

07/2005/003

MR & MRS M SPILLER AND MR & MRS J W SPILLER

**DEMOLISH DWELLING AND ERECT TWO DWELLINGS AT COSY NOOK,  
BRADFORD ON TONE AS AMPLIFIED BY AGENTS LETTER DATED 17TH MARCH,  
2005**

17252/22401

OUTLINE APPLICATION

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## **PROPOSAL**

The proposal comprises the erection of two dwellings in the garden area of the property known as Cosy Nook that is proposed to be demolished and the curtilage split in two. Matters relating to siting, design, external appearance and landscaping are reserved for future consideration. The site area measures 1360 sq m giving a residential curtilage area of 680 sq m per dwelling. Each plot runs west to east from the frontage with the highway and is 10 m wide for the majority of the plot. Each plot doglegs south on the western end of the site where each plot widens to form the rear garden areas. The submitted plan shows two dwellings with rear gable projections situated on the western side of the site and two detached garages adjacent to the highway with two separate accesses.

In response to objections received from the Parish Council and neighbouring properties the agent has reiterated that the drawing 1300300/1A is an illustrative plan only showing the positions of dwellings, garage blocks etc. The only matter which is not reserved for subsequent approval is the means of access. The agent also confirms that there is no objection to the use of a landscaping condition to overcome the concerns of the Landscape Officer.

## **CONSULTATIONS AND REPRESENTATIONS**

COUNTY HIGHWAY AUTHORITY comments awaited, however during pre-application discussions a 2 m visibility splay set back from the highway was recommended across the whole frontage of the site. COUNTY ARCHAEOLOGIST no objections. WESSEX WATER no objections.

LANDSCAPE OFFICER concern regarding the proposed garages at the front of the sites and limited landscape mitigation proposals. DRAINAGE OFFICER no objections. Recommend an advisory note re surface water discharge to soakaways. BUILDING CONTROL OFFICER no objections. A demolition notice should be submitted 6 weeks before demolition of Cosy Nook.

PARISH COUNCIL objections raised on the grounds that the proposal constitutes overdevelopment of the site in a rural area.

TWO LETTERS OF OBJECTION have been received raising the following issues:- concern regarding the density of the development in relation to neighbouring houses; small and awkwardly shaped back gardens; Stonycroft itself is similarly deprived behind

it; it appears that house B does not have the same restriction as A in that first floor windows can overlook the pool area of Barn Tu; it is unclear where the building line is and the double garages close to the new pavement would spoil the street picture; trees should be protected during construction; a single dwelling with garage alongside; with a straight boundary between it and Stoneycroft and place it nearer the site of Cosy Nook; no first floor windows should be allowed; if approval is given there should be a requirement to remove 4 evergreen trees near the boundary of Barn Tu as they are a threat to the stability of Barn Tu and to the proposed new dwellings; the opportunity to provide safer access should be taken.

## **POLICY CONTEXT**

Taunton Deane Local Plan Revised Deposit Policies S1 and S2, (safeguard visual and residential amenity), Policy H1 (housing) and Policy M3a (access and parking standards).

## **ASSESSMENT**

The site is located within the defined settlement limits of Bradford on Tone and therefore there is a presumption in favour of development unless material considerations indicate otherwise. The dwellings and garages shown are for illustrative purposes only and the granting of this permission would not bind the development to the positions shown. The accesses are to be considered in the determination of this application.

The overall area of the existing garden to be assigned as residential curtilage for each new dwelling is 680 sq m. Concern has been raised that two dwellings would overdevelop the site, however in planning terms it is considered that a dwelling could be comfortably accommodated on each plot, affording an appropriate area of amenity/garden area for any future occupants. Indeed, a recently approved dwelling to the north of the site between Little Barn and Stonewold had a site area of 518 sq m. North of the latter site there are many properties with smaller still curtilages. Using the minimum density guidance from PPG3 of 30 dwellings per hectare, the site should accommodate 4 dwellings. PPG3, however does describe that the character of the area should be maintained and it is considered that the linear form of the proposed development is in-keeping with the built form of the area. The proposed dwellings show a more logical continuation of the built form of development between Barn Tu and Stoneycroft, whereas the existing property Cosy Nook could be considered forward of the established building line of the area. It is therefore considered that the site is suitable for two dwellings. It is considered that the dwellings should be one and half storey construction in order to respect the character of dwellings in the vicinity.

Furthermore, it is considered that the dwellings could be sited such that they would not cause a detrimental loss of amenity to the neighbouring properties. No first floor windows in the north and south elevations of dwelling A and B respectively should be

allowed as they would overlook the neighbouring properties and therefore appropriate conditions are proposed. There would also appear to be sufficient distance between neighbouring properties so as not to cause an overbearing affect. The south elevation of Barn Tu incorporates an integral garage and therefore no windows in the neighbouring property would face the proposed dwellings. It is also considered that there is sufficient distance between dwelling B and Stoneycroft not to cause an overbearing affect. The proposal would therefore not appear to result in any detrimental loss of residential amenity.

Further concern has been raised with regard to the location of the garages. It is agreed that garages as shown on the plan would be visually undesirable within the street scene that is characterised by properties set back from the highway with no outbuildings adjacent to the highway. The Landscape Officer has also raised objections to these positions. The drawing however as described above is for indicative purposes only. However a note is proposed advising the applicants that the future detailed application should not include garages in the positions shown.

The recommendations of the Highway Authority that were given prior to the formal submission of the application appear to have been adhered to, i.e. a 2m visibility splay set back from the highway was recommended across the whole frontage of the site. The accesses would therefore appear to provide improved and adequate access, however the formal comment from the Highway Authority is awaited.

The proposed visibility splay would require the trimming back of the road frontage hedge. The Landscape Officer does not consider that this would detrimentally affect the street scene as a significant proportion of the hedge would remain and additional landscaping would include the replanting behind the splay. The Landscape Officer also comments that the landscaping shown on the plan is limited, however a landscaping condition is proposed to rectify this issue as this matter is reserved for future consideration. The landscaping plan could also include the protection of trees during construction and the request to remove the 4 evergreen trees from one of the neighbours.

## **RECOMMENDATION**

Subject to no adverse comments from the County Highway Authority, the Development Control Manager in consultation with the Chair/Vice Chair be authorised to determine and permission be GRANTED subject to conditions of time limit, detailed plans, materials, landscaping, boundary treatments, services located underground, surface water details, no further windows, no extensions, no outbuildings forward of the dwellings and limitation to one and a half storey construction. Notes re connection to Wessex Water infrastructure, energy and water conservation, advice regarding details of the future siting of garages and that the approved plan does not bind the development to the positions shown.

REASON(S) FOR RECOMMENDATION:- The proposal, for residential development, is located within defined settlement limits where new housing is encouraged. The proposed access would be satisfactory and the development would not have a

detrimental impact upon visual amenity, residential amenity or the character and appearance of the Conservation Area and is therefore considered acceptable. Therefore, the scheme accords with Taunton Deane Local Plan Policies S1, S2, H1, EN15 and M3a (Revised Deposit numbering).

**In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1998.**

**CONTACT OFFICER: 356586 MR R UPTON**

NOTES: