

Application Number	2024/0670/HSE
Case Officer	Kirsty Black
Site	95 Wookey Hole Road Wells Somerset BA5 2NH
Date Validated	8 April 2024
Applicant/	Mr & Mrs M Windsor
Organisation	
Application Type	Householder Application
Proposal	Single storey rear extension to existing property including heating & cooling pump
Division	Wells Division
Parish	Wells City Council
Recommendation	Approval
Divisional Cllrs.	Cllr Theo Butt Philip Cllr Tessa Munt

What 3 Words for the location: luggage.query.tender

Planning Committee

This application was referred to the Vice Chair and Chair of the Planning Committee as the recommendation of the Planning Officer differs from that of Wells City Council. It has been determined that this application should be presented at Planning Committee.

Site and Proposal

This application concerns 95 Wookey Hole Road located in the northern region of Wells. Situated within a residential area of the city, it is a detached single storey bungalow with a detached garage. 95 Wookey Hole Road has an extensive garden at the rear together and a garden at the front of the property. Access is off Wookey Hole Road and a driveway runs to the side of the bungalow.

The application seeks consent to construct a single storey extension to the rear elevation of the property to provide additional ancillary accommodation. It will use matching external materials in terms of brick and concrete tiles and involves the installation of 3 windows to the east elevation.

The existing double garage will be shortened to accommodate the extension and a heating and cooling condenser will be installed to the west elevation of the property. The proposal also includes the installation of timber decking that extends approximately 2.5 meters from the extension with a hand rail and 2 m high timber panels will be installed. □

Consultation/Representation:

Division Member: No comments received.

Wells City Council: Recommends refusal on the grounds that the proposal is overbearing and causes a loss of privacy. Further comments included that assessment on the loss of light should be made.

Neighbours: 2 local representations received objecting to the proposal on the following grounds:

Loss of light. It potentially blocks light to a south west facing home office/living room.

Overbearing. The timber panelling on raised decking combined with proximity to the boundary and as buildings are not parallel and are closer the further out you go into the garden.

Loss of Privacy. Proposed side bedroom 3 window could allow view to inside their property, the home office/living room and/or possibility a view into the proposed side bedroom. Reduction of garden privacy and that windows and development is within 1m of the boundary and rear access path.

Other concerns raised include fire safety and the lack of provision of context drawings. Also mentioned was the potential for dispute over landownership.

All representations and consultations responses received in respect of the application, if any, have been considered in full.

Summary of all planning policies and legislation relevant to the proposal:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 places a duty on local planning authorities to determine proposals in accordance with the development plan unless material considerations indicate otherwise. The following development plan policies and material considerations are relevant to this application:

The Council's Development Plan comprises:

- Mendip District Local Plan Part I: Strategy and Policies (December 2014)
- Mendip District Local Plan Part II: Sites and Policies (Post JR Version)
- Somerset Waste Core Strategy (2013)
- Somerset Mineral Plan (2015)
- Design and Amenity of New Development, Policy DP7 SPD (March 2022)

The following policies of the Local Plan Part 1 are relevant to the determination of this application:

- CP1 – Mendip Spatial Strategy
- DP1 - Local Identity and Distinctiveness
- DP7 - Design and Amenity
- DP9 - Transport Impact of New Development
- DP10 - Parking Standards

Other possible Relevant Considerations (without limitation):

- National Planning Policy Framework

- National Planning Practice Guidance
- The Countywide Parking Strategy (2013)
- Somerset County Council Highways Development Control Standing Advice (June 2017)

Assessment of relevant issues:

Character and Appearance

Concern was raised by an adjoining neighbour regarding the size and design of the proposed development. The proposed extension is sited to the rear elevation of the existing residential property and is subservient to the existing property in terms of roof height and can be easily accommodated within the existing residential site. It will be screened from the nearest public vantage points along Wookey Hole Road by the host house and adjacent residential properties and will preserve the established street scene and local character.

