



To: Members of Planning Committee

Councillors S J Pugsley (Chair), B Maitland-Walker (Vice Chair), I Aldridge, G S Dowding, S Y Goss, B Heywood, I Jones, A Kingston-Jones, K Mills, C Morgan, P H Murphy, J Parbrook, K H Turner, T Venner, R Woods

Our Ref TB/TM

Your Ref

Contact Tracey Meadows t.meadows@tauntondeane.gov.uk

Extension 01823 356573

Date 23 August 2017

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Dear Councillor

I hereby give you notice to attend the following meeting:

PLANNING COMMITTEE

Date: Thursday 31 August 2017

Time: 4.30 pm

Venue: Council Chamber, Council Offices, Williton

Please note that this meeting may be recorded. At the start of the meeting the Chairman will confirm if all or part of the meeting is being recorded.

You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during the recording will be retained in accordance with the Council's policy. Therefore unless you advise otherwise, by entering the Council Chamber and speaking during Public Participation you are consenting to being recorded and to the possible use of the sound recording for access via the website or for training purposes. If you have any queries regarding this please contact Democratic Services on 01823 356573.

Yours sincerely

A handwritten signature in blue ink, appearing to read "Bruce Lang".

BRUCE LANG
Proper Officer

PLANNING COMMITTEE

THURSDAY 31 August 2017 at 4.30pm
COUNCIL CHAMBER, COUNCIL OFFICES, WILLITON

AGENDA

1. Apologies for Absence

2. Minutes

Minutes of the Meeting of the 27 July 2017 - **SEE ATTACHED**

3. Declarations of Interest or Lobbying

To receive and record any declarations of interest or lobbying in respect of any matters included on the agenda for consideration at this meeting.

4. Public Participation

The Chairman/Administrator to advise the Committee of any items on which members of the public have requested to speak and advise those members of the public present of the details of the Council's public participation scheme.

For those members of the public wishing to speak at this meeting there are a few points you might like to note.

A three minute time limit applies to each speaker and you will be asked to speak after the officer has presented the report but before Councillors debate the issue. There will be no further opportunity for comment at a later stage. Where an application is involved it has been agreed that the applicant will be the last member of the public to be invited to speak. Your comments should be addressed to the Chairman and any ruling made by the Chair is not open to discussion. If a response is needed it will be given either orally at the meeting or a written reply made within five working days of the meeting.

5. Town and Country Planning Act 1990 and Other Matters (Enforcement)

To consider the reports of the Planning Team on the plans deposited in accordance with the Town and Country Planning Act 1990 and other matters - **COPY ATTACHED** (separate report). All recommendations take account of existing legislation (including the Human Rights Act) Government Circulars, Somerset and Exmoor National Park Joint Structure Review, The West Somerset Local Plan, all current planning policy documents and Sustainability and Crime and Disorder issues.

Report No: Three

Date: 23 August 2017

<u>Ref No.</u>	<u>Application/Report</u>
3/26/17/011	Demolition of dwelling and outbuildings and erection of replacement dwelling with single garage and associated works (resubmission of 3/26/16/012). Grooms Cottage, Minehead to Williton Road, Old Cleeve, Minehead, TA24 6HQ
3/26/17/019	Erection of first floor extension to the west elevation and two storey extension with balcony on the south elevation. 2 Pillory Cottages, Monks Path, Old Cleeve, Minehead, TA24 6HR
3/21/17/080	Raising of the roof structure by 2 metres to increase the first floor living accommodation and create a second floor with balcony rooflights on the east and west elevations (amended scheme to 3/21/17/034) Flat 1, Mc Danas, Warren Road, Minehead TA24 5BG

3/26/17/020	Variation of Condition No. 02 (approved plans) of application 3/26/14/017. Plot Adjacent to Walnut Tree Cottage, Huish Lane, Washford, Old Cleeve, Watchet, TA23 0NY
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6. **Exmoor National Park Matters** - **Councillor to report**

7. **Delegated Decision List** - **Please see attached**

8. **Appeals Lodged**

Appeal against the refusal of planning permission for the variation to planning permission 3/26/14/012 at The White Horse Inn, Torre Rocks, Washford, TA23 0JZ. The original consent was to remove stables and storage shed from the site and erect a building in a similar place to provide three holiday units. The variation was to add a kitchen to the building and replace the three separate staircases with one staircase (planning application 3/26/17/008).

9. **Appeals Decided**

3/37/17/001 – Erection of a first floor extension over the garage and carport to be used as an annex at The Outback, 9A Reed Close, Watchet, TA23 0EE – Appeal Allowed.

3/37/17/012 – Erection of a first floor extension over the garage and carport to be used as an annex (resubmission of 3/37/17/001) at The Outback, 9A Reed Close, Watchet, TA23 0EE – Appeal Allowed.

10. **Reserve date for site visits** – 29 August

11. **Next Committee date** – 28 September

RISK SCORING MATRIX

Report writers score risks in reports uses the scoring matrix below

Likelihood (Probability)	5	Almost Certain	Low (5)	Medium (10)	High (15)	Very High (20)	Very High (25)
	4	Likely	Low (4)	Medium (8)	Medium (12)	High (16)	Very High (20)
	3	Possible	Low (3)	Low (6)	Medium (9)	Medium (12)	High (15)
	2	Unlikely	Low (2)	Low (4)	Low (6)	Medium (8)	Medium (10)
	1	Rare	Low (1)	Low (2)	Low (3)	Low (4)	Low (5)
			1	2	3	4	5
			Negligible	Minor	Moderate	Major	Catastrophic
			Impact (Consequences)				

Mitigating actions for high ('High' or above) scoring risks are to be reflected in Service Plans, managed by the Group Manager and implemented by Service Lead Officers;

Lower scoring risks will either be accepted with no mitigating actions or included in work plans with appropriate mitigating actions that are managed by Service Lead Officers.

PLANNING COMMITTEE

Minutes of the Meeting held on 27 July 2017 at 4.30 pm

Present:

Councillor S J PugsleyChairman
Councillor B Maitland-WalkerVice Chairman

Councillor I Aldridge
Councillor S Dowding
Councillor D Goss
Councillor B Heywood
Councillor I Jones
Councillor A Kingston-James

Councillor K Mills
Councillor C Morgan
Councillor P Murphy
Councillor J Parbrook
Councillor K Turner
Councillor T Venner
Councillor R Woods

Officers in Attendance:

Area Planning Manager – Bryn Kitching
Planning Officer – Sue Keal
Legal Advisor - Alex Kershaw-Moore – Shape Partnership Services
Democratic Services Officer – Tracey Meadows

P18 Minutes

Resolved that the Minutes of the Planning Committee Meeting held on the 29 June 2017 circulated at the meeting be confirmed as a correct record.

Proposed by Councillor Heywood, seconded by Councillor Turner

The **motion** was carried.

P19 Declarations of Interest or Lobbying

No Declarations of interest or lobbying were declared.

P20 Public Participation

Min No.	Reference No.	Application	Name	Position	Stance
P21	3/04/17/008	Erection of a 33kV switch room building (retention of part works already undertaken) Land at Exebridge Substation, Riphay Barton, Dulverton	Mr D Garth Mr C Knight Mr R Cook	Resident of Exebridge Agent	Objecting Objecting Infavour
P21	3/21/17/058	Outline application with all matters reserved, except for means of			

		access, for the erection of 1 No. dwelling and associated works within the garden, 9 Paganel Road, Minehead, TA24 5ET			
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P21 Town and Country Planning Act 1990 and Other Matters

Report three of the Planning Team dated 19 July 2017 (circulated with the Agenda). The Committee considered the reports, prepared by the Planning Team, relating to plans deposited in accordance with the planning legislation and, where appropriate, Members were advised of correspondence received and subsequent amendments since the agenda had been prepared.

(Copies of all letters reported may be inspected in the planning application files that constitute part of the background papers for each item).

RESOLVED That the Recommendations contained in Section 1 of the Report be Approved (in so far as they relate to the above), including, where appropriate, the conditions imposed and the reasons for refusal, subject to any amendments detailed below:

Reference Location, Proposal, Debate and Decision

3/04/17/008 – Erection of a 33kV switch room building (retention of part works already undertaken) Land at Exebridge Substation, Riphay Barton, Dulverton

Comments by members of the public;

- Western Powers revised proposals did not go far enough to overcome the impact of the new building in its new location and the impact it was having on the character and appearance of the area;
- The painting of a black strip along the base of the western side was not sufficient to overcome the stark appearance of the building;
- Western Power should be responsible for maintaining the hedge for the life of the substation and not merely five years;
- Wooden weather boarding should be specified in the plan instead of plastic as this would look out of character in the rural surrounding area;
- Screening should be restored to its previous condition with the planting of semi-mature hedging and trees as previously enjoyed;
- Thirty mature trees had been removed from the site;
- For safety reasons site access warning signs to be displayed on either side of the entrance;
- Western Power were currently in discussions with the adjoining landowner to see if screening could be provided, once permission was gained landscaping details would be provided;

The Member's debate centred on the following issues;

- Condition needed for the basic necessities to be fitted on site;

- Hedging could be incorporated between the tree stumps;
- Concerns that wood cladding rots and discolours if not maintained;
- Cladding should be fitted all the way around the building;
- Foul drainage issues;
- Issues with the trees being felled;
- Proposal looked like a two storey house;
- Development looked better than a square block industrial building;

Councillor Morgan proposed and Councillor Maitland-Walker seconded a motion that the application be **Approved** subject to the delegation of authority to the planning officers for approval subject to the receipt of written confirmation from the adjacent land owner, and additional conditions requiring the entire building be weather boarded and for the maintenance of the hedgerow to be maintained for the life time of the substation.

