

Application Details	
Application Reference Number:	3/21/22/119
Application Type:	Full Planning Permission
Earliest decision date:	29 December 2022
Expiry Date	26 January 2023
Extension of Time Date	8 February 2023
Decision Level	Planning Committee
Description:	Erection of a detached garage, widening of vehicle access and repairs to boundary wall (retention of part works already undertaken)
Site Address:	Barn Cottage, Combeland Road, Alcombe, Minehead, TA24 6BS
Parish:	21
Conservation Area:	Alcombe Conservation area in Minehead
Somerset Levels and Moors RAMSAR Catchment Area:	No
AONB:	No
Case Officer:	Sarah Wilsher
Agent:	Architectural Studio SW Ltd
Applicant:	Ms Tonia Tipper
Committee Date:	02 February 2023
Reason for reporting application to Committee	As required under the scheme of delegation due to the Town Council and over four objections from residents being received contrary to officer recommendation.

Recommendation

1.1 That permission be GRANTED subject to conditions.

2. Executive Summary of key reasons for recommendation

The proposal is for the erection of a detached garage, widening of vehicle access and repairs to a boundary wall including retention of part works undertaken in respect of the frame of the garage already being in situ, a stone pier having been removed to widen the access and the boundary wall having been made good.

The application is recommended to be granted, as amended, subject to conditions as it will not harm the setting of the conservation area or the appearance and character of the locality and will not impact on the character and appearance of the host dwelling, thereby complying with policies NH1 and NH2c. Subject to conditions there will also be no harm to residential amenity.

3. Planning Obligations and conditions and informatives

3.1 Conditions (full text in appendix 1)

3.1.1 Standard time limit – 3 years

3.1.2 Approved plans

3.1.3 Materials

3.1.4 Drainage

3.1.5 Landscaping

3.1.6 Biodiversity enhancement

3.2 Informatives (full text in appendix 1)

3.2.1 Proactive Statement

3.2.2 Nesting birds

4. Proposed development, site and surroundings

4.1 Details of proposal

It is proposed to retain and continue the erection of a single garage within the front garden of the dwelling. It lies about 9m north west of the dwelling and is roughly in line with the corner point of Barn Cottage, which sits end onto the access, and is aligned with the front of the neighbour's side extension, at no. 10 to the west. It sits slightly back from the building line of dwellings in this section of Combeland Road. It is also proposed to retain a widened access of 800mm, which has been created by the removal of a stone pier of 1.55m in height along the roadside elevation and making good the end of the wall. The driveway surface will be made good to match the existing concrete and an area of hardstanding has been formed using gravel.

The garage will have a dual-pitched roof with a ridge height of 3.4m and an eaves height of 2.5m. It will have a depth of 6m and a width of 4.7m and will be constructed in waney edge timber cladding (timber boards which are designed to be fitted horizontally and overlap each other) painted black under a light green corrugated metal sheet roof. Concerns were expressed with the timber cladding being painted black which would increase its visual impact and the metal sheet roof was requested to be replaced with natural slate or clay tiles which are both characteristic of the conservation area. Amended plans were therefore submitted for natural timber cladding to be used and left to weather and for Double Roman tiles to be used for the roof to match those on the dwelling.

4.2 Sites and surroundings

Barn Cottage is a semi-detached two and a half-storey linear sandstone dwelling under a Double Roman clay tiled roof with timber windows. It is situated within the Alcombe Conservation Area.

5. Planning (and enforcement) history

Reference	Description	Decision	Date
3/21/15/033	Erection of single storey extension	Grant	5 May 2015

6. Environmental Impact Assessment

Not applicable.

7. Habitats Regulations Assessment

The site is outside the catchment area for the Somerset Levels and Moors Ramsar site.

8. Consultation and Representations

Statutory consultees (the submitted comments are available in full on the Council's website).

8.1 Date of consultation: 30 November 2022

8.2 Date of revised consultation (if applicable):

8.3 Press Date: 08 December 2022

8.4 Site Notice Date: 5 December 2022

8.5 Statutory Consultees the following were consulted:

Consultee	Comment	Officer Comment
Minehead Town Council	The Committee object due to the detrimental impact on visual amenity of neighbouring properties and the Conservation Area.	
Highways Development Control	Standing Advice.	Parking provision and drainage are addressed under 4.1.4.

