

**PLANNING, HERITAGE, TREE, DESIGN AND ACCESS STATEMENT RELATING TO THE  
APPLICATION FOR THE INSTALLATION OF RAISED DECKING AND A COVERED PERGOLA**

**AT 1 CHARLTON ROAD, SHEPTON MALLET BA4 5PE**

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Supporting submission on behalf of the Applicants,  
Mr and Mrs Smith

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**Salmon Planning Company**

**Date:** October 2023

**Reference:** PL.5061

**1.0 The background and description of the site**

- 1.1 1 Charlton Road is a detached dwelling located at the corner of Charlton Road and Frithfield Lane. The dwelling is not Listed but lies within the Shepton Mallet Conservation Area – the Conservation Area does not however include the properties to the west, nor to south of the Application site. None of the other nearby properties in Charlton Road are Listed either, but the perimeter wall of the former prison, 70 m to the north, is Grade II (the principal prison buildings are Grade II\* Listed).
- 1.2 1 Charlton Road was built in the 1920s. The dwelling is two storeys with a pair of symmetrical gables facing towards Charlton Road and on the south-east elevation is a projecting bay. The house is constructed in smooth ashlar stone under a clay tiled roof, and it has UPVC windows. The house is bounded on the two road frontages by a natural stone wall which becomes taller in height on the Frithfield Lane frontage.
- 1.3 The area to the north-east of the dwelling is subject of Tree Preservation Order confirmed in 1995 (reference M1169).
- 1.4 The Applicants purchased the property in 2023 and prior to their ownership planning permission was granted (ref. 2019/1516/FUL) for the change of use of the dwelling to a state registered nursery and preschool, including extensions and alterations, and the use of the adjacent land for access and parking. This development was not implemented however, and the property was retained in residential use and sold to the Applicants as a private house. Planning permission was subsequently granted for the erection of a new pre-school building on land to the east (2023/03338/FUL).

## 2.0 **The proposal**

2.1 This application seeks planning permission to erect raised decking on the south-east (side) and north-east (rear) elevation of the dwelling. The decking on these two elevations is covered by a timber pergola type structure, the pergola is open sided but will have a covered roof for most of its length (save for the section by the bay window which will not be roofed over and will be left as an 'open' structure around which plants will be grown). The covered sections of the roof will be formed using clear plastic sheeting.

2.2 The decking structure has been built already, alongside the roof structure (though it is not yet covered, nor fully complete). The Applicants were not aware of the need for planning permission prior to commencing these works and so they are making this application to regularise the situation (and in order to complete the development).



**Image 1 and 2: the decking and pergola structure that has been completed to date.**

### **3.0 Planning Policy Considerations**

3.1 Planning law requires proposals to be determined in accordance with the Development Plan unless material considerations indicate otherwise. Notwithstanding the formation of the unitary Somerset Council the Development Plan here comprises the Mendip District Local Plan Part 1 (adopted December 2014).

3.2 Development Policy 3 deals with heritage matters. It says proposals and initiatives will be supported which preserve and, where appropriate, enhance the significance and setting of the district's Heritage Assets, whether statutorily or locally identified, especially those elements which contribute to the distinct identity of Mendip. It goes on to say that proposals affecting a Heritage Asset in Mendip will be required to:

*a) Demonstrate an understanding of the significance of the Heritage Asset and/or its setting by describing it in sufficient detail to determine its historic, archaeological, architectural or artistic interest to a level proportionate with its importance.*

*b) Justify any harm to a Heritage Asset and demonstrate the overriding public benefits which would outweigh the damage to that Asset or its setting. The greater the harm to the significance of the Heritage Asset, the greater justification and public benefit that will be required before the application could gain support.*

3.3 Development Policy 7 relates to the design and amenity of development. It requires, inter alia, new development is of a scale mass, form and layout appropriate to the local context. The policy also requires that development should protect the amenity of users of neighbouring buildings and land uses.

#### Other material considerations

3.4 The document titled 'Shepton Mallet Conservation Area Character Appraisal and Management Proposals' (no date given) describes the town and provides details of five-character areas that lie within it.

#### 4.0 **Case for granting planning permission**

(i) *Impact on the character and appearance of the Conservation Area*

4.1 In September 2020 planning permission (ref. 2019/1516/FUL) was granted to convert 1 Charlton Road into a children's nursery, the approved development also included the provision of an area of new decking (amongst other approved works, including an extension).



**Figure 1: extract from the approved elevations for application 2019/1516/FUL showing the raised decking consented on the south-east elevation of the building (drawings by Collier Reading Architects).**

4.2 The Council considered that the decking approved in 2020 caused no harm to the character and appearance of the area and that same analysis applies now<sup>i</sup>, notwithstanding that the proposed decking also now wraps around the (north-east) rear elevation of the house. In short, given the scale, height, and layout of the decking it would cause no harm to the Conservation Area.

4.3 The pergola is a simple open sided structure constructed with timber posts and trusses which form a shallow pitched 'lean-to' roof, the latter is proposed to be (mostly) covered in slim profile, clear perspex sheeting. The lightweight, open-sided pergola structure would not materially harm the character and appearance of the area either.

<sup>i</sup> The planning policy context against which application 2019/1516/FUL was assessed, with regards to the character and appearance of the Conservation Area in particular, has not changed since approval was granted in 2020.

4.4 In summary, the design, scale, and layout of the development would be appropriate to its local context and the scheme therefore accords with Development Policy 7. The proposal would also preserve the character and appearance of the Conservation Area in accordance with Development Policy 3.

(ii) Impact on amenity

4.5 The only reasonably near neighbour to the application site is 23 Paul Street which lies to the west, on the opposite side of Frithfield Lane.

4.6 23 Paul Street has a garage building and driveway bounding Frithfield Lane and the screening effect of the garage, combined with the distance to the deck area on the rear of 1 Charlton Road, means that there is no adverse overlooking of the garden of this neighbouring property. The development is also sufficiently far away, and of such a modest scale, to prevent any loss of light, or any material adverse effects with regards to overbearing or loss of outlook.

4.7 The development would accord with policy DP7 1 (b) of the adopted Local Plan in terms of its effect on amenity.

(iii) Highway safety

4.8 The existing vehicular access and parking arrangements serving the dwelling would not be affected by the proposed development.

(iv) Trees

4.9 The land to the north-east (rear) of the dwelling is subject of a tree preservation order which covers the extensive tree planting in what is the rear garden of the property. However, the decking on the rear elevation of the house was constructed on top of what was a pre-existing perimeter concrete path and so it has no material effect on the nearest trees.



**Image 3: the construction of the decking on the north-east elevation of the dwelling showing the timber posts bolted to the pre-existing concrete path.**

4.10 In respect of the decking on the south-east elevation, it is in the same location as was approved in 2020 (2019/1516/FUL) and it equally has no material adverse impact on trees.

**5.0 Summary and conclusion**

- 5.1 The proposed decking is similar in character, layout, and scale to that previously approved in 2020. The pergola element is an open-sided, lightweight structure that is modest in scale and would preserve the character and appearance of the property and wider Conservation Area.
- 5.2 The proposed development would not have a materially harmful effect on neighbour amenity, highway safety or trees.
- 5.3 There are no adverse impacts arising from the development and, as it accords with the relevant policies of the Development Plan, the Council is respectfully requested to grant planning permission.