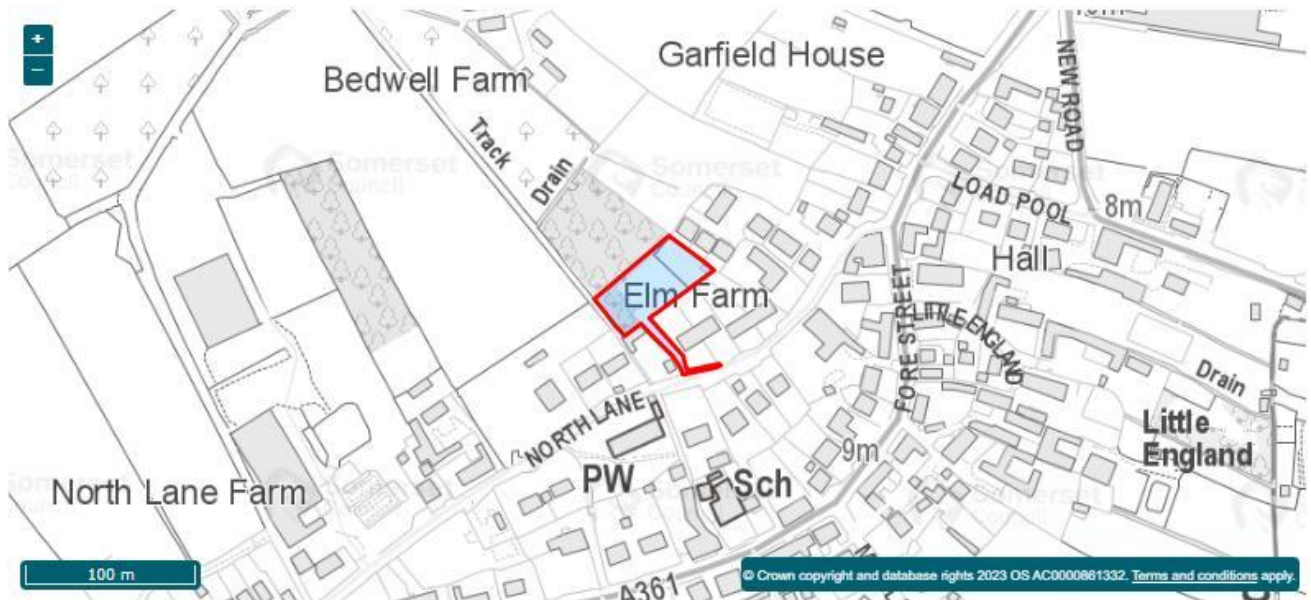


Othery 38/23/00001/CM registered 16/01/23  
Expiry Date: 12/03/2023  
(Full Planning Permission)

Proposal: **Erection of single storey extension to the East elevation. at DANVIA HOUSE, North Lane, Othery, Bridgwater, Somerset, TA7 0QG for Mr & Mrs Lockyer**



**Reason for referral to committee**

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 to be debated.

**Background**

The site is located to the north of the village centre of Othery with access taken from North Lane. The property is a detached dwelling house granted under planning permission 38/21/00012 and 38/19/00014. The property is permitted to be built with stone and rendered walls, powder coated aluminium windows and doors and interlocking tile roof. There is a public right of way (BW 24/1) located to west of the site.

The proposal is for a single storey side linked extension to provide linked passage with gym, dog room and double garage. The extension would be built in matching materials of rendered walls, matching UPVC coloured powder coated aluminium

windows and doors and interlocking tiled roofs.

A revised proposal has been submitted relocating the single-storey link extension by some 8 to 10m away from the eastern boundary and reduction in height of the double garage and car port roof down to 5.7m high. The extension would be built in matching materials of rendered walls, matching windows and doors and interlocking tiled roofs.

### **Relevant Planning History**

- |             |     |   |
|-------------|-----|---|
| 38/21/00012 | GTD | Variations of Conditions 1 and 2 of Planning Permission 38/19/00014 (Approval of reserved matters for the erection of one dwelling and formation of new access) to amend approved drawings. |
| 38/19/00014 | GTD | Approval of reserved matters for the erection of one dwelling and formation of new access   |
| 38/19/00008 | GTD | Outline application with some matters reserved for the erection of one dwelling and formation of new access.  |
| 38/03/00018 | GTD | Erection of single storey rear conservatory   |

### **Consultation Responses**

#### **Parish Council: 14/03/2023 – Objection**

The Parish Council appreciate that the applicant has taken on board the concerns of the neighbours and moved the extension much closer to their existing property, but the Parish Council still have concerns relating to D2 and D25 of the Sedgemoor Local Plan and also that the Village Design Statement has not fully been taken into consideration. The supporting information which is normally provided by the architect is not available which has not helped the consideration of this application. The Parish Council feel that a barrier hedge to shield the extension from the three properties which back onto the extension would have been useful and the concerns over size and scale still remain. Therefore, the Parish Council cannot support this application.

#### **21/02/2023 – Objection**

After a debate and consideration of the objections to the proposed application by members of the public present during public question time at the meeting the Parish Council will not support this application on the following grounds. It is too close to the properties which back onto the site being within 3 metres of their properties. The footprint of this proposed is very large with a large garage, gym and very large dog grooming room certainly increasing the overall footprint substantially and the long walkway to these buildings is puzzling.

The Parish Council also believe that the conditions that were in place for the original build 38/19/00008 are still very relevant to this site and should still prevent this extension being built. The Parish Council have concerns that the properties, which back onto the proposed development, and are considerably affected were not notified. The Parish Council would like to know why these properties were not notified by Sedgemoor as this is not the first time that we have raised these concerns.

