

Application Details	
Application Reference Number:	<u>19/23/0006</u>
Application Type:	<u>Full Planning Permission</u>
Earliest decision date:	24 October 2023
Expiry Date	<u>26 July 2023</u>
Extension of time	26 January 2024
Decision Level	Committee
Description:	Erection of a two storey extension to the side of dwelling and creation of vehicular access at Palmers Green Cottage, Stewley Road, Hatch Beauchamp
Site Address:	<u>PALMERS GREEN COTTAGE, STEWLEY ROAD, HATCH BEAUCHAMP, TAUNTON, TA3 6AE</u>
Parish:	19
Conservation Area:	No
Somerset Levels and Moors RAMSAR Catchment Area:	Yes
AONB:	No
Case Officer:	<u>Mike Hicks</u>
Agent:	TADMAN PLANNING CONSULTANTS LTD
Applicant:	MR R CHELTON
Committee Date:	23 January 2024
Reason for reporting application to Committee	The Planning Agent is regularly employed by the Council to undertake work for the Planning Service.

1. Recommendation

1.1 That permission be GRANTED subject to conditions.

2. Executive Summary of key reasons for recommendation

2.1 Subject to conditions the proposal will have an acceptable impact on the character and appearance of the dwelling and the area. It would not harm highway safety, ecology, the Somerset Levels and Moors Ramsar site or the residential amenity of nearby residents.

3. Planning Obligations and conditions and informatives

3.1 Conditions (full text in appendix 1)

- Time limit
- Approved plans
- Access and parking provided prior to first occupation of extension.
- Visibility splays
- Consolidated surface/drainage to access and parking
- External lighting
- Ecological enhancements

3.2 Informatives (bullet point only)

- Ecology conditions 05 and 06
- General ecology notes
- Proactive planning

4. Proposed development, site and surroundings

4.1 Details of proposal

The proposal involves the erection of a two storey extension to the side of the dwelling and the provision of a vehicular access and parking spaces to the side garden. The proposed extension would contain two bedrooms on the first floor and living room/kitchen on the ground floor. During the course of the application, amended plans were received amending the materials to the west elevation from timber cladding to render. Materials to all elevations will consist of a mix of stone and render to the walls and clay tiles to the roof to match the existing finishes.

During the course of the application, the development was also amended to include the provision of the vehicular access and two parking spaces to the side of the dwelling.

4.2 Sites and surroundings

The site is located in the open countryside and consists of a two bedroom, two storey dwelling. The dwelling is located alongside an unclassified highway. There is a vehicular access directly to the west which leads to Palmers Green House. There is a garden to the side of the dwelling which fronts on to the highway. Existing external materials consist of stone and render to the walls and clay tiles to the roof.

5. Planning (and enforcement) history

Reference	Description	Decision	Date
19/22/0007	Erection of 1 No. detached dwelling with detached garage/car port on land adjoining Palmers Green Cottage	Permitted with conditions	

6. Environmental Impact Assessment

NA

7. 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 plans or projects) pursuant to Regulation 63(1) of the Habitats Regulations 2017.

8. Consultation and Representations

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

8.1 Date of consultation: 31 May 2023

8.2 Date of revised consultation (if applicable):

- 10 October 2023
- 08 December 2023

8.3 Press Date: 02 June 2023

8.4 Site Notice Date: 13 June 2023

8.5 **Consultees** the following were consulted:

Consultee	Comment	Officer Comment
HATCH BEAUCHAMP PARISH COUNCIL	First response- No parking provision within the scheme Second response- No comment	Refer to highway section
SCC - ECOLOGY	First response: Bat survey required. Second response: No objections subject to conditions: <ul style="list-style-type: none">• External lighting• Enhancement Informatives relating to bats and hedgehogs.	Refer to ecology section
SCC - TRANSPORT DEVELOPMENT GROUP	Standing advice applies	Refer to highway section

8.6 Local representations

Neighbour notification letters were sent in accordance with the Councils Adopted Statement of Community Involvement.