The **motion** was carried

Reference Location, Proposal, Debate and Decision

3/21/17/058 – Outline application with all matters reserved, except for means of access, for the erection of 1 No. dwelling and associated works within the garden

The Member's debate centred on the following issues;

- Disappointed that the application was outline;
- TPO on trees;
- Infill on site;
- Condition for the grass verge outside of the curtilage to be paved;
- 4 parking spaces was required with turning space and cycling provision;

Councillor Aldridge proposed and Councillor Heywood seconded a motion that the application be **Approved**

The **motion** was carried

22. Exmoor National Park Matters

Councillor B Heywood reported on matters relating to West Somerset considered at the meeting on 4 July 2017 of the Exmoor National Park Planning Committee. This included:

6/27/17/104 - Application for stone wheel runs, level platform area and turning bay (Retrospective) (Full) – Land north of A39 Porlock Hill, Porlock

6/15/17/102 - Proposed construction of farm manager's dwelling and garage and associated works (Full) – Goosemoor Farm, Armoor Lane, Exton, Dulverton, Somerset

6/34/17/102 - Proposed change of use from a store (formerly a vehicle repair workshop) to a carpenter's workshop (Full) – Cowbridge Garage, Cowbridge Sawmill, Cowbridge, Timberscombe, Somerset

62/41/17/009 - Proposed redevelopment of existing hotel to create 31 apartments together with incorporation of 3 previously converted apartments (to include demolition) – The Tors Hotel, Tors Park, Lynmouth, Devon

6/27/17/112 - Proposed removal of existing dwelling (including ancillary chalet) and replacement with new dwelling (Full) – Summerhaze, Redway, Porlock, Somerset

No appeals lodged or decided

P23 Delegated Decision List (replies from Officers are in italic)

No queries raised

P24 Appeals Lodged

Appeal against the refusal of planning permission for the change of use of land and building from equestrian stabling to Class C3 (Dwelling) and associated building and engineering operations at The Stables, Chilcombe Lane, Bicknoller, TA4 4ES (planning application 3/01/16/003)

P25 Appeals Decided

3/39/14/010 – Redevelopment of the site to provide a food store (A1), retail shops (A1), professional and financial services (A2), food and drink uses (A3), health services (D1), residential dwellings (c3), vehicle and pedestrian access, associated car parking and landscaping (resubmission of 3/39/11/002) in association with 3/39/14/024 on land at Bank Street/Fore Street, Williton, TA4 4NH – Appeal Allowed.

3/39/14/024 – Outline application (with all matters but access reserved) for the erection of up to 480 sq. m. Gross of flexible Class A1/A2 floor space linked to proposed redevelopment of land associated with application ref: 3/39/14/010 to include vehicle and pedestrian access and landscaping at J Gliddon & Sons Ltd, Bank Street, Williton, TA4 4NH – Appeal Allowed.

The meeting closed at 6:06pm

Application No:	3/26/17/011
Parish	Old Cleeve
Application Type	Full Planning Permission
Case Officer:	Elizabeth Peeks
Grid Ref	Easting: 303592 Northing: 140871
Applicant	Mr Willis
Proposal	Demolition of dwelling and outbuildings and erection of replacement dwelling with single garage and associated works (resubmission of 3/26/16/012)
Location	Grooms Cottage, Minehead to Williton Road, Old Cleeve, Minehead, TA24 6HQ
Reason for referral to Committee	Contrary to the recommendation of the Parish Council

Recommendation

Recommended decision: Grant

Recommended Conditions

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

Reason: As required 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 drawings: Drawing Numbers:

(A3) DRNO 1301/201 PROPOSED GARAGE DETAILS

(A3) DRNO 1301/202A PROPOSED SITE LAYOUT PLAN

(A1) DRNO 1301/200D PROPOSED PLANS & ELEVATIONS

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

- 3 Prior to the first occupation of the dwelling hereby approved the property currently known as Grooms Cottage shall be demolished, the spoil removed from the site and the area shall be grassed.

Reason : To ensure that there is only one dwelling on the site.

- 4 The existing trees and hedges along the eastern boundary shall be retained. Any retained tree or hedge which within five years of the approved development being occupied or completed, whichever is the sooner, dies, are removed or become seriously damaged or diseased shall be replaced by a similar species, of a size to be first approved in writing by the Local Planning Authority, during the next planting season or in accordance with a programme of replacement to be agreed in writing with the Local Planning Authority.

Reason: To safeguard the appearance of the development and the surrounding area.

- 5 Unless an alternative schedule of implementation is first agreed in writing by the Local Planning Authority the dwelling hereby approved shall not be occupied unless the soft landscaping scheme has been carried out in accordance with the approved plans. Any trees indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced during the next planting season with other trees of a species and size to be first approved in writing by the Local Planning Authority.

Reason: To ensure the provision of and implementation of an appropriate landscape setting to the development.

- 6 No works shall be undertaken on the construction of the house and garage unless details of the external materials for the garage and house hereby approved have been submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out only in accordance with the details so approved.

Reason: To safeguard the character and appearance of the buildings.

- 7 The development hereby permitted shall not be commenced until details of a strategy to protect wildlife has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be based on the advice of Blue Sky Ecology's submitted report, dated May 2017 and include:

1. Details of protective measures to include method statements to avoid impacts on protected species during all stages of development;
2. Details of the timing of works to avoid periods of work when the species could be harmed by disturbance
3. Measures for the retention and replacement and enhancement of places of rest for the species

Once approved the works shall be implemented in accordance with the approved details and timing of the works unless otherwise approved in writing by the Local Planning Authority and thereafter the resting places and agreed accesses for wildlife shall be permanently maintained. The development shall not be occupied until the scheme for the maintenance and provision of the new bird boxes and related accesses have been fully implemented

Reason: To protect wildlife and their habitats from damage bearing in mind these species are protected by law.

Informative notes to applicant

1 STATEMENT OF POSITIVE WORKING

In determining this application the Local Planning Authority considers it has complied with the requirements of paragraphs 186 and 187 of the National Planning Policy Framework. Pre-application discussion and correspondence took place between the applicant and the Local Planning Authority, which positively informed the design/nature of the submitted scheme. During the consideration of the application the Local Planning Authority contacted the applicant and sought amendments to the scheme to address landscaping and drainage and amended plans and additional details were submitted. For the reasons given above and expanded upon in the planning officer's report, the application was considered acceptable and planning permission was granted.

- 2 The condition relating to wildlife requires a mitigation proposal that will maintain favourable status for these species that are affected by this development proposal.
- 3 Most resident nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended) and it should be noted that the protection afforded to species under UK and EU legislation is irrespective of the planning system and the developer should ensure that any activity they undertake on the application site (regardless of the need for planning permission) must comply with the appropriate wildlife legislation.

Proposal

It is proposed to replace Grooms Cottage with a replacement dwelling approximately 5.5m to the southwest of Grooms Cottage. The proposed three bedroom replacement dwelling would be 1.5 storeys high constructed in timber cladding under a natural slate roof with grey Upvc windows. Grooms Cottage has a footprint of 115 sqm and the proposed dwelling's footprint would be 110sqm. The existing access from the A39 would be used which runs past the front of Dragon House and Gate Keepers Cottage.

Grooms Cottage is a detached single storey dwelling which was formerly a barn that has been extended. It is to be demolished and a single garage (wood clad with natural slate on the roof) would be erected on part of the footprint of Grooms Cottage. The garage would measure 7.6m x 5.4m so is larger than a standard 6m x 3m single garage and as such it is proposed to also include cycle and bin storage within the garage. The veteran Oak tree to the south of Grooms Cottage is to be

felled and two replacement Oak trees are to be planted, one to the south of the site and one on the footprint of Grooms Cottage. A wooden clad outbuilding that is on the site of the proposed replacement dwelling is also to be demolished. There is room for 10 cars within the application site that are used for overflow parking for Dragon House. A gravelled parking area for at least 3 cars is proposed and amenity space is also to be provided.

Site Description

The application site is set approximately 110m south of the A39 with a single track access to the site. The land gently slopes up from the road and the nearest properties to Grooms Cottage are Dragon House (a Grade II stone listed building) and Gate Keepers Cottage, a single storey property. Grooms Cottage is constructed of a variety of materials including timber cladding, stone and rendered walls with metal sheet and slate roofs. The site lies within a valley with fields sloping up from the eastern boundary and land belonging to Woodhey on the western boundary. A stream runs along the eastern boundary which is also demarcated by a hedge. Wooden outbuildings are located along the eastern boundary and the land to the rear (south) of the site is a field. The site is bounded on the west by a number of trees and a hedge and there is an access into Woodhey. The majority of the site is grassed.

Relevant Planning History

Case Ref	Proposal	Decision	Decision Date	Appeal	Appeal Date
3/26/05/005	Full use as residential dwelling - as amended by revised application site boundary plan received on 29/3/05 (Grooms Cottage).	Grant	31 March 2005		
3/26/97/033	Erection of six Scandinavian style timber chalets for holiday use only (renewal of 3/26/92/035)	Grant	16 October 1997		
3/26/98/035	Siting of six mobile homes to provide holiday accommodation	Grant	17 December 1998		
3/26/92/035	Erection of six Scandinavian style timber chalets for holiday use only	Grant	17 December 1992		
3/26/16/012	Demolition of existing dwelling and erection of a	Refused	15 June	Dismissed	19 Decem

	replacement 3 bedroom dwelling to the rear of Woodhey		2016		ber 2016
3/26/16/013	Demolition of existing dwelling and erection of a replacement 3 bedroom dwelling to the rear of Woodhey (LBC)	Grant	15 June 2016		
3/26/17/012	Demolition of dwelling (resubmission of 3/26/16/013) (LBC)	Grant	27 July 2017		

The 2005 application relates to a lawful use application for the use of Grooms Cottage as a dwelling. The 1992, 1997 and 1998 permissions which relate to holiday accommodation were to be sited on the application site and field to the south of the application site but were not implemented. The 2016 planning application was for a replacement dwelling on land in the adjoining property, Woodhey, but was dismissed on appeal as it was concluded that the proposed new dwelling (which would be on higher and more visible land than the now proposed site) would have a harmful effect on the character and appearance of the area which would conflict with Policy NH13 of the West Somerset Local Plan to 2032. Following discussions with the Agent and taking into account the findings of the Inspector, an alternative site for the replacement dwelling has been suggested which is the subject of this application. The 2016 and 2017 listed building applications were for the demolition of Grooms Cottage as it is a curtilage listed building to Dragon House, both of which were approved.

Consultation Responses

Old Cleeve Parish Council - Objects to the applications on the following grounds:

We have no objection to the demolition of the former structures. 'Grooms Cottage' was only given retrospective consent in 2005 formed from a collection of unauthorised structures. A clear site would result in a visual improvement.

The proposed building is situated on the footprint of the outbuilding and not 'Grooms Cottage'.

The proposal represents a new dwelling in 'open countryside' (OC1) as Billbrook is not within the villages for future limited development. No business case appears to be submitted for its link with 'The Dragon House' Hotel (now down-graded to holiday accommodation).

The previous application for demolition and relocation on the adjacent land was refused and subsequently dismissed on appeal. Note should be taken of the appeal inspectors report of the harm and visual intrusion of the two storey structure. The

current proposal is the same design. No topography or levels are given to assess this re-sited structure or its impact.

The access statement does not include the specification of the driveway and provision for fire fighting appliances. It is noted that the proposal is to be entirely timber clad and no doubt of a timber framed construction?

Old Cleeve Parish Council would not wish to see the mature Oak Tree removed unless there are substantial reasons for its removal. Some compensation for loss (new planting) should be included.

