

05/13/0025

MRS A DENNETT

ERECTION OF DETACHED DWELLING WITH ASSOCIATED ACCESS ON GARDEN LAND TO THE NORTH OF UPLANDS, BISHOPS HULL ROAD, BISHOPS HULL

Grid Reference: 320304.124577

Full Planning Permission

RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval

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

(A3) DrNo 1473/13/6 Block Plan (received 2 August 2013)

(A3) DrNo 1473/13/2 Iss 5 Elevations

(A3) DrNo 1473/13/1 Iss 6 Ground and First Floor Plans

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

3. The dwelling hereby permitted shall not be occupied until the access, turning and parking spaces have been fully provided within the site in accordance with approved drawing no. 1473/13/6. The access, parking and turning areas shall be hardsurfaced (not loose stone or gravel) and provision shall be made within the site for the disposal of surface water within the site so as to prevent its discharge onto the highway. Once provided, the access, parking and turning areas shall thereafter be maintained in perpetuity.

Reason: In the interests of highway safety in accordance with Taunton Deane Core Strategy Policy DM1.

4. There shall be no obstruction to visibility greater than 900 mm above adjoining road level forward of a line 2.4 m back and for a distance of 25 metres to the South, as provided on approved drawing no. 1473/13/6. Such visibility shall be

fully provided before the dwelling hereby permitted is first occupied and shall thereafter be maintained in perpetuity.

Reason: In the interests of highway safety in accordance with Taunton Deane Core Strategy Policy DM1.

5. The boundary treatment shown on drawing 1473/13/6 shall be completed before the dwelling is first occupied and shall thereafter be maintained as such and thereafter shall not be increased in height above that shown on the approved drawing.

Reason: To ensure that the proposed development does not harm the character and appearance of the area or neighbouring amenity in accordance with Policy DM1 of the Taunton Deane Core Strategy.

6.
 - (i) Prior to its implementation a landscaping scheme, which shall include details of the species, siting and numbers to be planted, shall be submitted to and approved in writing by the Local Planning Authority.
 - (ii) The scheme shall be completely carried out within the first available planting season from the date of commencement of the development, or as otherwise extended with the agreement in writing of 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 shall be replaced by trees or shrubs of similar size and species, or the appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not harm the character and appearance of the area in accordance with Policy DM1 of the Taunton Deane Core Strategy.

7. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 ("the 1995 Order") (or any order revoking and re-enacting the 1995 Order with or without modification), there shall be no addition or extension to the dwelling (including the insertion of dormer windows) unless an application for planning permission in that behalf is first submitted to and approved by the Local Planning Authority.

Reason: The Local Planning Authority is not satisfied that the dwelling could be extended without detriment to the amenities of the area or the existing dwelling given the layout of the site in accordance with retained Taunton Deane Local Plan Policy H17 and Core Strategy Policy DM1.

8. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 ("the 1995 Order") (or any order revoking and re-enacting the 1995 Order with or without modification), there shall be no further building, structure or other enclosure constructed or placed

on the site unless an application for planning permission in that behalf is first submitted to and approved by the Local Planning Authority.

Reason: The Local Planning Authority consider that any further development on the site may prejudice a satisfactory layout, and the amenities of the area given the layout of the site which would be in conflict with Taunton Deane Core Strategy Policy DM1.

9. The development shall provide for covered and secure storage facilities for a minimum of three bicycles, details of which shall be submitted to and approved in writing prior to implementation. Such facilities shall be provided prior to the occupation of the dwelling hereby permitted and shall thereafter be retained for those purposes.

Reason: To ensure that adequate facilities are included for the storage of cycles, in accordance with retained policy M4 of the Taunton Deane Local Plan and Policies DM1 and CP6 of the Taunton Deane Core Strategy

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 and has imposed planning conditions to enable the grant of planning permission.
2. New water supply and waste water connections will be required from Wessex Water to serve this development. Application forms and guidance information is available from the Developer Services web-page at www.wessexwater.co.uk/developerservices. As from 1st October 2011, all sewer connections serving more than a single dwelling will require a signed adoption agreement with Wessex Water before the connection can be made. Further information can be obtained from our New Connections Team by telephoning 01225 526222 for Water Supply and 01225 526333 for Waste Water.
3. Any soakaways should be constructed in accordance with Building Research Digest 365 (September 1991).
4. Your attention is drawn to the presence of the wall to the Northern site boundary. This wall is understood to be Listed as a curtilage structure/feature associated with the Former United Reformed Church. Appropriate on site management of works, particularly excavation works should be ensured during all phased of construction so not to undermine the stability of this wall. Any damage caused to this wall is likely to require remedial works that should first be discussed with the Council's Conservation Officer.