**Parrett Drainage Board:** No comments received.

**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 four letters of objection received to the revised proposal, summarised as:

- This would result in doubling the size of the building of the site;
- Loss of privacy from the proposal;
- Loss of hedgerow in the centre of the site with disruption to birds and wildlife;
- Objection to loss of trees from the land;
- Storage of heavy plant on the land;
- Concern to creation of dog room and issues of noise and disruption to neighbours;
- The loss of boundary hedgerows is not acceptable to local wildlife;
- Issues of noise and disruption of further building works.

There have been three letters of objection received to the original proposal, summarised as:

- This would result in doubling the size of the building of the site;
- Loss of privacy from the proposal;
- Concern to access of maintenance to fence;
- Loss of hedgerow in the centre of the site with disruption to birds and wildlife;
- Objection to loss of trees from the land;
- Concern to creation of dog room and issues of noise and disruption to neighbours;

- The loss of boundary hedgerows is not acceptable to local wildlife;
- Issues of noise and disruption of further building works.

### **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

T4 Tier 4 Settlements –

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

### **Community Infrastructure Levy (CIL)**

The application is for residential development in Othery where the Community Infrastructure Levy (CIL) is Urban Residential £52.28sqm of additional gross internal floor area created. Based on current rates, the CIL receipt for this development would be in the region of £16,551.39. This amount does not take into account any existing floor space on site that may be converted or demolished, or any CIL exemption or relief that may be eligible.

### **Main Issues**

#### **Visual Amenity**

The revised proposal siting of the link extension, gym, dog room, garage and car port away from the eastern boundary by some 8 to 10m respectively. The height of the garage and car port has been reduced down to a height of 5.8m from 6.5m and thereby reduces its visual impact upon neighbours and the local area. Whilst the extension is of large as noted by the Parish Council the property sits on a large piece

of land and such an extension does not result in overdevelopment of the site.

The request by the Parish Council for the planting of a hedge along the eastern boundary to screen the development is noted. As the proposed extension has been removed by some 8 and 10m away from the boundary the request for the planting of a hedge to screen the development is not seen as necessary or justified, the ridge height of the garage has been reduced and overall height of the rest of the development would not cause visual harm upon neighbouring properties.

Consequently, the revised proposed link extension, gym, dog room, garage and car port 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**

The concerns raised to the proposed out-buildings being built up to the north eastern boundary of the site resulting in loss of boundary hedgerows, issues of loss of amenity are noted. However, the revised proposal submitted has relocated the buildings away from the boundary by 8 to 10m and reducing the height of the garage/car port down. Therefore, there will be no need to remove the boundary hedge and the issue of amenity is removed thereby overcoming these objections.

The concern to the loss of privacy is not supported as there are no proposed first floor windows or rooflights to permit overlooking into neighbours' gardens.

The concerns to the issue of noise by the building of a dog room and the applicants disruptive from dogs is noted. The agent has confirmed that the dog room will principally only be for the applicants' dogs and there is no proposal for dog breeding or any commercial activity. The proposed construction of a room to house dogs is acceptable in principle and the issue of disruption from dogs is a civil matter.

Similarly the objections of further disruption from this development if approved is acknowledged. However, the proposal is an extension to a property and is not considered to cause undue nuisance upon neighbours. If there are issues of noise and nuisance such matters would be dealt with by Environmental Health. None of these points raised would constitute overriding reasons to refuse the revised proposal.

The revised proposal of the relocation of the out-buildings and the reduction in height of car port and garage 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**

The concerns raised to the loss of hedgerow for the proposed extension is noted. This hedgerow can be removed by the applicant without any permission as it is not protected. It is recommended that a nesting bird informative will be placed on any permission to protect any nesting birds encountered during the removal of the hedgerow. A condition is suggested to ensure a replacement hedge is planted to the east boundary, additionally the ecologist requests the planting of two trees on the land to add enhancement to the local ecology/ The agent agreed to this and a condition to this effect will be placed on any permission granted.

## **Other Matters**

The issue raised by the Parish Council that neighbours were not notified of the proposal is noted. Consultation letters were sent out to all neighbours though for some reason were not received, officers have requested that a further round of consultation for 21 days has been carried out. Following which a further re-advertisement of the application has been undertaken with all neighbours re-consulted again with the amended proposal. As such the application has been fully advertised to the local community.

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.

## **Conclusion**

The revised 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 T4, 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 three years from the date of this permission.

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

- 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 With the exception of site clearance and preparation, no development hereby approved shall be commenced until a landscape planting scheme has been submitted to and approved in writing by the local planning authority. Such landscaping shall include a new native species hedgerow to the east boundary and the planting of 2 x native trees (i.e. silver birch, common lime, English oak, alder) on the applicants property. Unless agreed otherwise in writing, the approved scheme shall be fully carried out within nine months from the date of commencement of the development. The trees/shrubs shall be protected and maintained, and any dead or dying trees/shrubs shall be replaced to the satisfaction of the local planning authority for a period of five years following their planting.

Reason: To safeguard biodiversity and in the interests of visual amenity in accordance with policies D2 and D20 of the Sedgemoor Local Plan 2011-2032.

### **Schedule A**

Location Plan Drg No. 989/01

Existing Block Plan Drg No. 989/01

Existing Floor Plan Drg No. 989/03

Existing Elevations - Sheet 1 Drg No. 989/04

Existing Elevations Sheet 2 Drg No. 989/05

Proposed Block Plan Drg No. 989/06D

Proposed Floor Plan Drg No. 989/07D

Proposed Elevations Sheet 1 Drg No. 989/08

Proposed Elevations Drg No. 989/09