

48/09/0025

MR & MRS A COMBES AND WOODGATE

ERECTION OF SINGLE STOREY AND TWO STOREY EXTENSIONS FOLLOWING DEMOLITION OF SINGLE STOREY EXTENSIONS TO THE REAR OF NOS. 2 AND 3 THE STREET, WEST MONKTON (RESUBMISSION OF APPLICATION 48/08/0067) AS AMENDED BY REVISED DRAWINGS 1392/08/2 iss 3, 1392/08/3 iss 2, 1392/08/4 iss 3 AND 1392/08/5 iss 3 RECEIVED 29TH JUNE 2009

326186.128314

Full Planning Permission

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PROPOSAL

2 and 3 The Street are terrace cottages within the West Monkton Conservation Area and set within a row of 6, of which no's 1,2,3 and Court Cottage are Grade II listed. They are rendered to the front, with some windows blocked in and stone to the rear, with slate roofs and brick chimneys. There are currently monopitched roof single storey extensions across the rear of both no's 2 and 3, with an additional flat roof single storey extension to the rear of no.3. The properties front The Street with an archway under first floor accommodation to no.2, providing access to the rear. No.1 is staggered, therefore the rear wall is positioned beyond the rear wall of no.2, whilst the rear wall of no.4 is continued along the same line as 2 and 3. To the rear of no.4, the property has been extended to enlarge the kitchen and provide a large conservatory.

This application seeks permission for the erection of a part two storey extension and part single storey extension to both no's 2 and 3. To the rear of no.2, it is proposed to provide a dining/kitchen area at ground floor level with an en-suite bedroom above. To the rear of no.3, it is proposed to provide a large kitchen at ground floor level with an en-suite bedroom above.

Planning permission was originally granted in 1989 (Ref: 48/89/028) for the erection of a two storey and single storey extension to the rear of no.2 only, which was renewed in 1993, 1999 and 2004. This proposed an extension of different design.

An application for Listed Building Consent is also currently being processed.

Following concerns raised by the Conservation Officer, amended plans were received from the agent removing the gablet on the rear of the single storey element at no.2.

During the processing of the application, the issue arose that part of the extension to the rear of no.2 was encroaching onto neighbouring land. As a result, amended plans were received, changing the positioning and angle of the east end wall of the two storey extension to ensure that the proposed extensions remained solely on the applicants own land. Following the receipt of amended plans, neighbours were re-notified.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

WEST MONKTON PARISH COUNCIL - No comments received at the time of writing

SOMERSET COUNTY COUNCIL - TRANSPORT DEVELOPMENT GROUP - No observations

Conservation Officer -

1. Extant cottages of modest architectural embellishment but are good examples and survivals of such buildings and have a positive presence and contribution to the street scene and Conservation Area.
2. The existing, single storey, flat roofed rear extension to no.3 is wholly inappropriate and is considered detrimental to the setting of the complex of buildings, when viewed from this aspect.
3. No objection to principle. Proposals considered an improvement to those sanctioned under 48/04/0022.
4. Current applications appear to overcome previous neighbour objections and certainly encompass positive advice in this respect.
5. Suggest amendments to design details concerning gablet to French doors of no.2, repositioning of bedroom partition in no.3 and re-use of historic doors.
6. Suggests conditions

Somerset County Council - Development Control Archaeologist - No objections

Representations

5 letters of objection received on the grounds of:

- Reduction in light to living room, kitchen, conservatory, first floor bedroom and back garden at 4 The Street impacting upon health and happiness.
- No.4 relies on light from the rear of the property. The conservatory erected to the rear increased the levels of light by funnelling light into the kitchen. The proposed extension would reduce daylight and sunlight would be lost.
- Two storey development could compromise privacy to no.4.
- Proposals would result in loss of distinctive character of properties of historical importance, featured in one of Harry Fryer's paintings.
- A two storey extension would be an absolute travesty and ruin the whole row aesthetically.
- If extension not built in materials matching current dwellings, it would ruin the look of the 300 year old village terrace.

Other non-planning issues also raised:

- Right to light under Prescription Act 1832 and Rights of Light Act 1959.
- Inconvenience to residents during construction.
- Difficulty in transporting building materials to rear.

PLANNING POLICIES

PPG15 - Planning and the Historic Environment,

S&ENPP9 - S&ENP - The Built Historic Environment,
S1 - TDBCLP - General Requirements,
S2 - TDBCLP - Design,
H17 - TDBCLP - Extensions to Dwellings,
EN14 - TDBCLP - Conservation Areas,
EN15 - TDBCLP - Demolition Affecting Conservation Areas,
EN23 - TDBCLP - Areas of High Archaeological Potential,

DETERMINING ISSUES AND CONSIDERATIONS

It is important to note that planning permission has already been granted and renewed several times for the two storey and single storey extensions to the rear of no.2. The principle of extensions of this nature has therefore already been established and the design is considered more sympathetic to the listed building than those formerly approved. The extensions have been designed to reflect the roof design, proportions and fenestration of the existing properties and are therefore keeping with their historic character. The extensions are also set on a lower ridge level than the main dwellings and in some distance from the sides and therefore appear subservient. Although the angled wall on the east end elevation of the two storey element is not an ideal solution, it is not considered to result in harm to the listed building. The existing properties have slate roofs, stone on the rear elevations and white roughcast render on the front. Materials are proposed to be slate to match the existing and white roughcast render due to the difficulty in obtaining stone to match. Due to the current property already having some elevations in render and the retention of some stone on the rear elements that are not affected by the extension, this will not cause detriment to the character and appearance of the listed buildings.