8.6 Internal Consultees the following were consulted:

Consultee	Comment	Officer comment
Conservation Officer	The proposed garage will form a visual change to the setting of this element of the Conservation Area and the pair of listed cottages (The Heritage and The Lodge). However, the position of the proposed	Addressed under 10.1.4

	<p>garage fits in with the grain of the development within the Conservation Area, where development is a mixture of street frontage and set back elements. The amended materials are sympathetic to the context of the position of the proposed garage, matching the surrounding buildings and blending in with the verdant element of the character of the Conservation Area.</p> <p>Therefore, the proposal is not considered to harmful to the setting of the Conservation Area or the pair of listed cottages.</p>	
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8.7 Local representations

Neighbour notification letters were sent in accordance with the Councils Adopted Statement of Community Involvement.

Seven letters have been received in respect of the proposal, as originally submitted, making the following comments (summarised):

Material Planning Considerations	
Objections	Officer Comment
Not compatible with the preservation or enhancement of the architectural and historic character of the Conservation Area in terms of scale, proportion, architectural quality and local features.	Addressed within report - 10.1.4 and 10.2.
The garage detracts from the setting of other historic cottages in Combeland Road, the surrounding area and Barn Cottage itself.	Addressed within report under 10.1.4 and 10.2.
A grassed area within the garden has been replaced with an extensive area of hardstanding and a building which is out of scale and character, which dwarves the C17th cottages opposite.	Addressed within report under 10.1.4 and 10.2.

A black painted structure will make it very visible and out of character with the area.	Proposed walling and roofing materials have been amended. This is addressed under 10.1.2 and 10.1.4.
The modern design and external materials are not appropriate and contrast strongly with the stone built cottages and agricultural buildings in the immediate area, which generally pre-date 1840.	Proposed walling and roofing materials have been amended. Addressed under 10.1.2 and 10.1.4.
The floor area and height of the garage are in excess of that necessary for a single garage and being painted black will make it very visible and out of character with the area. It will be clearly visible from the highway, especially from the SE approach as the garden is substantially higher than the road level.	Proposed walling and roofing materials have been amended. Addressed under 10.1.2 and 10.1.4.
The hedge has been decimated so no longer sufficiently screens the garden. This should be re-established for screening and to provide a wildlife habitat.	Addressed under 10.1.6 and 10.1.7.
The cottages opposite are prone to flooding. They are approximately 1m lower than the garden at Barn Cottage and have regularly flooded and continue to do so. In times of heavy rainwater collects in the road. Extensive hardcore will exacerbate this issue, causing increased run-off of water into the road. The widening of the access may also contribute to greater run-off.	Addressed under 10.1.3.
A garage, reduced in size and height, would be better placed at the back corner of the garden beside the far shed and well away from the road where it would be less visible and less intrusive. There are also ample parking spaces within the boundary of the garden.	The applicant wishes for the current proposal to be considered rather than an alternative.
The structure blocks the outlook from the opposite cottages.	Addressed under 10.1.5.
Support	Officer comment
The boundary wall has been sensitively repaired using traditional techniques and materials.	

8.7.1 Summary of objections - non planning matters

8.7.1.1 The structure obscures the view of the landscape and horizon.

9. Relevant planning policies and Guidance

Section 70(2) of the Town and Country Planning Act 1990, as amended ("the 1990 Act), requires that in determining any planning applications regard is to be had to the provisions of the Development Plan, so far as is material to the application and to any other material planning considerations Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) ("the 2004 Act") requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The site lies in the former West Somerset area. The Development Plan comprises the Adopted West Somerset Local Plan to 2032, Somerset Mineral Local Plan (2015), and Somerset Waste Core Strategy (2013).

Both the Taunton Deane Core Strategy and the West Somerset Local Plan to 2032 were subject to review and the Council undertook public consultation in January 2020 on the Council's issues and options for a new Local Plan covering the whole District. Since then the Government has agreed proposals for local government reorganisation and a Structural Change Order agreed with a new unitary authority for Somerset to be created from 1 April 2023. The Structural Change Order requires the new Somerset authority to prepare a local plan within 5 years of vesting day.

Relevant policies of the West Somerset Local Plan to 2032 in the assessment of this application are listed below:

BD/3	Conversions, Alterations and, Extensions
NH1	Historic Environment
NH2	Management of Heritage Assets

Neighbourhood Plans:

There is no neighbourhood plan for Minehead

Supplementary Planning Documents:

District Wide Design Guide, December 2021

Other relevant policy documents:

Somerset West and Taunton Council's Climate Positive Planning: Interim Guidance Statement on Planning for the Climate Emergency (March 2022)

9.1 National Planning Policy Framework
Chapter 16 applies.

10. Material Planning Considerations

The main planning issues relevant in the assessment of this application are as follows:

10.1.1 The principle of development

Policy NH1 of the West Somerset Local Plan to 2032 states that 'proposals will be supported where the historic environment and heritage assets and their settings are sustained and/or enhanced in line with their interest and significance' and policy NH2C states that 'Development proposals that affect a conservation area should preserve or enhance its character or appearance, especially those elements identified in any conservation area appraisal'.