The proposal is considered to be of a design that is sympathetic to the existing character of the residence and the use of materials, such as roof tiles and brick that match the existing will reduce its visual impact on the setting. The proposal accords with Policy DP1 and DP7 of the adopted Local Plan Part 1 (2014), plus the Design and Amenity of New Development, Policy DP7 SPD (March 2022) along with Part 12 of the National Planning Policy Framework.

The proposal by reason of its design, siting, scale, massing, layout and materials is acceptable and contributes and responds to the local context and maintains the character and appearance of the surrounding area. The proposal is therefore considered to accord with the policies referred to above.

Residential Amenity

A letter of objection has been received from the neighbouring occupiers and from Wells City Council raising concerns regarding a loss of natural light, overbearing and a reduction in privacy.

It is recognised that the development will make significant alterations to the rear elevation of this residential property, but it will not cause there to be an oppressive environment and a significant loss of light to the neighbouring residents of 93 Wookey Hole Road. The proposed extension will not project beyond the existing side elevation of the host property and the proposed pitched roof line ensures that the visual bulk of the extension is set back from the shared boundary by the sloping roof. Whilst the use of matching roof tiles and external materials reduces the visual impact and is more in keeping with the appearance and character of the host property.

Whilst the rear extension will protrude outwards by an additional 8 meters from the original rear elevation of the property, it does not extend beyond the rear elevation of the modern extension at 93 Wookey Hole Road and the existing boundary treatment will provide some mitigation against the development being significantly overbearing. It is noted that the extension is no closer to the shared boundary and that the metre gap between the house and the shared boundary will remain. The proposed side windows will only look out onto a residential boundary wall or fencing and the solid brick wall of the neighbouring rear extension beyond and not the home office/living room which has windows on the rear elevation.

The proposed timber decking extends southwards by approximately 2.5 metres from the edge of the extension and will be approximately 0.50 metres higher than the height of the original patio. However, 2 metre high timber fencing will be installed along its eastern and western edges and this will provide sufficient means of screening and provide the users of the decking and adjoining neighbours with adequate levels of privacy. It is therefore considered that the development will not cause significant overlooking of 93 Wookey Hole Road. In addition, access to the large rear garden will be via steps that are set back from the eastern edge of the decking and whilst there may be overlooking of the bottom half of the neighbouring gardens, the main amenity spaces of the house and immediately to the rear will be screened by the timber decking fencing.

It is acknowledged that there is already a significant degree of overlooking between these two properties given the layout of the sites and position of the properties. It is therefore considered that the proposed development is likely to significantly exacerbate the situation.

In summary, the proposal is not considered to result in a significant loss of light or pose a significant overbearing impact on the residential amenity of the neighbouring properties of Wookey Hole Road. The proposal accords with Policy DP7 of the adopted Local Plan Part 1 (2014) and Part 12 of the National Planning Policy Framework.

Assessment of Highway Issues:

The proposal involves the loss of use of the existing garage but adequate space remains within the residential site for the parking of up to 4 cars with space for turning and leaving the site in a forward gear. The parking provision is therefore considered sufficient.

The means of access and parking arrangements are acceptable and maintain highway safety standards. The proposal accords with Development Policies 9 and 10 of the adopted Local Plan Part 1 (2014) and Part 9 of the National Planning Policy Framework.

Environmental Impact Assessment

This development is not considered to require an Environmental Statement under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Equalities Act

In arriving at this recommendation, due regard has been given to the provisions of the Equalities Act 2010, particularly the Public Sector Equality Duty and Section 149. The Equality Act 2010 requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. Protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race/ethnicity, religion or belief (or lack of), sex and sexual orientation.

Recommendation

Approval

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: 1134:DP:OG:12 EXISTING/PROPOSED LOCATION PLAN/BLOCK PLAN and 1134:DP:OG:17 PROPOSED/EXISTING ELEVATIONS/ROOF PLAN/GROUND FLOOR PLAN received 5th of April 2024.

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

Informatives

1. 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.

2. **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.

3. 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 <https://buildingcontrol.somerset.gov.uk/>