The extensions are separated by no.1 The Street by the width of an accessway between the two properties, which allows vehicular access to the rear. The extensions are therefore set away from the dwelling at no.1 itself and as the two storey element is largely adjacent to the existing dwelling, it does not result in material loss of light or overbearing impact to that property.

The rear extension is set away from the boundary with no.4 by 2.8 to 3.1 metres (due to the angle of the boundary). Over the boundary at no. 4 in the rear elevation is a ground floor window to the dining room, with a bedroom above. There is also a rear extension with a small window in the side serving the kitchen and a conservatory to the rear of this. The dining room runs the full depth of the property and there is a window in the front elevation, also allowing light to this room. The extension, being 3 metres away, is considered to be a sufficient distance to avoid a significant impact on the rear dining room window. As a result of this, combined with the fact that there is another source of light to that room it is considered that the extension will not result in a material loss of light to that window.

The side window in the rear extension at no.4 is a small secondary window to the rear, with the main source of light coming from the conservatory to the rear. The proposed extension will be 4 metres from this small secondary window, and the conservatory is separated from the property by the depth of the existing single storey extension at no.4, being 2.5 metres. The conservatory is therefore a sufficient distance from the proposed two storey element to avoid overshadowing of either the small secondary kitchen window or the conservatory. As such, the proposal will not result in material loss of light

to the kitchen. The main garden and amenity space is to the rear of the conservatory and is therefore some distance from the extension.

The issue of loss of light has therefore been carefully assessed and it is considered that the proposal will not result in material harm to the amenities of occupiers of neighbouring properties.

A concern is raised regarding loss of privacy to no.4. There are no windows in the side of the proposed extension above ground level and the nearest window on the rear of the proposed extension at first floor level serves a bathroom and not a habitable room. The existing layout has a bedroom window close to the boundary with no.4 at first floor level and the proposed extension is not considered to result in any material loss of privacy.

Objectors have raised the issue of right to light under the Prescription Act 1832 and Rights of Light Act 1959, which is not a planning matter. Whilst in assessing planning applications, the issue of whether a development will reduce light to neighbouring properties to an unacceptable level is taken into account, it is important to differentiate this from the matter of 'right to light'. The right to light is a civil matter to be agreed between the two parties.

RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval

The proposed extensions have been designed to appear subordinate to and in keeping with the properties and are not considered to result in detriment to the appearance of the listed buildings, that of the adjoining terrace of six properties or to the surrounding Conservation Area. The extensions are positioned a sufficient distance from neighbouring dwellings to avoid material harm to their amenities. As such, the proposal is in accordance with the relevant sections of PPG15, policy P9 of the Somerset and Exmoor National Park Joint Structure Plan Review and policies S1 (General Requirements), S2 (Design) and H17 (Extensions to Dwellings) of the Taunton Deane Local Plan.

RECOMMENDED CONDITION(S) (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. Only those materials specified in the application shall be used in carrying out the development hereby permitted unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of preserving the listed building, its setting and any

features of historic or architectural interest that it possesses, in accordance with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy 9 of the Somerset and Exmoor National Park Joint Structure Plan Review and guidance contained in Planning Policy Guidance note 15.

3. No development shall take place until samples of the slate to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority and a sample panel 1m x 1m minimum has been erected on site to show the colour and type of render. The panel shall be agreed in writing and shall be retained on site until the completion of the works. Development shall be carried out in accordance with the approved details.

Reason: To protect the character and appearance of the existing building in accordance with Policy S2 of the Taunton Deane Local Plan.

4. There shall be no bell casts formed in the render over window or door heads.

Reason: In the interests of preserving the listed building, its setting and any features of historic or architectural interest that it possesses, in accordance with Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy 9 of the Somerset and Exmoor National Park Joint Structure Plan Review and guidance contained in Planning Policy Guidance note 15.

5. The windows hereby permitted shall be recessed in the wall to match the existing window recesses.

Reason: To ensure details appropriate to the character of the Listed Building, in accordance with Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy 9 of the Somerset and Exmoor National Park Joint Structure Plan Review and guidance contained in Planning Policy Guidance note 15.

Notes for compliance

- . Whilst not an issue under the Planning Acts, you are advised that the staircase to no.2 does not comply with current Building Regulations, as such is unguarded on the living room side and therefore represents a Health and Safety issue, which is particularly relevant as it is understood that the property is let out.

In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1988.

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