Following consultation, no comments have been removed.

9. Relevant planning policies and Guidance

Section 70(2) of the Town and Country Planning Act 1990, as amended ("the 1990 Act), requires that in determining any planning applications 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 strongly indicate otherwise. The site lies in the former Taunton Deane area. The Development Plan comprises the Taunton Deane Core Strategy (2012), the Taunton Site Allocations and Development Management

Plan (SADMP) (2016), the Taunton Town Centre Area Action Plan (2008), Somerset Minerals Local Plan (2015) and Somerset Waste Core Strategy (2013).

As a result of local government reorganisation Somerset Council was established from the 1 April 2023. The Structural Change Order agreeing the reorganisation of local government requires the Council to prepare a local plan within 5 years of the 1 April 2023 and the Council will be bringing forward a Local Development Scheme to agree the timetable for the preparation of the local plan and scope in due course.

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

CP8 - Environment,
DM1 - General requirements,
D5 - Extensions to dwellings,

Supplementary Planning Documents

District Wide Design Guide, December 2021

Other relevant policy documents:

Somerset West and Taunton Council's Climate Positive Planning: Interim Guidance Statement on Planning for the Climate Emergency (March 2022).

9.1 National Planning Policy Framework

The NPPF is a material consideration.

10. Material Planning Considerations

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

10.1.1 The principle of development

The extension of a dwellinghouse within the domestic planning unit is considered to be an acceptable form of development in principle. Consequently it is supported in principle by Policy D5 of the Taunton Site Allocations and Development Management Plan. The acceptability of the proposal depends on compliance with the policy requirements as set out below.

10.1.2 The impact on the character and appearance of the dwelling and the locality

Policy D5 of the Taunton Site Allocations and Development management Plan states that extensions to dwellings will be permitted provided they do not harm:

- A. The form and character of the dwelling, and are subservient to it in scale and design;*
- B. The residential amenity of other dwellings; and*
- C. The future amenities, parking, turning space and other services of the dwelling to be extended;*
- D. Where appropriate, the scheme preserves and enhances the character and setting of Conservation Areas and Listed Buildings.*

The extension would mirror the existing features and appearance of the dwelling such as the roof pitch, materials and fenestration. The proposed extension would be relatively large however the resulting scale is not excessive and it would be of

appropriate appearance and materials to ensure that the traditional character of the property would not be harmed. The streetscene is characterised by a mixture of dwelling styles and sizes located amongst open countryside. The extended dwelling would appear appropriate within this context. Furthermore, the extension would be of appropriate scale for the size of the plot. Overall it is considered that the proposed extension would not harm the form or character of the dwelling and would have an acceptable impact on the appearance of the streetscene and the locality. Accordingly the proposal would accord with Policy D5 of the Site Allocations and Development Management Plan and Policies DM1 and CP8 of the Taunton Deane Core Strategy.

10.1.3 Access, Highway Safety and Parking Provision

The dwelling currently does not have any parking spaces within its curtilage. The proposed extension will give rise for a potential increase in the size of the household. The Councils parking standards are set out in Policy A1 of the Site Allocation and Development Management Plan. This sets a maximum provision of 4 spaces for a 4 bedroom property in a rural location, however it does not set a minimum limit. The 'Somerset Parking Strategy' is also a material consideration. This document forms part of the 'Standing Advice' guidance for the Planning Authority to determine the highway aspect of applications. This sets out an optimum standard of 4 spaces for a 4 bedroom property in this location. It states that deviations below this should be justified on a case by case basis.