The question relating to foul drainage disposal has been answered 'unknown'. How can this be? If a private treatment system is to be installed, further details are required.

No details or dedicated storage provision has been indicated for bicycles and waste management.

The Design and Access statement says that the development site is in Flood zone 1 on the map for planning (rivers and sea). But the planning guidance accompanying this map clearly states that a site-specific flood risk assessment is required if a property located in flood zone 1 is at risk from other sources of flooding. This is the case here. The EA map for surface water flooding shows that the existing dwelling, (site for garage) and proposed house location lie partly in a high flood-risk zone for surface water. The application should therefore be accompanied by a Flood Risk Assessment. Question 16 on the application form has been answered 'no'. However, there is a watercourse to the eastern boundary (within 20m) and historically has given rise to flooding on the A39 in front of the Dragon House. Should the roof water, hard surfaces drain to this water course, some mitigation may be required. The Culvert under the road (A39) has recently been subject to improvements, however it is lack of maintenance of the water course in adverse conditions that has caused the flooding. Because of the flood risk to the property itself, in addition to a site-specific FRA, we would expect to see full details of SuDS and resilience measures in the building design. Because of the potential for the development to increase flood risk on the A39 we would expect to see full plans and calculations of how any additional run-off is to be controlled. A soakaway for the disposal of surface water is not usually appropriate given the geology of the area and poor infiltration rates'.

Highways Development Control - Standing advice applies.

Tree Officer - It is a veteran tree, girth of about 4 metres, but it has suffered some heavy 'topping' to which it has not responded well. It has value as a historic tree and for wildlife, but I'm not sure that it merits a TPO in that location, where it is visible to very few people, so little amenity value. Is there space to get a house on the site and retain the tree?

Biodiversity and Landscaping Officer - Blue Sky Ecology carried out a Bat survey Report in May 2017. Findings of the reports are as follows:

Bats

The survey identified ten fresh lesser horseshoe bat droppings in an out building (Area 1) the same in the open fronted garage and low/moderate bat roost potential in the mature oak tree that is to be felled.

The door to Area 1 is usually kept closed providing no access to bats under normal circumstances. It would appear that this door was left open for several nights. The small amount of droppings indicate that a single bat used the area as a place of rest for one or two nights. The building does not constitute a roost when the door remains closed and so a licence is not required to demolish the building.

I support that suggestion that provision for feeding bats is incorporated in the design of the new building in the form of a veranda

No bats were seen to emerge from the tree. However I agree that the tree is felled using a precautionary soft felling approach

Birds

Some bird droppings were found in Area 4, possibly from swallows but no nests were present at the time of survey. Measures to retain potential nesting habitat should be implemented and new nesting opportunities provided.

Suggested Condition for protected species:

The development hereby permitted shall not be commenced until details of a strategy to protect wildlife has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be based on the advice of Blue Sky Ecology's submitted report, dated May 2017 and include:

1. Details of protective measures to include method statements to avoid impacts on protected species during all stages of development;
2. Details of the timing of works to avoid periods of work when the species could be harmed by disturbance
3. Measures for the retention and replacement and enhancement of places of rest for the species

Once approved the works shall be implemented in accordance with the approved details and timing of the works unless otherwise approved in writing by the Local Planning Authority and thereafter the resting places and agreed accesses for wildlife shall be permanently maintained. The development shall not be occupied until the scheme for the maintenance and provision of the new bird boxes and related accesses have been fully implemented

Reason: To protect wildlife and their habitats from damage bearing in mind these species are protected by law.

Informative Note

1. The condition relating to wildlife requires a mitigation proposal that will maintain favourable status for these species that are affected by this development proposal.
2. Most resident nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended)
3. It should be noted that the protection afforded to species under UK and EU legislation is irrespective of the planning system and the developer should ensure

that any activity they undertake on the application site (regardless of the need for planning consent) must comply with the appropriate wildlife legislation.

Representations Received

None received but the following comments have been received from the applicant's planning consultant:

- The West Somerset Local Plan has no specific replacement dwelling policy so the main relevant policy is SD1
- Grooms Cottage is authorised and is an independent residence but has no connection with Dragon House Hotel so there is no condition tying Grooms Cottage to Dragons House Hotel.
- The proposal is 20% smaller than the house dismissed on appeal.
- The suggestion that the demolition of Grooms Cottage would be a benefit is correct. It will not be demolished unless there is a permission for a new dwelling.
- The proposal is not in open countryside as the new house will be built within the curtilage of Grooms Cottage so is brownfield land.
- There is no need to provide a driveway specification or details of fire/emergency access as the property is existing with ample access, parking and manoeuvring areas. Fire safety will be addressed by Building Regulations.
- The mature Oak Tree has been badly pruned and is not the subject of a Tree Preservation Order or in a Conservation Area. The Council's tree officer has stated that the tree is not worthy of a Tree Preservation Order
- The property will be connected to mains drainage and will satisfy Building Regulations.
- The proposed dwelling and outbuildings will have a smaller roof area than the existing dwelling resulting in a net reduction in non permeable area. The owner of the new dwelling will be able to maintain the watercourse.
- Bicycle parking does not need to be provided but will be provided within the garage.
- Waste will be taken to the car park area of the Dragon House Hotel from where the refuse lorries will collect it.
- As a replacement dwelling is proposed a Flood Risk Assessment is not required. It lies within Flood Zone 1 and is some considerable distance from any higher flood zone.
- This application could have been delegated to Officers to determine but due to the unfounded, unreasonable and ill conceived objection submitted by the Parish Council it now means that the application has to be determined by Committee. There are no third party objections and there has been extensive negotiations which has resulted in this application being submitted.

Planning Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan for the West Somerset planning area comprises the West Somerset Local Plan to 2032, retained saved policies of the West Somerset District Local Plan (2006) Somerset Minerals Local Plan (2015) and Somerset Waste Core Strategy (2013).

Relevant policies of the development plan are listed below.

West Somerset Local Plan to 2032

NH1	Historic Environment
NH5	Landscape character protection
CC6	Water Management
NH6	Nature conservation & biodiversity protection & enhancement

Retained saved policies of the West Somerset Local Plan (2006)

T/8	Residential Car Parking
TW/1	Trees and Woodland Protection

Determining issues and considerations

The main issues in the consideration of this application are the principle of the replacement dwelling, the siting of the proposed dwelling and its impact on the countryside, the loss of a curtilage listed building together with the affect on the setting of a listed building, biodiversity and flooding.

1. Principle of a replacement dwelling

As the proposal is to demolish an existing dwelling, Grooms Cottage and erect a replacement dwelling next to the demolished dwelling, this is considered to be acceptable in principle as it is for a replacement dwelling rather than an additional dwelling within the open countryside where the type of new dwellings that are considered acceptable are restricted to those outlined in Local Plan Policy OC1. Policy OC1 is therefore not applicable to this application. The siting and design of the property however needs to be assessed and these aspects are discussed below.

The demolition of Grooms Cottage has already been accepted twice as listed building consent was granted in 2016 and 2017 to demolish the building which is a curtilage listed building to Dragon House.

2. Impact of the proposed replacement dwelling on the countryside

Grooms Cottage is sited in a valley as the field to the east rises up from Grooms Cottage, as does the land to the west. Grooms Cottage has buildings both to the north and south of it and so it is seen as being amongst buildings. The proposed site is approximately 5.5m south of Grooms Cottage. The siting of the replacement dwelling will therefore be seen as part of the established cluster of development which is screened from wider views by being sited in the valley whereas the previous

refusal for the replacement dwelling was for the siting of the dwelling on higher land, not in the valley.

The West Somerset Landscape Character Assessment (1999) states that the buildings in the area are mainly small two storey cottages with a strong emphasis on the use of local stone and render with slate, thatch or tiled roofs. The use of timber cladding is therefore not in character with the character of the area but as concluded by the Inspector on the appeal it was considered that the use of timber cladding would not be easily seen within the context of more traditionally designed houses, so considered that the use of timber cladding was acceptable. It should also be noted that the design including the materials to be used for the dwelling has also taken into account the design of the timber out buildings that are to be replaced.

3. Loss of a curtilage listed building together with the affect on the setting of a listed building

Grooms Cottage is a curtilage listed building as the original stone barn section was in the curtilage of the Dragon House at the time of listing and was in situ as of 1 July 1948. Over time the building has been extended in an unsympathetic manner and the building does not appear to have any significance that would warrant its retention. The removal of the building will not adversely affect the setting of the listed building due to the distance involved and as the building is partly screened from the Dragon House by other buildings. The proposed replacement dwelling will also not adversely affect the setting of the Dragon House for the same reasons.

4. Biodiversity

As part of the application, a bat survey was carried out in May 2017. It found evidence of lesser horseshoe bats using part of the outbuilding but the use of this part of the building is usually restricted as the doors are closed so this does not constitute a roost providing the doors are kept closed. No records of bats emerging from the oak tree were found. The recommendations of the survey is to provide night feeding provision for lesser horse shoe bats within the design of the dwelling. The proposed verandah is considered to meet this requirement provided the area is kept dark so any windows where light could spill onto the verandah should be fitted with blackout blinds or similar and the door should be solid, not glass. Rough sawn timber should be used in the apex of the verandah roof so that bats can gain purchase.

It is also recommended that measures to retain potential nesting habitat are implemented such as creating access into buildings where they can build their nests or the use of bird boxes. The Council's Biodiversity Officer has recommended that a condition be imposed concerning requiring a strategy to protect the wildlife be imposed. Such a condition is suggested should planning permission be granted.

The retention of the Oak tree has been discussed with the Agent and the Council's Tree Officer and as the tree has been severely pruned in the past to which it has not responded well, and as it is not seen from a public place, it has very limited visual amenity value and is not worthy of a Tree Preservation Order. Within the bat survey, the Oak tree was not seen as a roost as no bats were recorded using the tree, but to

know if the tree is used as a roost more survey work would be required. The tree however is assessed as having a low/moderate potential for bat use. It is therefore considered that this veteran tree can be felled in sections and lowered to the ground to protect the habitat and that the Oak should be replaced by other trees. Two replacement Oaks have now been proposed to compensate for the loss of this veteran tree.