It is considered that due to the position of the garage fitting in with the existing building line, it will blend into the character of the conservation area, which is mainly characterised by buildings abutting or just set back from the roadside, with few areas of open space. The low height of the garage, together with the amended materials of natural timber cladding left to weather and a Double Roman clay tiled roof plus a landscaping condition for further hedge planting above the boundary wall will ensure that it is not overly dominant and does not appear obtrusive within the street scene. The proposal will thus be easily assimilated into the locality and will preserve the character and appearance of the Conservation Area

10.1.2 Design of the proposal

The garage is relatively large in length and width but the shallow pitch of the roof will ensure that it does not look incongruous or over dominant in its location, whilst the natural timber clad walls being left to weather will reduce its visual impact and the Double Roman tiles will match those on the host dwelling and on neighbouring buildings to the south. A condition will be added if permission is granted in respect of the materials including the Double Roman tiles to be clay.

10.1.3 Access, Highway Safety and Parking Provision

An Aco drain is shown at the highway abutment on the amended plans, which will discharge to an onsite soakaway. At present the concrete driveway runs down to the highway with no drainage. The Aco drain will therefore help to prevent surface water running onto the highway and will be secured to be retained by condition. It is also noted that although not as permeable as a lawn the hardstanding replacing the grass consists of gravel which has qualities of permeability. The proposal should therefore not exacerbate the existing situation.

The garage will have internal length of about 5.75m and an internal width of about 4.6m. Highways Standing Advice state that a single garage should have internal dimensions of 6m x 3m. Whilst the width exceeds that laid down in Standing Advice, the length does not reach the required 6m. The garage length has been confirmed as being suitable for the applicant's car, and although future occupiers may have different sized cars, as small modern vehicles of about 3.7m in length are becoming increasingly popular it is considered that the garage will retain its useability for some years to come. In addition, the length of the garage needs to be considered not only from a highway point of view but from an aesthetic perspective and in the latter regard it would be more desirable for the length not to be increased.

10.1.4 The impact on the character and appearance of the locality and on heritage

Barn Cottage is within Alcombe Conservation Area and the site of the garage is about 28m south-east of The Lodge and The Hermitage, which are grade II listed buildings.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that where an area is designated a conservation area 'special attention shall be paid to the desirability of preserving or enhancing the character and appearance of the area', whilst Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that with development which affects a listed building or its setting, the local authority 'shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest that it possesses.

The garage is situated on higher land than the public highway and the terraced cottages to the north, but it is set back from the boundary and in line with the 1.5 storey element of no. 10 to the west so it will not look out of place or overly prominent. Its proposed Double Roman style roofing material will enable it to blend in with the roofscape to the east and south, whilst the use of clay tiles will sit well with the plain clay tiled roofs at no. 10. Also, the boundary wall with additional hedgerow planting above the wall (see 10.1.6 below), will screen the bulk of the garage from view from the north and west, so that only the roof is showing. The structure will be most visible from the south-easterly direction due to the angled open vehicular access, but due to its low height and appropriate materials, as amended, and its set-in position from the entrance to the site, it is considered that there will be no harsh impact within the street scene.

The Conservation Area Appraisal states that the boundary of Alcombe Conservation Area was drawn to encompass the traditional groups of buildings that give Alcombe its distinctive village character. Due to its position, amended materials and the landscaped screening of the garage, as the Conservation Officer, has commented, it will be easily assimilated into the mixture of buildings within this part of the Conservation Area and as such the character and appearance of the conservation area will be preserved.

The importance of the streams, stone walling and planting were all recognised within the Conservation Area Appraisal. Regrettably, a stone pier has been lost as part of the development, but as the stone boundary wall has been made good by a skilled stonemason it is considered that the conservation area has been preserved.

As the garage will blend into the character of the area in terms of scale, position and materials and will be partly hidden from view from the listed buildings, it is considered that there will be no harmful impact on their setting.

10.1.5 The impact on neighbouring residential amenity

It is considered that there will be limited impact on neighbours as extra planting will be conditioned to further screen the garage and as it is set back from the boundary wall and a minimum of about 11.5m from the cottages opposite it will not create an overbearing impact on these neighbours or reduce their outlook. The installation of

drainage will help to prevent any exacerbation in the flooding situation to the cottages, which the garage and removal of lawn may contribute to.

