

47/16/0015

MR M PADDEN

**Erection of a two storey extensions, re-location of garage and re-positioning of access at Walnut Tree Cottage, Meare Green, Wrantage.**

Location: WALNUT TREE COTTAGE, MEARE GREEN, WEST HATCH,  
TAUNTON, TA3 6DA

Grid Reference: 329661.122313

Full Planning Permission

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## **Recommendation**

**Recommended decision: Conditional Approval**

### **Recommended Conditions (if applicable)**

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: In accordance with the provisions of Section 91 Town and Country Planning Act 1990 (as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

(A1) DrNo WDS1700 Rev A1 Proposed  
(A3) DrNo WDS1703 Location Plan  
(A3) DrNo WDS1702 Site Plan  
(A3) DrNo WDS1701 Location Plan

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

3. The mitigation measures as detailed in the Report from Patrick West STM Environmental Consultants Ltd received 16th February 2017 shall be fully implemented before the two storey extensions are brought into use.

Reason: To prevent increase in discharge into nearby water courses in accordance with Policy CP1(C) of the Taunton Deane Core Strategy.

4. The development hereby permitted shall not be commenced (including any demolition) until a bat survey report has been submitted to and approved in writing by the Local Planning Authority. The survey(s) shall ascertain the

usage of the site by bats. They shall be undertaken by an appropriately qualified person at an appropriate time of year (May to July) and use techniques and equipment appropriate to the circumstances. The survey and report shall include an identification of species present, an impact assessment and mitigation/avoidance measures in order to safeguard protected species in accordance with the law.

Reason To ascertain accurate and up to date usage of the site by bats and to reduce the risk of the loss and destruction of a roost site for bats, bearing in mind that bats are protected under the Wildlife and Countryside Act 1981 and the Conservation of Habitats & Species Regulations 2010

#### Notes to Applicant

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the applicant and has negotiated amendments to the application to enable the grant of planning permission.
2. 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.

## Proposal

Permission is sought to erect a two storey extension on both gable ends of the property. The extensions will project 4.3m by 7.5m depth. Initially the proposal also included the change of design of the existing cat slide dormers to pitched roof dormers. Following discussing with the Agent amended plans have been submitted with the dormers remaining unchanged. In addition to the extensions, it is proposed to change the layout of the front garden; the access point to the property has been moved along the frontage; the existing gravel parking area will be replaced as a permeable surface. Materials will match the existing property.

## Site Description

Walnut Tree Cottage is a modern detached property which has rendered walls under a tiled roof. To the west side there is a pitched roof detached garage will be replaced as part of the scheme. To the rear of the property there is a garden room which is shown to remain. The parking area to the front of the property is laid to gravel, there is a drainage water ditch which runs along the outer edge of the front garden, this runs along the eastern boundary and along the boundary to the rear.

This property and the neighbouring one, The Orchards were given planning permission in the 1990s both as replacement dwellings. Part of the design of each dwelling was accommodation within the roof space with cat slide dormers shown front and back. This is a traditional feature and is demonstrated further along the road.

In the rear garden there is a mature Walnut tree which is covered by a Tree Preservation Order.

## Relevant Planning History

47/04/0012 Retention of minor flood alleviation works incorporating 0.6m high concrete block wall Approved

## Consultation Responses

*WEST HATCH PARISH COUNCIL* - Object to the application due to

- Flooding and sewerage issues - The property was built on a previous property that acted as a catchment reservoir. The increase in the footprint will reduce the amount of rainwater that can be absorbed into the ground, thereby increasing the flow of to be dealt with by the existing waterways
- Wildlife concerns - It is known that bats roost and potentially breed in the property. Greater Crested newts use the water courses around the property
- Adverse visual amenity - the proposed development is out of keeping with the locality. There is a loss of amenity to the character of the area, the street scheme and loss of amenity to neighbouring properties.

*ENVIRONMENT AGENCY* - No comments received.

*SCC - FLOOD RISK MANAGER* - The Applicant has now submitted additional information with regards to the surface water drainage, this includes attenuation and the reduction of permeable surfaces, the installation of a filter drain within the existing ditch at the front of the property and linear drains to capture and remove surface water before it leaves the site. Having reviewed the additional information the LLFA is satisfied that the proposal meets the requirements for surface water management on site.

