

Case Officer	Jane Thomas
Site	10 Lewmond Avenue Wells Somerset BA5 2TS
Application Number	2023/0528/HSE
Date Validated	24 March 2023
Applicant/ Organisation	Mr Butt-Philip & Ms Baron
Application Type	Householder Application
Proposal	Erection of single-storey rear extension and internal alterations.
Division	Wells Division
Parish	Wells City Council
Recommendation	Approval
Divisional Cllrs.	Cllr Theo Butt Philip Cllr Tessa Munt

What.3.Words: retaliate.overheat.penny

Referral to Planning Committee Ward Member/Chair and Vice Chair/Planning Board

For probity reasons given that the applicants are a direct relation of a member of the Council the application is referred to Planning Board (East) in accordance with the published Scheme of Delegation.

Description of Site, Proposal and Constraints

This application concerns 10 Lewmond Avenue, Wells. Lewmond Avenue is a cul-de-sac located in a residential area to the north-west of Wells city centre. The proposal site lies outside the boundaries of both the Wells Conservation Area and the area of high archeological potential associated with the city's heritage. There are no listed heritage assets in the vicinity.

10 Lewmond Avenue is a cream rendered semi detached (with number 8) dwelling, with a detached garage accessed via a driveway that separates the house from 12 Lewmond Avenue. 10 Lewmond Avenue has a front garden and smaller back garden that backs onto Woodside, with 5 Woodside lying directly behind.

This proposal is for a single-storey rear extension to the property. This will be a relatively modest extension that will square off the back elevation of the house. The small addition to the floor space will allow better scope for internal alterations to reconfigure the layout of the ground floor of the house.

There is no previous planning history for the property.

Summary of Consultation/Representations:

Glastonbury Town Council: Approve

Neighbours: No comments received

Divisional Member: The applicants are a relation of Cllr Theo Butt Philip.

Relevant Planning Policy

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 2026-2029).
- Mendip District Local Plan Part II: Sites and Policies (December 2021): Post JR Version 2006-2029

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

- DP1 Local Identity and Distinctiveness
- DP7 Design and Amenity of New Development

Other possible Relevant Considerations (without limitation):

- National Planning Policy Framework (2021)
- Design and Amenity of New Development, Policy DP7 SPD (March 2022)
- Household Extension Design Guide – Mendip District Council (1993)

Character, Appearance and Impact on the Street Scene

The position of 10 Lewmond Avenue, backing onto Woodside, gives the house a relatively

open aspect. However, the existing garage on the plot means that the proposed rear extension will be visible in only glimpsed views from the front of the house, and from above the 2m high garden fence to the rear.

The extension proposed is in keeping with the style and size of the house. Materials specified have been chosen to match those of the house.

Given the overall design, scale, and materials proposed the application is acceptable and responds to the local context in an acceptable manner maintaining the character and appearance of the surrounding area. The proposal is therefore considered to accord with the policies DP 1 and DP7 as referred above.

Residential Amenity

Although of modest size this proposal will create valuable additional space allowing some reconfiguration of the ground floor of the house to create a modern living space. This will be of amenity benefit for both current and future occupants.

The window opening proposed in the new extension faces the garden so there is no risk of overlooking to or from the houses to either side. Given the sitting and scale of the proposals in relation to the neighbouring residential plots there are no concerns regards overshadowing or loss of light as a result of the new build.

It is not considered that the proposed development would cause any harm to the amenities of any occupiers or adjacent occupiers through loss of privacy or other disturbance, and it therefore considered to accord with policies DP1 and DP7 in this regard.

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, pregnancy and maternity, race/ethnicity, religion or belief (or lack of), sex and sexual orientation.

Conclusion

This is a well-considered scheme to extend this dwelling.

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:
H6716/001 Floor Plans and Elevations as Existing
H6716/002 Site and Location Plans as Existing
H6716/100A Floor Plans and Elevations as Existing
H6716/101 Floor Plans and Elevations as Proposed

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

Informatives

1. 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 116GBP per request (or 34GBP where it relates to a householder application). The request must be made in writing or using the Standard Application form (available on the 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.

2. The responsibility for ensuring compliance with the terms of this approval rests with the person(s) responsible for carrying out the development. The Local Planning Authority uses various means to monitor implementation to ensure that the scheme is built or carried out in strict accordance with the terms of the permission. Failure to adhere to the approved details will render the development unauthorised and vulnerable to enforcement action.
3. 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.

4. **Building Regulations Approval**

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://www.somerset.gov.uk/planning-buildings-and-land/building-control/>