PROPOSAL

The application seeks planning permission for the formation of access and erection of a detached two storey dwelling to the North of Uplands, Bishops Hull.

The proposed dwelling will be finished predominantly in facing bricks, interlocking double roman roof tiles and wood effect uPVC fenestration. The proposal is for accommodation amounting to a lounge, dining room, kitchen, utility and study at ground floor with four bedrooms and two bathrooms at first floor level. An integral garage is also proposed.

The proposed dwelling will have a depth and breadth of 13m and 11.6m respectively. The dwelling will have a varying roofscape, combining a traditional gabled design and incorporating a dormer window within the East elevation. The height of the building will be a maximum of 5m and 7.9m to eaves and ridge respectively.

A modest private amenity space will be provided to the West of the dwelling with open garden, parking and turning area to the East. New access to the property will be formed within the Eastern boundary through an existing low level brick wall.

SITE DESCRIPTION AND HISTORY

The application site is located within the residential curtilage of Uplands, a detached bungalow located to the West of Bishops Hull Road and within the settlement limit of Bishops Hull. The application site comprises maintained gardens with domestic planting and lawn areas. To the North the site is bound by a 3 metre high wall, considered to be a listed structure virtue of its historic relationship to the neighbouring chapel. To the East along the roadside boundary the site is bound by a low 900mm high brick wall. Uplands is located to the South whilst a former church is to the North; West of the site is a large scale housing development and private land.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

BISHOPS HULL PARISH COUNCIL - The Parish Council objects to this application.

The principle of a dwelling on the site is considered acceptable, but the Parish Council has concerns with regard to the size and form of the proposed dwelling.

The site is adjacent to a single storey bungalow and it is far too large, height wise, for such a close relationship.

The site is too small for the footprint and bulk of a large 4 bedroom dwelling as proposed, giving the impression of it being 'shoehorned in'. It is also in very close proximity to the adjacent listed wall (wall to former vegetable garden of Bishops Hull House) - the views of the conservation officer should be sought on this (if permission is granted, could an advisory note be placed on the certificate to ensure that the wall is not undermined by the building works) and the impact on the setting of the former URC chapel, both from Bishops Hull Road and the area to the west of the new development, which is to become a public open space area.

SCC - TRANSPORT DEVELOPMENT GROUP - The proposed development is

situated within a residential area of Taunton within development limits therefore the principle of development is acceptable in this location.

The proposal is situated along Bishops Hull Road a designated unclassified road to which a 20mph speed limit applies. It was observed at the time of my site visit that vehicle movements and traffic speeds were low in this location.

In detail the development seeks to erect a residential dwelling house and the creation of a new access with parking area. Firstly it should be noted that Drawing No. 1473/13/6 details that the existing property known as 'Uplands' is served by a new vehicular access.

Referring to TRICS database the estimated vehicle movements for a single residential unit are approximately 6-8 movements per day. It is noted that there will be increase in vehicle movements along Bishops Hull Road, however, the Highway Authority consider that the surrounding highway network can accommodate the traffic levels that are likely to be generated by the development.

Vehicle Access - Existing Property: Drawing No. 1473/13/6 indicates that the existing property is to be served by a new vehicular access (within the applicants blue-line drawings). The existing property is provided with an existing access to the South of the site, which is considered acceptable in terms of vehicular visibility for vehicles emerging onto Bishops Hull Road. I do not consider it necessary to provide a new vehicle access for the existing property for the following reasons:

The existing access provides adequate visibility for the property known as 'Uplands', to which the proposed access does not.

The site at present is provided with vehicle turning and ample vehicle parking provision, enabling vehicles to exit onto the highway in a forward gear, to which it is considered that the proposed access does not.

As Bishops Hull Road is an unclassified highway, it is accepted that vehicle turning is not necessarily required. However, the resulting changes to the existing access will mean that vehicles are now provided with substandard visibility and insufficient area to manoeuvre off of the publicly maintained highway. Whilst the formation of an access maybe accepted under permitted development it is considered that the changes to the existing arrangement are detrimental to highway safety and that it should be brought to the attention of the planning officer.