5. Flooding

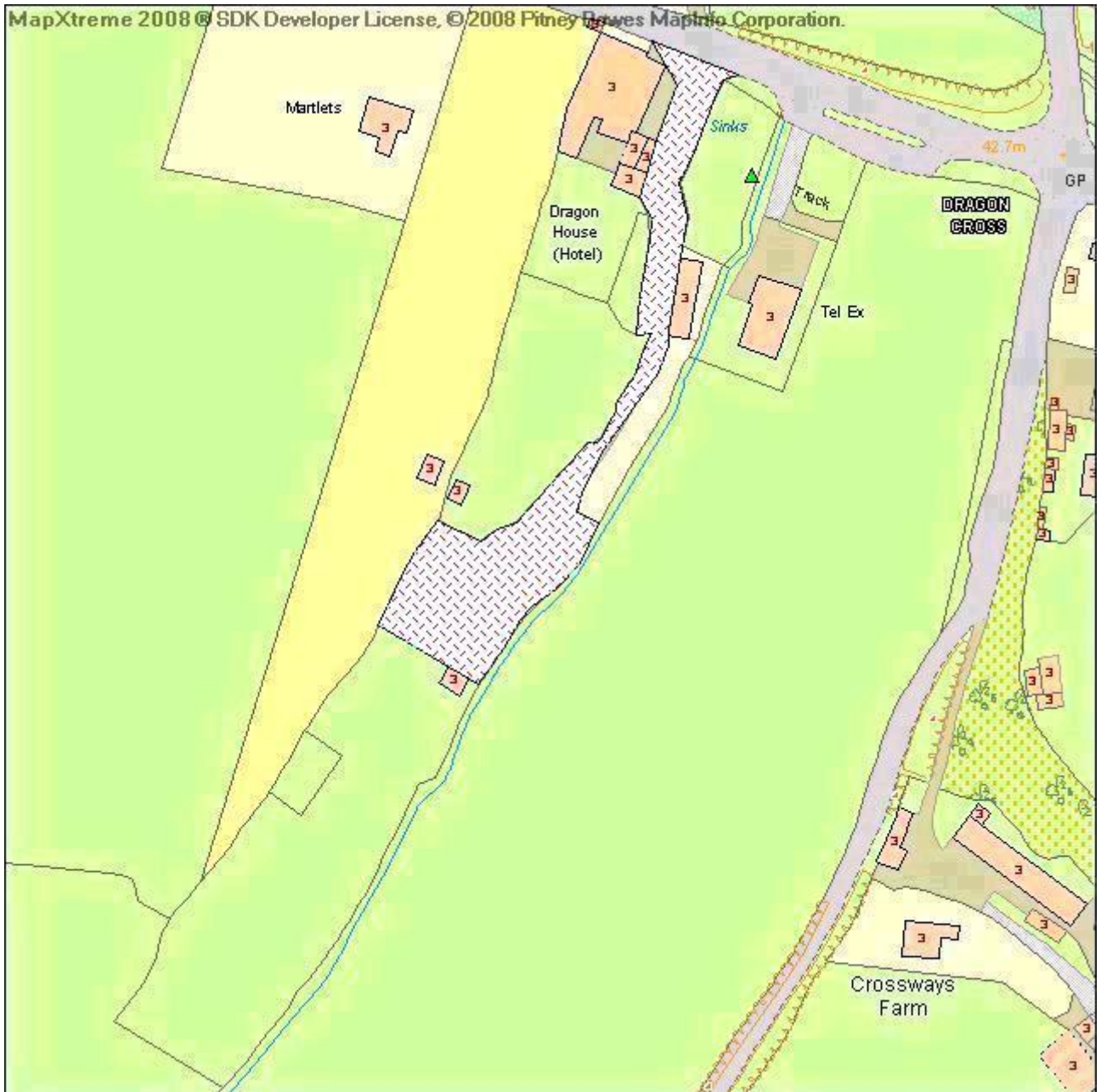
The site lies within Flood Zone 1 , where the risk of flooding is very low but does lie partly within a surface water flooding high risk area which means that the chance of flooding per year is greater than 3.3% . The parts of the application site that could be at risk is approximately 1m of the southeast corner of the proposed garage. It should be noted however that the garage is to be built on the footprint of Grooms Cottage so the erection of the garage will not increase surface water flooding further down stream or elsewhere and particularly because the other section of Grooms Cottage which could be subject to surface water flooding would now be clear of any buildings. With regard to the proposed dwelling, this is to be set further away from the stream than Grooms Cottage and the outbuilding to be demolished, as Grooms Cottage is 1m from the stream, the outbuilding is 4.5m from the stream and the back wall of the new property (excluding the veranda) is 5m away from the stream.

The Parish Council has suggested that a Flood Risk Assessment is required but as the Environment Agency has not notified the Council that the area in which this application lies is in an area with critical drainage problems and the proposed use is not a more vulnerable use than at present, a Flood Risk Assessment is not considered to be required. In addition the proposed replacement dwelling is to be set back significantly further away from the stream than Grooms Cottage and the majority of the footprint of Grooms Cottage would also be available for surface water. Therefore, it is considered that the risk of flooding will not be worsened elsewhere. The Parish Council have also stated that the flooding that occurs on the A39 is due to lack of maintenance of the stream. The maintenance of the stream cannot be controlled by the planning system so this aspect cannot be taken into account in determining this application.

Conclusion

In conclusion, it is considered that the principle of a replacement dwelling is acceptable, the siting, design and materials to be used for the replacement dwelling are acceptable, biodiversity will be protected, the setting of the listed building will be preserved and flooding will not be exacerbated by the proposed new dwelling. The proposal therefore accords with local plan policies and it is recommended that planning permission be granted.

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



Application No 3/26/17/011
 Demolition of dwelling and
 outbuildings and erection of
 replacement dwelling with single
 garage and associated works
 (resubmission of 3/26/16/012)
 Grooms Cottage, Minehead to
 Williton Road, Old Cleeve, TA24
 6HQ
 Planning Manager
 West Somerset Council,
 West Somerset House
 Killick Way
 Williton TA4 4QA
 West Somerset Council
 Licence Number: 100023932



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Application No:	3/26/17/019
Parish	Old Cleeve
Application Type	Full Planning Permission
Case Officer:	Sarah Wilsher
Grid Ref	Easting: 303965 Northing: 141969
Applicant	Mr Gerald Heath
Proposal	Erection of first floor extension to the west elevation and two storey extension with balcony on the south elevation
Location	2 Pillory Cottages, Monks Path, Old Cleeve, Minehead, TA24 6HR
Reason for referral to Committee	Officer's recommendation is contrary to the views of Old Cleeve Parish Council.

Recommendation

Recommended decision: Grant

Recommended Conditions (if applicable)

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

Reason: As required 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 drawings: Drawing Numbers:

(A4) Location Plan

(A4) Site Plan

(A1) DrNo 27 060/ S2 B Plans and Elevations as Proposed

- 3 All external walling and roofing materials to be used shall match those of the existing building in respect of type, size, colour, pointing, coursing, jointing, profile and texture.

Reason: In the interests of the visual appearance of the development and its impact on the character and appearance of the area, having regard to the provisions of Retained Policy BD/3 of the West Somerset District Local Plan (2006).

Informative notes to applicant

1 STATEMENT OF POSITIVE WORKING

In determining this application the Local Planning Authority considers it has complied with the requirements of paragraphs 186 and 187 of the National Planning Policy Framework. Although the applicant did not seek to enter into pre-application discussions/correspondence with the Local Planning Authority, during the consideration of the application certain elements of the proposal were deemed to be unacceptable in respect of the proposed two-storey extension and the balcony. The Local Planning Authority contacted the applicant and sought amendments to the scheme to address these issues and amended plans were submitted. For the reasons given above and expanded upon in the planning officer's report, the application, in its revised form, was considered acceptable and planning permission was granted.

- 2 The Planning Authority is required to erect a Site Notice on or near the site to advertise development proposals which are submitted. Could you please ensure that any remaining Notice(s) in respect of this decision are immediately removed from the site and suitably disposed of. Your co-operation in this matter is greatly appreciated.

Proposal

It is proposed to raise the existing 1.5 storey extension on the east elevation so that it is level with the ridgeline and eaves of the main dwelling and erect a two storey extension to the rear (north) elevation, with the addition of a balcony to the east end of the north elevation.

The extension on the east elevation will be raised by about 1.5 metres, resulting in a ridge height of 7.7 metres and an eaves height of 5.2 metres. This resultant two storey extension on the rear was originally proposed to be have an asymmetrical dual-pitched roof, whilst the new two-storey extension next to it to the east was to have a flat roof. This was considered unacceptable and amended plans for the two-storey elements were sought.

The amendments propose two gable extensions to the rear, which are lower in height than the ridge of the dwelling. They will be 7.3 metres high to the ridge and 5.4 metres to the eaves. The two-storey extension to the west will project 1.8 metres from the north elevation and be 4.25 metres wide.

Originally, the balcony on the east end of the elevation was to project 1.3 metres and be 4.3 metres wide, with a glass balustrade of 1 metre high to the north and a 2 metre high obscure glazed screen on the east and west elevations to safeguard the privacy of the neighbouring properties. This was later amended to be 3 metres wide with 1.8 metre high obscure glazed screens in order to reduce the dominance of the balcony, whilst still preventing potential overlooking.

There will be upvc windows on the rear elevation in a design to match those on the existing property, with bi-folding doors on the ground floor of the two-storey extension to the west and patio doors on the first floor of the rear extension to the east, which will give access onto the balcony.

The extensions will be constructed of rendered blockwork with clay tiles to match the existing dwelling.

Site Description

2 Pillory Cottages is a painted rendered four-bed semi-detached property in Old Cleeve, with a clay pantile pitched roof and a 1.5 storey dual-pitched extension on the east (side) elevation. It is one of a group of four similar dwellings, which lies above Old Cleeve Conservation Area.

Relevant Planning History

3/26/92/038 - Erection of two-storey extension - granted 11 January 1993 - not implemented.

3/26/93/004 - Erection of two-storey extension (revised scheme) - granted 24 February 1993.

3/26/97/018 - Proposed front porch - granted 25 July 1997.

Consultation Responses

Old Cleeve Parish Council -

Old Cleeve Parish Council objects to the above planning application. Our comments are detailed below:

- This property was previously extended with consent to provide ground floor extension facilities and a fourth bedroom.
- The proposal extends the previous extensions, however the design does not accord with the design guide and it is considered that it detracts from the balanced previous design.
- The front elevation is overpowering and gives the appearance of a terrace block. No attempt has been made to step the ridge height.
- The rear elevation is worse and does not enhance the property with the twin gables.
- The balcony is an alien feature and may lead to overlooking issues. It should be noted that a similar first floor balcony in the adjacent Church View Cottages was refused on these issues.

OCPC cannot support this application.

Representations Received

None.

Planning Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan for the West Somerset planning area comprises the West Somerset Local Plan to 2032, retained saved policies of the West Somerset District Local Plan (2006) Somerset Minerals Local Plan (2015) and Somerset Waste Core Strategy (2013).