*BIODIVERSITY* - No wildlife report has been submitted with this application, however local residents have advised that a bat survey has taken place (species unknown) were using the building. Despite contacting several local Ecologists, I have been unable to located the report. I therefore consider that, if permission is granted that a wildlife survey should be carried our prior to the commencement of any works to ascertain the current use of the site by bats.

## Representations Received

8 letters of objection have been received raising concerns with regard to:

- Flooding/water drainage - Walnut Tree Cottage has been subject to flooding in the past, the enlargement of the property and the impermeable surface will increase the flooding. The proposal will involve the piping of the roadside ditch will reduce the capacity of the disposal of water.
- A survey conducted in 2016 on Walnut Tree Cottage demonstrated the presence of bats in the roof. A bat survey should have been submitted as part of the application.
- There will be an increase in motor traffic using the existing highway.
- The extension increases the bulk of the current dwelling by extending substantially on both end. The scale is not in-keeping with the existing property.
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- The new access is proposed which will impact on the existing drainage ditch.

## **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 Taunton Deane comprises the Taunton Deane Core Strategy (2012), the Taunton Site Allocations and Development Management Plan (2016), the Taunton Town Centre Area Action Plan (2008), Somerset Minerals Local Plan (2015), and Somerset Waste Core Strategy (2013).

Relevant policies of the development plan are listed below.

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

This takes into account the recent adoption of the SADMP.

## **Local finance considerations**

### **Community Infrastructure Levy**

Not payable in this instance.

## **Determining issues and considerations**

The main considerations are the amenity impact of the extension and its potential impact on drainage and on wildlife.

The amended plans showing the existing cat slide dormers unchanged, overcomes the concerns that have been raised with the Agent in terms of the design of both the proposed extensions and the existing dwellinghouse. Apart from the cat slide issue, the extensions are subservient in design with the roofline dropped from the main ridge and in this regard the extensions accord with policy D5. In addition, as there will be no works to alter the dormer windows, this will not cause any adverse impact on any bats should they be present. There will be no additional overlooking issues to the adjacent properties as there are already windows at first floor level which look towards the rear garden and there are no windows in the gable ends. As the extensions are proposed on the gable ends of the property they will have no impact on the Walnut Tree which is the subject of a Tree Preservation Order.

Whilst the property does not lie within a flood risk area, following objections from neighbours a Flood Risk Assessment was submitted and forwarded to the Local Lead Flood Authority at Somerset County Council. The details contained within this Report were not considered to be acceptable and an objection was raised. Following discussions between the Applicant and the LLFA an amended scheme has been received providing details of the flood mitigation to be provided on site. This is considered to be acceptable by the LLFA and they have withdrawn their objection.

Whilst not on an identical footprint, the two storey extension proposed on the west side of the property will replace an existing garage in terms of size. Therefore, the main consideration in drainage terms is the impact that the additional two storey extension shown on the east elevation could have. The Applicant has submitted flood mitigation information, which includes attenuation within the site and the use of a permeable surface on the proposed parking area. The Lead Local Flood Authority are satisfied that this information meets the requirement for surface water management on site. In this regard, by implementing these attenuation methods, this will improve the situation, that the neighbours claim currently occur. The works will allow the surface water to be captured and drain away before it leaves the site and this is a condition of any approval.

In terms of wildlife, whilst not substantiated by any objectors, it has been stated that bats currently reside within the roof space. It is claimed that a bat survey had been undertaken by a previous prospective purchaser but no copy of this report has been produced. Generally, a householder application for an extension would not expect to be submitted with an Ecology Report and therefore, this has not been requested. By leaving the cat slide dormers as they are, the roof will remain unchanged and should there be bats present, they will remain undisturbed. The ditches around the site will not be affected by the extensions and potential newt habitat is not considered to be disturbed. The terms of the wildlife legislation means that it applies irrespective of the planning system and a note to that effect is proposed as well as a condition concerning a bat survey.

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

**Contact Officer: Mrs S Melhuish**