10.1.6 The impact on trees and landscaping

The row of hedging above the wall has been reduced/thinned, but further hedge planting on the wall is proposed. This will be conditioned to soften and screen the bulk of the proposed garage.

10.1.7 The impact on ecology and biodiversity

The application is partly retrospective so the land has already been prepared for the garage, in that part of the domestic, maintained lawn has been removed and the area for the garage gravelled. Irrespective of this a maintained domestic lawn is unlikely to sustain habitats for wildlife. Some hedging has been removed from the wall, which reduces the planting available for wildlife, but further planting is proposed and will be conditioned, which will create future habitats.

An informative to protect any nesting birds in the existing vegetation will be added to the permission if granted, together with a condition in respect of biodiversity enhancement.

10.1.8 Flood risk and energy efficiency

Although not in a flood risk area, due to the higher level of the garage in relation to the cottages opposite and the propensity for flooding in the area, the proposed Aco drain will be conditioned to be retained (as under 10.1.4) to ensure that surface water does not run onto the highway.

A climate emergency checklist has been submitted which states that where possible local materials will be sourced to avoid excess travel for material deliveries and all timber proposed for the construction will come from sustainably managed forests such as FSC certified wood. The proposal will thus contribute to sustainability.

11 Local Finance Considerations

11.1 Community Infrastructure Levy

CIL does not apply in the former West Somerset Council area.

12 Planning balance and conclusion

12.1 The proposed development, due to the position, scale and materials of the garage, with landscaping to be conditioned to screen the bulk of the proposed building, will ensure that the Conservation Area and listed buildings are not harmed and as such the proposals comply with policies BD/3, NH1 and NH2.

12.2 For the reasons set out above, having regard to all the matters raised, it is therefore recommended that planning permission is granted subject to conditions.

In preparing this report the planning officer has considered fully the implications and requirements of the Human Rights Act 1998 and the Equality Act 2010.

Appendix 1 – Planning conditions and Informatives/ Reason/s for refusal Recommended Conditions

- 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:

(A3) DrNo 2711/200 Proposed Site Plans
(A1) DrNo 2711/201A Proposed Floor Plans
(A1) DrNo 2711/202A Proposed Elevations

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

- 3 The walling material of the hereby approved garage shall be natural wany edge timber cladding left to weather and the roofing material shall be brown Double Roman clay tiles to match the existing roof of the dwelling, and thereafter retained as such.

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

- 4 An Aco drain shall be installed at the highway abutment, leading to a soakaway within the curtilage, as per drawing no. 2711/201A, and thereafter retained.

Reason: In the interests of highway safety and flood risk.

- 5 A landscaping scheme for the west and south boundaries above the stone wall shall be submitted to and approved in writing by the local Planning Authority prior to such a scheme being implemented. The scheme shall include details of the species, siting and numbers to be planted.

(ii) The scheme shall be completely carried out within the first available planting season (1 October to 31 March) from the date of completion of the development. Written confirmation of the completion of the landscaping scheme shall be submitted to the Local Planning Authority.

(iii) For a period of five years after the completion of each landscaping scheme, the trees and shrubs shall be protected and maintained in a healthy weed free condition and any trees or shrubs that cease to grow or are uprooted shall be replaced by trees or shrubs of similar size and species.

Reason: To ensure that the proposed development does not harm the character and appearance of the area.

6 The following will be integrated:

- One bird box shall be added to the north elevation of the hereby approved garage, or to an existing outbuilding within the garden, with the box placed as high as possible to the eaves within one month of the completion of the development.
- A bee or insect hotel shall be erected within the garden within one month of the completion of the development. Please note bee bricks attract solitary bees which do not sting.

Photographs of the installed features will be submitted to the Local Planning Authority within one month of the completion of the development.

Reason: In accordance with Government policy for the enhancement of biodiversity within development as set out in paragraph 174(d) of the National Planning Policy Framework and in accordance with West Somerset Local Plan to 2032: Policy NH6: nature conservation and the protection and enhancement of biodiversity.

Notes to applicant.

- 1 In accordance with paragraph 38 of the National Planning Policy Framework 2021 the Council has worked in a positive and creative way with the applicant and has negotiated amendments to the application to enable the grant of planning permission.
- 2 The developers are reminded of the legal protection afforded to nesting birds under the Wildlife and Countryside Act 1981 (as amended). In the unlikely event that nesting birds are encountered during implementation of this permission it is recommended that works stop until the young have fledged or then advice is sought from a suitably qualified and experienced ecologist at the earliest possible opportunity.