Relevant policies of the development plan are listed below.

West Somerset Local Plan to 2032

OC1	Open Countryside development
BD/3	Conversions, Alterations and, Extensions
NH1	Historic Environment

Retained saved policies of the West Somerset Local Plan (2006)

OC1	Open Countryside development
BD/3	Conversions, Alterations and, Extensions
NH1	Historic Environment

Determining issues and considerations

The determining issues are the affect on the amenities of neighbours, the appearance of the dwelling, the impact on the street scene and the impact on the setting of the Conservation Area.

Affect on the amenities of neighbours

The closest neighbour is no. 3 Pillory Cottages which lies to the east of the proposed extension, at an angle of about 20 degrees. The raising in height of the extension on the east elevation will lead to a slight loss of light later in the day during the Summer, but this is considered not to be sufficient enough to warrant a refusal, and any potential overlooking of no. 3's garden from the proposed balcony will be prevented with the obscure glazed screening to the side.

The adjoining dwelling to the west, no. 1 Pillory Cottages, should be no more overlooked than is presently the case and the 1.8 metre high glazed screen on the balcony will further prevent any overlooking into the neighbour's garden.

Church Cottage and Church View lie to the north-east of 2 Pillory Cottages, but the mature trees surrounding these properties will effectively prevent any potential overlooking. In addition, the distance between no. 2 and Church Cottage and Church View is such that it is considered that any potential overlooking would be minimal. It is worth noting that the balcony proposed for 2 Church Cottages was refused in 2015 (3/26/15/019) not on grounds of overlooking, but due to poor design and positioning and a loss of symmetry between 1 and 2 Church Cottages.

Appearance of the dwelling

The property is one of four semi-detached dwellings which were constructed in a similar design and scale. Over the years changes have been made to no. 2 so that whereas the other properties have single storey flat roof side extensions, the application site has a larger 1.5 storey pitched roof side extension which is flush with the front elevation and protrudes 1.8 metres beyond the rear elevation, and also has a larger lean-to front porch. The dwelling is therefore already different to its neighbours and it is considered that the proposals do not create a variation which would be so detrimental to the front appearance of the four properties that it would warrant a refusal. It is worth noting that a two-storey extension to the side of no. 2 was granted in 1992, but was reduced in size to the existing 1.5 storey extension in 1993 for economic reasons. The proposals will make the extension the same height as the existing dwelling, but it is considered that this will not adversely affect the appearance of the dwelling. Usually it would be required for the extension to be set down and subservient to the existing dwelling but it is felt that in this case this would not work with the proposed gable extensions to the rear, which are considered to be the subservient elements in this proposal. Being in matching materials, with similar styled fenestration, the extension to the east will blend in with the existing front elevation.

The two gable extensions will add balance and symmetry to the rear elevation and will be set down in height with matching eaves to the main dwelling. They are therefore considered to be in keeping with the dwelling. The balcony has been reduced in size so that it will not dominate the rear elevation and having a glass balustrade it will not be easily visible. It is considered that its design and positioning are now acceptable.

Impact on the street scene

The street scene will be altered with the two-storey side extension but as the extension will be in matching materials and to the same design it will blend in with the existing dwellings. The houses are set back well back from the road in a slight semi-circle. Nos. 2 and 3 meet in the centre-point of this arc and although the views between them will be reduced, the extension will not look over dominant as it will be set further back within the centre of the semi-circle and the distance between the two buildings will be maintained. The two rear extensions and the balcony will not

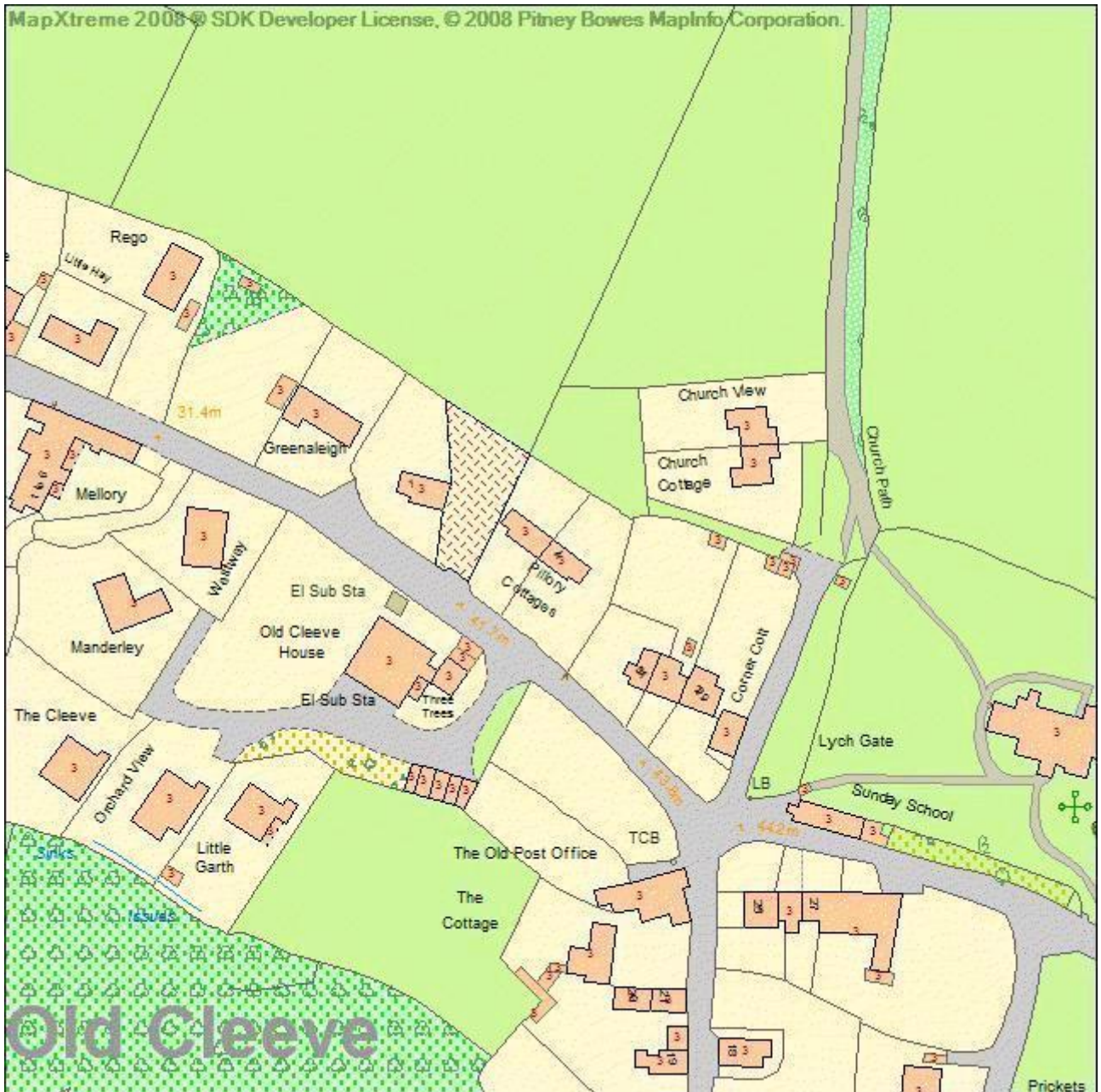
be visible from the highway so they will not affect the street scene.

Impact on the setting of the Conservation Area

Pillory Cottages lies north of Old Cleeve Conservation Area. It is considered that as the materials used in the dwelling will be in keeping with those used in the four dwellings, and as the extensions will be in proportion to the property in terms of design and scale, there will be no impact on the setting of the Conservation Area.

The proposed development is thus in accordance with policy NH1 of the West Somerset Local Plan to 2032 and retained policy BD/3 of the West Somerset District Local Plan (2006). Although the site is technically in open countryside, as it is not a primary or secondary village, and therefore policy OC1 of the West Somerset Local Plan to 2032 applies, this proposal is not deemed to be in conflict with this policy as it only proposes an enhancement to an existing dwelling. It is recommended for conditional approval.

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



Application No 3/26/17/019
 Erection of first floor extension to
 the west elevation and two storey
 extension with balcony on the
 south elevation
 2 Pillory Cottages, Monks Path,
 Old Cleeve, Minehead, TA24
 6HR
 Planning Manager
 West Somerset Council
 West Somerset House
 Killick Way
 Williton TA4 4QA
 West Somerset Council
 Licence Number: 100023932



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Application No:	3/21/17/080
Parish	Minehead
Application Type	Full Planning Permission
Case Officer:	Sarah Wilsher
Grid Ref	Easting: 297595 Northing: 146332
Applicant	Mr Mark Dana
Proposal	Raising of the roof structure by 2 metres to increase the first floor living accommodation and create a second floor with balcony rooflights on the east and west elevations (amended scheme to 3/21/17/034)
Location	Flat 1, McDanas, Warren Road, Minehead, TA24 5BG
Reason for referral to Committee	Officer's recommendation is contrary to the views of Minehead Town Council.

Recommendation

Recommended decision: Grant

Recommended Conditions (if applicable)

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

Reason: As required 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 drawings: Drawing Numbers:

(A3) DrNo 1465/200D Proposed Site Plans
(A1) DrNo 1465/201D Proposed Floor Plans
(A1) DrNo 1465/202D Proposed Elevations

- 3 The roofing materials to be used shall match those of the existing building in respect of type, size, colour, profile and texture.

Reason: To safeguard the character and appearance of the building having regard to the provisions of Retained Policy BD/3 of the West Somerset District Local Plan (2006).

- 4 Details of the colour of the render to be used in the construction of the external surfaces of the works hereby permitted shall be submitted to and approved in writing by the Local Planning Authority and thereafter be so retained.

Reason: To safeguard the appearance of the building having regard to the

provisions of Retained Policy BD/3 of the West Somerset District Local Plan (2006).

Informative notes to applicant

1 STATEMENT OF POSITIVE WORKING

In determining this application the Local Planning Authority considers it has complied with the requirements of paragraphs 186 and 187 of the National Planning Policy Framework. Although the applicant did not seek to enter into pre-application discussions/correspondence with the Local Planning Authority, during the consideration of the application certain elements of the proposal were deemed to be unacceptable in respect of the balcony rooflights. The Local Planning Authority contacted the applicant and sought amendments to the scheme to address this issue and amended plans were submitted. For the reasons given above and expanded upon in the planning officer's report, the application, in its revised form, was considered acceptable and planning permission was granted.

- 2 The Planning Authority is required to erect a Site Notice on or near the site to advertise development proposals which are submitted. Could you please ensure that any remaining Notice(s) in respect of this decision are immediately removed from the site and suitably disposed of. Your co-operation in this matter is greatly appreciated.

