk

As the property is within Flood Zone 3, however, this is a householder application that is acceptable subject to 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. A condition shall be placed on any permission granted to this effect.

Highways

The objection by the Parish Council to the lack of off-street parking to the property with the addition of bedroom is noted. The proposal does not result in the addition of a bedroom as the first floor extension is merely extending an existing bedroom. The playroom is an existing room within the property and could be used as bedroom and already exists. Consequently, there is no increase in bedrooms to the property and it can provide 3 off-street parking spaces as originally built.

The concern raised to the issue of noise and parking disruption of cul-de-sac during development is noted. The proposed development is of acceptable scale and size and hours of operation and parking issues are civil matters that neighbours can deal with independently.

Conclusion

The proposal 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 T3a, D1, D2, D14, D19, D20 and D25 of the Sedgemoor Local Plan.

RECOMMENDATION

GRANT PERMISSION

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

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act, 1990.

2 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.

3 The development hereby approved shall be carried out in accordance with the flood resilience measures as set out in submitted and approved Flood Risk Assessment dated 29th August 2023.

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

Schedule A

Location Plan Drg No. 001 Rev A

Existing Block Plan Drg No. 002 Rev A

Existing Plans Drg No. 004 Rev A

Existing Elevations Drg No. 006 Rev A

Existing Elevations Drg No. 007 Rev A

Existing Roof Plan Drg No. 005 Rev A

Proposed Block Plan Drg No. 003 Rev A

Proposed Plans Drg No. 008 Rev A

Proposed Elevations Drg No. 010 Rev A

Proposed Elevations Drg No. 011 Rev A

Proposed Roof Plan Drg No. 009 Rev A

DECISION