There is little or no appropriate parking within the highway limits adjacent or near to the existing dwelling. The increase in the size of the dwelling could lead to an increase in parking on the highway which would be prejudicial to the movement of vehicles and highway safety. During the course of the application the proposal was amended to incorporate the formation of an access and two parking spaces to the side of the dwelling in order to overcome these safety concerns. The provision of two spaces would comply with the maximum limit in Policy A1, however it doesn't meet the optimum standard of 4 set out in the Parking Strategy. It is noted that the access and parking spaces do not require planning permission in their own right as they are classified as 'permitted development', however it is nevertheless reasonable and necessary to ensure their provision as part of this development in the interests of highway safety.

Whilst the provision of two spaces is considered to be substandard compared to the Parking Strategy, it does not contravene the maximum standard in Policy A1. It also represents an improvement over the existing situation. Furthermore, the hardstanding can be extended in the future by the householder under permitted development rights if additional spaces are required. There are therefore insufficient grounds to warrant refusal based on a shortfall of spaces against the Parking Strategy.

The applicant has demonstrated on the plans that appropriate visibility splays can be provided and these will not be prejudiced should the adjacent permitted scheme for a dwelling and vehicular access be permitted. A condition to secure the provision of these splays is to be included in the decision along with a condition to ensure the implementation of the access and parking and a consolidated surface.

Having regard to the above, the proposal will have an acceptable impact on highway safety and will provide an appropriate level of parking in accordance with Policy DM1 of the Taunton Deane Core Strategy and Policy and Policy A1 of the Taunton Site Allocations and Development Management Plan.

10.1.4 The impact on neighbouring residential amenity

None of the adjacent dwellings would be directly impacted given the distances from the proposed extension, including the potential unbuilt dwelling in the plot to the east which has an extant planning permission.

10.1.5 The impact on ecology and biodiversity and the Somerset Levels and Moors Ramsar Site.

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 plans or projects) pursuant to Regulation 63(1) of the Habitats Regulations 2017.

In relation to ecology within the site, the applicant has submitted a Preliminary Roost Assessment. This concluded that the building has a moderate roosting potential, however bat activity surveys concluded that roosting bats are likely absent from the dwelling. Accordingly, the survey report recommends the control of exterior lighting and ecological enhancements to include the provision of a bat box. Further informatives are recommended relating to the developer's legal obligations in relation to protected species. Subject to these conditions it is considered that there would be no impact on protected species and will provide enhancements in accordance with the NPPF.

11 Local Finance Considerations

11.1 Community Infrastructure Levy

Not applicable

12 Planning balance and conclusion

12.1 For the reasons set out above, having regard to all the matters raised, it is therefore recommended that planning permission is granted subject to conditions.

In preparing this report the planning officer has considered fully the implications and requirements of the Human Rights Act 1998 and the Equality Act 2010.

Appendix 1 – Planning Conditions and Informatives

Conditions

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) Location Plan

(A3) DrNo R-10-2-0105 Rev A Proposed Elevations

(A3) DrNo R-10-2-0107 Proposed First Floor Plan

(A3) DrNo R-10-2-0106 Proposed Ground Floor Plan

(A3) DrNo R-10-2-0108 Rev A Proposed roof Plan

(A3) DrNo R-10-2-0110 Rev A Proposed Site Block Plan

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

3. The vehicular access and parking as shown on the approved plans shall be completed in accordance with the approved plans prior to the first occupation of the extension hereby approved and shall be retained thereafter in perpetuity.

Reason: To ensure sufficient car parking in the interests of highway safety to comply with Policy DM1 of the Taunton Deane Core Strategy.

4. There shall be no obstruction to visibility greater than 900mm above the adjoining carriageway level within the visibility splays shown on plan No. 2472/04.

Such visibility splays shall be fully provided before the new access is brought into use and shall thereafter be maintained in the approved form.

Reason: To ensure suitable visibility is provided and retained at the site access, in the interests of highway safety to comply with Policy DM1 of the Taunton Deane Core Strategy.

5. The parking spaces illustrated on the approved plans shall be finished with a properly consolidated hard surface before it is brought into use and thereafter maintained as such. It shall be made of porous material, or alternatively

provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwelling.