Proposal

It is proposed to raise the roof by 2 metres in order to provide greater headspace and floor space for the first floor flat together with a second floor to be used as a living room and storage. The internal living area will be increased from approximately 3 x 7 metres to 8.55 x 7.8 metres at first floor level, plus the second floor level of 3.75 x 7.95 metres.

The new raised roof will change from a hipped to a pitch roof. The eaves height of the new roof will be 5.95 metres high and the ridge will be 8.2 metres. A rooflight of 0.8m x 0.65m will be installed in both the east and west elevations, windows will be inserted in the apex of the gable on the south and north elevations to serve the second floor living accommodation and the door at first floor level on the south elevation which opens on to the existing balcony will be changed to patio doors and moved off-centre to the west. Windows serving the bedroom, bathroom and hall on the first floor will be installed in the east elevation and a single window will be added to the first floor on the west elevation. The existing window on the north elevation will be changed to two windows at first floor level. In addition to this one large rooflight is proposed on both the east and west elevations.

In terms of materials, the roof will be clay tiles to match the existing, whilst the new walls at first floor level will be rendered. The fenestration will be aluminium framed double glazed units.

This application is an amended application to 3/21/17/034 with the provision of greater floor space and corresponding windows, plus the 'balcony' rooflights.

Site Description

McDanas is a modern red brick detached building with a clay tiled hipped roof which faces the seafront to the north. It has a take-away food outlet on the ground floor with a studio flat on the first floor. There is a balcony at first floor level to the south (rear) held up with metal struts. It is sited just outside the eastern end of the Wellington Square Conservation Area.

Relevant Planning History

3/21/04/129 - Alterations to form living accommodation - granted 20 October 2004.

3/21/10/096 - Formation of balcony area at first floor level - granted 13 September 2010.

3/21/16/130 - Raising of the roof structure with erection of a first floor side extension on the east elevation with a juliet balcony on the north elevation - granted 23 February 2017.

3/21/17/034 - Raising of the roof structure by 2 metres to increase first floor living accommodation plus a juliet balcony on the north elevation (resubmission of 3/21/16/13) - granted 15 May 2017.

Consultation Responses

Minehead Town Council - Recommend refusal for the following reasons:

- (a) The Committee is concerned that the building is too high and will create a dominant feature on the sea front as it is set forward from the other buildings.
- (b) There is concern about the foundations to the enlarged structure which began as a small, lock-up shop.

Representations Received

None received.

Planning Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that

applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan for the West Somerset planning area comprises the West Somerset Local Plan to 2032, retained saved policies of the West Somerset District Local Plan (2006) Somerset Minerals Local Plan (2015) and Somerset Waste Core Strategy (2013).

Relevant policies of the development plan are listed below.

West Somerset Local Plan to 2032

MD1	Minehead Development
BD/3	Conversions, Alterations and, Extensions
NH1	Historic Environment

Retained saved polices of the West Somerset Local Plan (2006)

MD1	Minehead Development
BD/3	Conversions, Alterations and, Extensions
NH1	Historic Environment

Determining issues and considerations

The determining issues are the affect on the amenities of neighbours, the appearance of the building and the street scene and the affect on the conservation area.

Amenities of neighbours

McDanas sits between Merlins to the west and The Adventure Centre (former Minehead Visitor Information and Interpretation Centre (VIIC)) - to the east. The raise in roof levels is not considered to adversely affect either neighbour. There are no windows in the east elevation of Merlins that would lose their outlook or light and although the signage on the east elevation of Merlins may be partly obscured by the new roof, it is not considered that this will detrimentally affect Merlins as they have protruding illuminated signage to their front elevation, which is clearly visible. To the rear of Merlins there have been many additions at ground and first floor levels to encompass an indoor market at ground floor and increased living accommodation at first floor. It is considered that the proposed development will not further impact on these facilities than does the existing balcony on the north elevation of McDanas.

Although, McDanas is only about 1.8 metres from The Adventure Centre there will be no adverse effect on this neighbour as there are no windows in the west elevation

of the building. The Adventure Centre is set back from McDanas so the proposal could feel overbearing towards The Adventure Centre, but the open nature of this part of the seafront and the fact that there are no immediate neighbours to the east or south of The Adventure Centre will overcome this.

To the rear there is a go-kart/bike track run by Merlins. The existing balcony already overlooks this site so it is considered that the proposed patio doors and gable window will have no further impact.

There are residential four storey flats within Bowline Court to the east which are over 40 metres away from the proposal. They may lose a little of their view/outlook but this is considered to be negligible. Loss of view is not a planning consideration in any event.

Appearance

The appearance of McDanas will not be adversely affected by the proposal. The use of matching roof tiles to those existing and of painted render at first floor level to blend in with the colour of the existing red brick work, will ensure that the development is sympathetic to the existing building. A condition will be added to ensure that the render is similar in colour to the brickwork. The raising of the building will improve the look of the building as it will look less compressed and enable the existing balcony to sit more easily within the scale of the building.

It was originally proposed to have three large rooflights on both the east and west elevations which would also have served as balconies. It was felt, however, that these would be too obtrusive and dominating on a standalone building in a prominent position along the seafront and would have adversely affected the Conservation Area which lies to the west of the site. Amendments were therefore sought and received to reduce the three 'balcony' rooflights to one rooflight on both the east and west elevations. These cabrio balconies will act as rooflights when closed and are not considered to adversely affect the building.

The two windows at first floor level on the north elevation will add balance to the frontage whilst the large windows in the gable ends are contemporary and unique features which will add modernity and symmetry to the building.

Street scene

In terms of impact on the street scene, McDanas is a modern detached dwelling. To the west is Merlins, a large traditional building with an amusements arcade at ground floor level with a modern frontage and living accommodation at first and second floors with traditional bay and dormer timber windows. Merlins is rendered with a half-hipped clay tile roof. The Adventure Centre to the east is a modern rendered single storey building with a sloping mono-pitched roof to the rear and a half glazed floor to ceiling frontage on the eastern side of the front elevation. Merlins and McDanas lie on a similar level on the street, whilst The Adventure Centre is set back. There is therefore little consistency in terms of design and scale along this

part of Warren Road, so the development will not adversely affect the character of the street scene. In fact as Merlins is much taller than both McDanas and the VIIC, there is currently an in-balance in heights of the buildings, which the raising of the roof of McDanas will remove by adding a middle roof level between Merlins to the west and The Adventure Centre to the east. An element of proportionately increasing roof heights will therefore be added to the street scene.

The building will become more prominent than it currently stands and as proposed by the earlier approval (3/21/17/034), and there was concern that the three proposed balcony rooflights on the east and west elevations could create an undesired appearance of dominance and obtrusion. However, as this element has been reduced to one cabrio balcony on both the east and west elevations, it is felt that the overall effect will not be overly intrusive and that the street scene will not be detrimentally affected.

Impact on the Conservation Area

McDanas is a contemporary building, however, the use of traditional materials - clay tiles and aluminium windows - and the red colour of the bricks and the render will mean that the building will not adversely affect the adjacent Conservation Area. It is also not considered that the scale and design of the proposal will adversely impact on the setting of the Conservation Area.

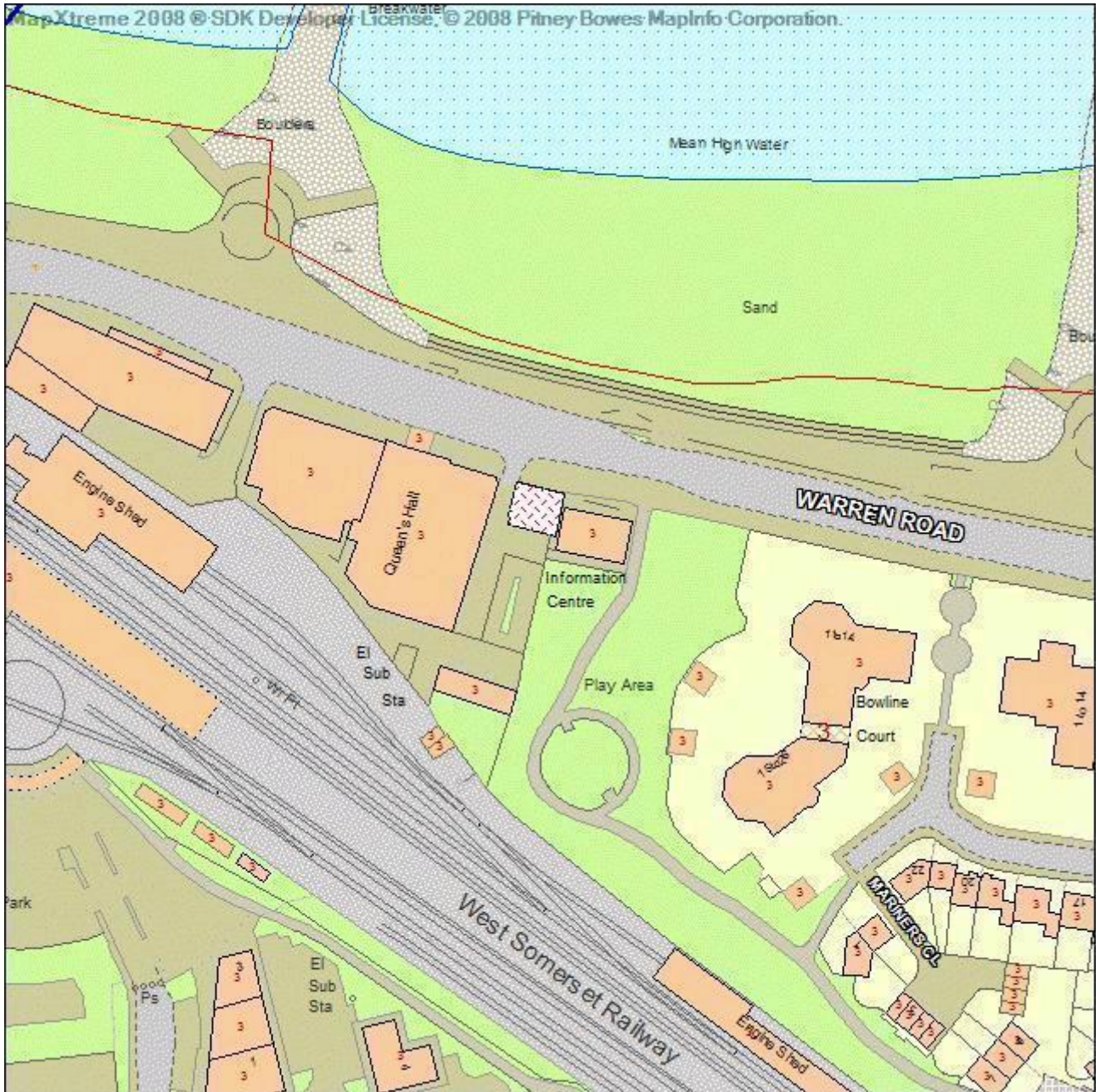
Other issues

It is noted that the Town Council are concerned about the extra load proposed on the foundations of the building. However, this is not a material planning consideration and therefore cannot be taken into account in the determination of this application. It would be considered as part of an application for building regulations.

Conclusion

It is considered that the proposed development will provide improved living accommodation and that the alterations are acceptable and in accordance with policies MD1 and NH1 of the West Somerset Local Plan to 2032 and policy BD/3 of the West Somerset District Local Plan (2006). It is thus recommended that conditional approval be granted.

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



Application No 3/21/17/080
Raising of the roof structure by 2 metres to increase the first floor living accommodation and create a second floor with balcony rooflights on the east and west elevations (amended scheme to 3/21/17/034)
Flat 1, McDanas, Warren Road, Minehead, TA24 5BG
Planning Manager
West Somerset Council
West Somerset House



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Application No:	3/26/17/020
Parish	Old Cleeve
Application Type	Variation of conditions
Case Officer:	Sue Keal
Grid Ref	Easting: 304987 Northing: 141141
Applicant	Mr Roberts
Proposal	Variation of Condition No. 02 (approved plans) of application 3/26/14/017
Location	Plot Adjacent to Walnut Tree Cottage, Huish Lane, Washford, Old Cleeve, Watchet, TA23 0NY
Reason for referral to Committee	Recommendation is contrary to the views of Old Cleeve Parish Council.

Recommendation

Recommended decision: Grant

Recommended Conditions (if applicable)

- 1 The development hereby permitted shall be begun before 16th September 2017.

Reason: As required by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development shall be carried out in accordance with the following approved plans:

(A4) DrNo 121/110/01 Site location plan
(A3) DrNo 121/110/02a Site Plan
(A3) DrNo 121/110/03a Site Plan
(A3) DrNo 121/110/05B Proposed Elevations
(A3) DrNo 121/110/06B Floor Plans

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

- 3 The external walling and roofing materials used in the development hereby permitted shall be as specified in the application form submitted with application 3/26/14/017 and shall thereafter be maintained as such.

Reason: To safeguard the character and appearance of the building.

- 4 The rooflights hereby approved in the southwest elevation shall be fitted with obscure glass and fixed shut prior to the occupation of the dwelling hereby

permitted and shall thereafter be maintained as such.

Reason: To protect the amenities of neighbouring residents.

- 5 The dwelling shall not be occupied/use shall not commence unless the access to the site has been provided in accordance with the approved plans (site plan, dwg. no. 121/110/03a). The access shall thereafter be retained in the approved form.

Reason: To ensure suitable access to the site is provided and retained, in the interests of highway safety.

- 6 At the proposed access there shall be no obstruction to visibility greater than 900mm above adjoining road level within the visibility splays shown on the submitted plan (drawing no 121/110/03a). Such visibility splays shall be constructed prior to the commencement of the development hereby permitted and shall thereafter be maintained at all times.

Reason: To ensure adequate visibility is provided in the interests of highway safety.

- 7 There hereby approved garage shall be fitted with a roller shutter type door and shall be permanently retained as such. No gates shall be erected at the vehicular access.

Reason: To ensure adequate parking is provided in the interests of highway and pedestrian safety.

- 8 Before the dwelling hereby permitted is first occupied the parking spaces (the two spaces within the garage and the space to the front of the garage) shown on the submitted amended plan (drawing no 121/110/03) shall have been fully constructed and provided within the site, to include being properly consolidated and surfaced, in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority. Such spaces shall be kept clear of obstruction at all times and shall not be used other than for the parking of vehicles in connection with the dwelling hereby permitted.

Reason: To ensure sufficient parking is provided in the interests of highway safety.

- 9 Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority prior to its installation. Such provision shall be made before the dwelling hereby permitted is first occupied and maintained thereafter at all times.

Reason: In the interests of highway safety.

- 10 The dwelling hereby approved shall not be occupied unless the bike storage

area to the front of the dwelling has been provided in accordance with the plans hereby permitted and thereafter retained as such.

Reason: To ensure that sufficient provision of bicycle parking/storage is provided.

Informative notes to applicant

STATEMENT OF POSITIVE WORKING

In determining this application the Local Planning Authority considers it has complied with the requirements of paragraphs 186 and 187 of the National Planning Policy Framework. Although the applicant did not seek to enter into pre-application discussions/correspondence with the Local Planning Authority in advance of submitting the application, for the reasons given above and expanded upon in the planning officer's report, the application was considered acceptable and planning permission was granted.

Proposal

This application seeks to vary the approved plans for a new single dwelling at Walnut Tree Cottage, previously permitted under application 3/26/14/017. The approved dwelling is constructed into the hillside, with the first floor approximating to ground level at the rear of the building and the ground floor being at road level. The dwelling is an 'L' shape, with a single storey projecting section to the rear at upper ground level.

This application seeks to alter the projecting 'L', making it wider. This would allow the garage at lower ground floor to be wider in order to accommodate wheelchair access into the dwelling. Consequently, the height of this pitched roof would increase by 500mm, to 4.8m. There are some other changes proposed to the fenestration. Rooflights are now proposed in both sides of the projecting 'L' and an additional window proposed at lower ground floor level in the front elevation.

Site Description

The existing site is a plot of land/garden area located to the side of Walnut Tree Cottage in Huish Lane Washford. To the southeast of the site on Walnut tree corner and Huish Lane is a property known as Demelza Cottage set at a higher ground level (approximately 5m), than the proposal site. Further to the south of the site is a dwelling known as Jasmine Cottage which stretches from Walnut tree corner across the rear of the proposal site and that of the existing Walnut tree cottage. Opposite the site are semi-detached dwellings known as Knapp Cottages.

Part of this land has been excavated out from its original sloping profile to form a hard standing at road level. The remainder has been terraced at higher levels and is retained by retaining walls and by walls formed by timber posts. At its highest point the land is some 5m above the road to accommodate the new house, further excavation of the land and realign the retaining structures has been undertaken.

Relevant Planning History

3/26/01/053	Proposed Development Of A Single Dwellinghouse, Garage And Access - As Amended By Plans Received 22/01/2002	Grant	24/01/02
3/26/03/030	Erection Of Two Self Contained Dwellings/garaging And Associated Works	Refuse	13/01/04
3/26/04/007	Erection Of Two Dwellings, Garaging And Associated Works	Withdrawn by Applicant	20/04/04
3/26/10/002	Regularisation Of Garden Retaining Wall, Log Retaining Wall And New Access Incorporating Details Of Log Retaining Wall Received On 20/1/10.	Grant	03/03/10
3/26/04/030	Erection Of Dwelling & Garage (revised Design). - As Amended By Plans Received On 26/10/04, 22/12/04 And 18/1/05.	Grant	18/01/05
3/26/04/021	Erection Of Self Contained Dwelling/garage & Associated Works - As Amended By Plans Received On 18.8.04.	Grant	31/08/04
3/26/08/027	Regularisation Of Approval 3/26/04/030 - Addition Of Solar Panels To Rear Roof, Rooflights To Front And Rear Roof, Amendments To French Doors To Rear Elevation And White Pvcu Windows As Amended By Agent's Letters Dated 27 October 2008 And 27 November 2008.	Grant	11/12/08
3/26/12/002	Proposed infill dwelling to the south-east of Walnut Tree Cottage, plus alterations to existing access	Refuse	04/04/12
3/26/12/017	Proposed two bedroom cottage to the south east of Walnut Tree Cottage together with associated works and parking (resubmission of 3/26/12/002)	Grant	26/09/12
3/26/12/024	Proposed three bedroom cottage to the south east of Walnut Tree Cottage (amended scheme to 3/26/12/017)	Withdrawn by Applicant	01/02/13
3/26/13/002	Proposed infill three bedroom dwelling and internal garage and associated works	Grant	08/05/13
3/26/14/017	Proposed infill three bedroom dwelling and integral garage and associated works.	Grant	16/09/14

Consultation Responses

Old Cleeve Parish Council - Refer to standing advice.

Highways Development Control - Old Cleeve Parish Council Objects to this planning application. Please see our comments below:

Old Cleeve Parish Council have consistently objected to this plot development, however the LPA have approved a scheme contrary to our objections. This proposal is, yet again, to enlarge the dwelling on what is already a very small plot and is planning by stealth! In our opinion. The ground floor has been increased to include a study and utility room. The garage width has been increased which also increases the first floor kitchen/family area. It is considered this overdevelops the site and considering the topography leaves very little amenity area for such a large unit of accommodation. The chimney again does not communicate with any appliance and must assume to be false. No details (construction, materials, design) are provided of the external staircase on the front elevation and is considered harmful to the appearance of the street scene. Roof water disposal (at least four downpipes are required at the front) and ground water disposal has not been indicated and must not discharge to the foul drainage or highway. This was a previous condition. Concerns are raised of the stability of the "new" proposed retaining wall. OCPC does not support this application.

Representations Received

2 letters of **objection** have been received, raising the following comments:

- The boundary fence to the southwest must be constructed prior to any other construction commencing.
- The builders must be held liable for any damage to neighbouring property given the significant excavation required. Retaining structures must be strong enough.
- The dwelling is increasing in size and is an overdevelopment of the site.
- The Council must ensure that the development accords with the approved plans when built.

Planning Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan for the West Somerset planning area comprises the West Somerset Local Plan to 2032, retained saved policies of the West Somerset District Local Plan (2006) Somerset Minerals Local Plan (2015) and Somerset Waste Core Strategy (2013).

Relevant policies of the development plan are listed below.

West Somerset Local Plan to 2032

SC1 Hierarchy of settlements
SV1 Development at primary and secondary villages

Retained saved policies of the West Somerset Local Plan (2006)

SC1 Hierarchy of settlements
SV1 Development at primary and secondary villages

Determining issues and considerations

The principle of the development has been established through the previous grant of planning permission. This application proposes alterations to the previous scheme.

The alterations relate to the size of the projecting 'L' which has been widened to facilitate access via wheelchair through the garage. The alterations mean that the ridge line of the projecting section will be around 500mm higher. The greatest impact arising from this would be to Walnut Tree Cottage to the north, but given that the roof slopes away from this property, it is not considered that the impact would be significant. It is not considered that there would be any additional adverse impact to the other adjoining residential properties.