Reason: In the interests of highway safety to comply with Policy DM1 of the Taunton Deane Core Strategy.

6. Where external lighting is to be installed, prior to construction above damp-proof course level, a lighting design for bats, following Guidance Note 08/23 - bats and artificial lighting at night (ILP and BCT 2023), shall be submitted to and approved in writing by the Local Planning Authority. The design shall show how and where external lighting will be installed. Lux levels should be below 0.5 Lux on key & supporting features or habitats. All external lighting shall be installed in accordance with the specifications and locations set out in the design, and these shall be maintained thereafter in accordance with the design. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: In the interests of the 'Favourable Conservation Status' of populations of European protected species and in accordance with Policy CP8 of the Taunton Deane Core Strategy.

7. The following will be incorporated into the site proposal with photographs of the installed features submitted to the Local Planning Authority prior to first occupation:
 - The installation of a minimum of two bird boxes around the site boundaries or on buildings will provide additional nesting habitat for birds e.g. Schwegler No 17 Swift Nest Box, Schwegler 1SP Sparrow Terrace, Schwegler 1B Nest Boxes, Schwegler 2H Robin Boxes, Woodstone Nest Box, Or a similar alternative brand.
 - Installation of 1 X schwegler bat box (or similar if unavailable), purchased or built, on either the north end gable or to a mature tree on site, facing south or west, at a height above 3m.

Reason: In accordance with Government policy for the enhancement of biodiversity within development as set out in Chapter 15 of the National Planning Policy Framework

Notes to applicant.

1. The applicant is advised of the following informatives in relation to condition 05:
 - A recommended exterior light unit is the Knightsbridge WALL 1LBK which is a wall mounted down lighter installed with a 3000K LED bulb which provides a beam angle of 50 degrees.

- To further avoid over illumination lighting units should be fitted with a motor sensor system with a timer which exceeds no longer than 1 minute.

The applicant is advised of the following informatives in relation to condition 06:

- Tree boxes should be positioned approximately 3m above ground level where they will be sheltered from prevailing wind, rain and strong sunlight.
- Small-hole boxes are best placed approximately 1-3m above ground on an area of the tree trunk where foliage will not obscure the entrance hole.
- Swift and sparrow boxes should be positioned at the eaves of a building and can be incorporated into the fabric of the building during construction.
- Research shows that bees will live in the bricks and there is no risk associated with their installation as solitary bees do not live in hives or have a queen, and do not sting. The bricks have a solid back with the cavities placed on the outside wall.

2. The developers and their contractors are reminded of the legal protection afforded to bats and bat roosts under legislation including the Conservation of Habitats and Species Regulations 2017. In the unlikely event that bats are encountered during implementation of this permission it is recommended that works stop, and advice is sought from a suitably qualified, licensed and experienced ecologist at the earliest possible opportunity.

The roof tiles, barge boards, fascias should be lifted/stripped carefully by hand, avoiding pushing tools into the cavity beneath, and inspected for the presence of bats. A torch should be used where necessary.

The developers are reminded of the legal protection afforded to nesting birds under the Wildlife and Countryside Act 1981 (as amended). In the unlikely event that nesting birds are encountered during implementation of this permission it is recommended that works stop until the young have fledged or then advice is sought from a suitably qualified and experienced ecologist at the earliest possible opportunity.

Excavated holes and trenches on building sites have the potential to trap wildlife including hedgehogs leading to the potential suffering and death of the animal (s) particularly if they become filled with water. If during the development excavated holes / trenches are likely to be left open, then timber builders' planks should be fitted as ramps to enable any wildlife including hedgehogs a means of escape.

3. In accordance with paragraph 38 of the National Planning Policy Framework 23 the Council has worked in a positive and creative way with the applicant and has negotiated amendments to the application to enable the grant of planning permission.