The alterations will reduce the amount of external amenity space available to future occupiers, but this is not considered to warrant refusal of the application, particularly when balanced against the desire to facilitate access via wheelchair.

The access arrangements have not altered from the previous scheme.

With regard to the above, the proposal is considered to be acceptable. It is, therefore, recommended that planning permission is granted.

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

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Application No 3/26/17/020
 Variation of Condition No. 02
 (approved plans) of
 application 3/26/14/017
 Plot adjacent to Walnut Tree
 Cottage, Huish Lane,
 Washford
 Planning Manager
 West Somerset Council,
 West Somerset House
 Killick Way
 Williton TA4 4QA
 West Somerset Council
 Licence Number: 100023932



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 Easting: 304994
 Northing: 141135
 Scale: 1:1250

Delegated Decision List

Ref No.	Application	Proposal	Date	Decision	Officer
3/03/17/002	Redgate, Brompton Regis, Watchet, TA23 0LH	Change of use of land from residential to a mixed use of residential (C3) and business (B2) and erection of building for use in conjunction with the landscaping/logging business (storage of machinery and equipment, etc).	21 August 2017	Grant	SW

Delegated Decision List

Ref No.	Application	Proposal	Date	Decision	Officer
3/17/17/002	Ashton, Tanners Hill, Huish Champflower, Taunton, TA4 2EY	Erection of single storey extension to the north-west elevation and replacement garage	15 August 2017	Grant	SW

Delegated Decision List

Ref No.	Application	Proposal	Date	Decision	Officer
3/18/17/005	Wyndham Lodge, Hilltop Lane, Kilve, TA5 1SR	Erection of first floor extension plus extension on the front elevation	08 August 2017	Grant	SW

Delegated Decision List

Ref No.	Application	Proposal	Date	Decision	Officer
3/21/17/059	7A Park Street, Minehead, TA24 5NQ	Conversion of three bedroom maisonette into 2 No. one bedroom flats	27 July 2017	Grant	SK

Delegated Decision List

Ref No.	Application	Proposal	Date	Decision	Officer
3/21/17/066	18 The Parade, Minehead, TA24 5UG	Replacement of shop frontage.	15 August 2017	Grant	SK

Delegated Decision List

Ref No.	Application	Proposal	Date	Decision	Officer
3/21/17/069	8 West Park, Minehead, TA24 8AW	Erection of two-storey side extension and single storey rear extension	28 July 2017	Grant	SW

Delegated Decision List

Ref No.	Application	Proposal	Date	Decision	Officer
3/21/17/071	18 Hopcott Close, Minehead, TA24 5HB	Erection of rear extension to form part of ensuite to bedroom and erection of workshop to rear of garage	01 August 2017	Grant	SW

Delegated Decision List

Ref No.	Application	Proposal	Date	Decision	Officer
3/26/17/021	Downstream, Bilbrook Lane, Bilbrook, nr Minehead, TA24 6HE	Erection of replacement garage	21 August 2017	Grant	SW

Delegated Decision List

Ref No.	Application	Proposal	Date	Decision	Officer
3/28/17/005	20 Croft Meadow, Sampford Brett, Taunton, TA4 4LB	Installation of secondary glazing to 14 No. windows	16 August 2017	Grant	EP

Delegated Decision List

Ref No.	Application	Proposal	Date	Decision	Officer
3/39/17/017	Tropiquaria, Washford Cross to Smithyard Cottage, Williton, Watchet, TA23 0QB	Conversion of part of the building into a shop	16 August 2017	Grant	EP

Delegated Decision List

Ref No.	Application	Proposal	Date	Decision	Officer
NMA/02/17/0 01	Leigh, Brompton Ralph, Taunton, TA4 2SF	Non-material amendment application to planning permission 3/02/17/001 in order to regularise the design and size of the porches, make changes to the size and design of certain windows and positioning and length of flue	21 August 2017	Grant	<u>SW</u>

Appeal Decisions

Site visit made on 10 July 2017

by **Robert Parker BSc (Hons) Dip TP MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 25 July 2017

Appeal A Ref: APP/H3320/D/17/3176290
The Outback, 9A Reed Close, Watchet TA23 0EE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Craig Walsh against the decision of West Somerset Council.
 - The application Ref 3/37/17/001, dated 6 February 2017, was refused by notice dated 30 March 2017.
 - The development proposed is erect a first floor extension over the existing garage and carport. The proposed extension is to be used as a granny annex.
-

Appeal B Ref: APP/H3320/D/17/3176293
The Outback, 9A Reed Close, Watchet TA23 0EE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Craig Walsh against the decision of West Somerset Council.
 - The application Ref 3/37/17/012, dated 1 April 2017, was refused by notice dated 19 May 2017.
 - The development proposed is erection of a first floor extension over the existing garage and carport to be used as an annex – resubmission of 3/37/17/001.
-

Decisions

1. **Appeal A is allowed** and planning permission is granted to erect a first floor extension over the existing garage and carport, the extension to be used as a granny annex, at The Outback, 9A Reed Close, Watchet TA23 0EE in accordance with the terms of the application, Ref 3/37/17/001, dated 6 February 2017, subject to the conditions set out in the attached schedule.
2. **Appeal B is allowed** and planning permission is granted for erection of a first floor extension over the existing garage and carport to be used as an annex at The Outback, 9A Reed Close, Watchet TA23 0EE in accordance with the terms of the application, Ref 3/37/17/012, dated 1 April 2017, subject to the conditions set out in the attached schedule.

Procedural Matters

3. The Council has refused planning permission for two alternative proposals on the same site. The schemes have differing designs, but are sufficiently similar to enable me to deal with them in a single decision.
 4. At the Council's request, I made an assessment of the proposals from the rear gardens of Nos 21, 22 and 23 Admirals Close.
-

5. Revised plans were submitted during the course of the second application to substitute roof lights in place of a window on the north elevation. The Council made its decision against the amended plans and I shall determine Appeal B on the same basis.

Main Issue

6. The Council has no objection to the appearance of the proposed extension in either case. I have no reason to take a different view.
7. The main issue common to both appeals is the effect of the proposal on the living conditions of the occupiers of the neighbouring bungalows at Nos 21, 22 and 23 Admirals Close, with particular reference to outlook, privacy, sunlight and daylight.

Reasons

8. No 9A Reed Close is a detached 4-bedroom dwelling within a corner plot of land formerly occupied by a communal garage court. The property has an attached single-storey garage and carport which projects in the direction of Admirals Close. The proposals are to build a first floor extension above this wing to create a residential annex for a dependent relative.
9. Under Appeal A the proposed extension would follow the same eaves height as the main dwelling. For Appeal B the gutter line would be lower with the first floor windows spanning the eaves in a dormer style arrangement. The ridge height would be 500mm lower than the first scheme.
10. The existing outlook from 21 Admirals Close westwards is towards the appeal property's two-storey flank wall and the gable wall of its single-storey garage. Both appeal schemes would have the effect of bringing the two-storey element closer to No 21, but in my opinion neither would be overbearing to the occupants of this property.
11. In each case the extension would be set back from the boundary with a gable span significantly narrower than that of the dwelling. This would result in a subservient roof ridge. The consequent massing would be marginally less in the case of Appeal B. However, neither development would be unduly dominant for the occupiers of No 21. There would undoubtedly be a change in outlook but the visual impact would fall within acceptable parameters.
12. The Council's decision notices also make reference to the effect on Nos 22 and 23 Admiral Close. Both designs of extension would be visible from these properties but the offset relationship and separation distance means that they would not be intrusive or result in a detrimental loss of outlook.
13. The position of the appeal property relative to the path of the sun means that it already casts a shadow towards the adjoining bungalows during the late afternoon and evening. Both appeal schemes would be likely to give rise to some additional overshadowing of adjoining gardens, depending on the time of year, but in my judgement this would not be so significant as to cause harm. There is no substantive evidence to demonstrate that neighbouring occupiers would experience a material reduction of daylight either within their properties or gardens.

14. Whilst I note the neighbours' concerns regarding overlooking, any views of the gardens belonging to Nos 21 and 22 would be at a very oblique angle. The views towards No 23 would be at greater distance and less direct in character compared to those already available from the first floor windows of properties in Mariners Way. I am therefore satisfied that there would be no material loss of privacy for residents of Admiral Close.
15. Accordingly, I conclude that neither proposal would have an unacceptable adverse impact on the living conditions of the occupiers of Nos 21, 22 and 23 Admirals Close. There would be no conflict with Policy SC1 of the West Somerset Local Plan to 2032 insofar as it seeks to ensure that development does not harm the amenity of adjoining land uses.
16. The decision notice cites Saved Policy BD/3 of the West Somerset Local Plan (2006). However, this policy relates to the appearance of the development and not its effect on the living conditions of neighbours. As such, it is not relevant to the main issue in these cases.

Other Matters

17. My attention has been drawn to restrictive covenants which were imposed when the Council disposed of the land. However, the enforcement of covenants is a private matter which has no bearing on my consideration of the planning merits of either appeal.
18. Although concerns have been raised regarding the effect on property values in the area, this has carried very limited weight in my assessment.

Conditions

19. In addition to the standard commencement condition, I have attached conditions to provide certainty over the approved plans and to secure matching materials in the interests of the character and appearance of the area. A condition to remove permitted development rights for windows and openings above ground floor ceiling level in the east elevation is required to protect the privacy of neighbours.
20. Finally, in recognition of the fact that the development would share parking and amenity space with the existing dwelling, it is reasonable and necessary to impose a condition restricting occupancy of the extension to purposes ancillary to the main dwelling. This would preclude its use as a separate dwelling.
21. The case officer report recommended a condition to secure the obscure glazing and fixing shut of the roof lights on the north elevation under Appeal B. However, these openings would have a high internal sill level and as such the condition would be unnecessary. A condition to ensure that the garage remains available for parking would also be unreasonable, given the size of the driveway.

Conclusion

22. For the reasons given above I conclude that both appeals should succeed.

Robert Parker

INSPECTOR

APPEAL A: SCHEDULE OF CONDITIONS

APP/H3320/D/17/3176290

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing nos 1174.1/200B and 1174.1/201.
- 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.
- 4) The extension hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as The Outback, 9A Reed Close, Watchet.
- 5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows, doors or other openings shall be shall be constructed above ground floor ceiling level on the east elevation of the extension hereby permitted.

APPEAL B: SCHEDULE OF CONDITIONS

APP/H3320/D/17/3176293

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing nos 1174.1/200B and 1174.1/201B.
- 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.
- 4) The extension hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as The Outback, 9A Reed Close, Watchet.
- 5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows, doors or other openings shall be shall be constructed above ground floor ceiling level on the east elevation of the extension hereby permitted.