Vehicle Access - Proposed Dwelling: The proposed access to serve the new dwelling provides insufficient visibility. Manual for Streets indicates that vehicular visibility for an allocated 20mph zone would require 'Y' coordinated of 25metres, measured along the nearside carriageway edge.

The Highway Authority take the view that any new access created in a location where a 20mph speed limit applies would be required to provide visibility splays of 2.4m x 25m. This is unachievable, as visibility to the South is over potentially third party land (albeit within the applicants blue line) and to the North less than half of the required splay, as indicated in Manual for Streets Section 7.5 and 7.6.

Additionally, it should be mentioned that the Highway Authority seek that any new access gates are set back a minimum distance of 5.0metres from the adopted

highway. This is to enable vehicles to pull clear from the highway whilst in operation, without becoming a hazard on the carriageway interrupting the free flow of traffic.

Internal Arrangements: Drawing No. 1473/13/6, details the internal site arrangements of the proposed dwelling. As mentioned previous vehicle turning onto an unclassified highway is not necessarily required, to which the submitted site layout does not incorporate. Bishops Hull has been identified as a 'Zone A' for vehicle parking provision.

The proposed four bedroomed dwelling is provided with the appropriate level of vehicle parking (one space within the garage and two in the parking area, which is likely to result in vehicles having to reverse out onto the publicly maintained highway to exist the site when at capacity.

Furthermore, as part of the Somerset County Council – Parking Strategy, new residential dwellings are required to provide cycle parking provision to promote sustainable modes of transport, based on one space per bedroom (therefore four). This has not been demonstrated as part of the proposal. However, there is scope within the site to accommodate this facility.

Conclusions: It is of the Highway Authority's opinion that the scheme would require the following amendments to be considered acceptable; the removal of the proposed access for the existing dwelling known as 'Uplands' and the retention of its existing access.

An area allocated to be kept clear from obstruction over land within control of the applicant (blue-line) set 2.4metres back from the carriageway edge and 2.0m above the adjacent carriageway level on the centre line of the access and extending to a point on the nearside carriageway edge along the site frontage to the South and North of the access.

Removal of the access gates from the scheme or set back the appropriate distance, preventing vehicles from waiting on the publicly adopted highway becoming an obstruction to all highway users.

If the amendments above are not forth coming it maybe considered appropriate to recommend refusal for the following reason:

The proposal is contrary to Policy DM1 of the Taunton Deane Core Strategy (adopted Sep 12) since the proposed access to the new dwelling does not incorporate the necessary visibility splays which are essential in the interests of highway safety.

HERITAGE - Verbally advised that proposals would not have any adverse impact upon the setting of the adjacent listed building. The existing bungalow has already resulted in an adverse impact and the proposals, being set back, will not give rise to any significant additional harm.

DRAINAGE ENGINEER - No objection. Note for soakaway construction recommended.

WESSEX WATER - No objection. Standard comments and notes to application provided.

Representations

5 letters of SUPPORT from local residents making the following planning related observations:

- Precedent has been set for new building with the Permission site directly behind Uplands and new builds within existing plots;
- There are many different designs in properties along Bishops Hull Road, from detached, terraced, two storey, bungalow, old and new, with homes built in a variety of plot sizes.
- The property will not look out of place;
- Living behind the property on the Kingslake Estate I see no reason why the proposal should not go ahead. It will not intrude on any ones view and am sure the listed wall has been taken into consideration in the design;
- Uplands is most affected by the recent new development. The plot would not be out of place in the village as houses have a varied range of styles;
- Given the size of the new housing development and its proximity, it cannot be said that the proposals are too large for the site;
- A clear precedent has been set with the Persimmon homes development regarding plot size to property ratio and this proposal falls within that ratio;
- The proposal does not affect any adjacent properties and does not have any visual impact with regard to street frontage; regarding height, again there is little visual impact as the proposal is set well back from adjacent properties and road frontage;

6 letters of OBJECTION from local residents making the following planning related observations:

- The proposed dwelling is far too large for the plot designated to it; a bungalow on such a plot might be acceptable;
- The dwelling is very close to the listed wall that marks the Conservation Area boundary; the proposal will impact on the setting of the adjacent Listed former URC Chapel;
- A two storey red brick house crammed into a space too small will be detrimental to the ambience of the Conservation Area which we ought to protect;
- The principle of a dwelling on the site is acceptable but concerned over the size of the proposals, being adjacent to a bungalow;
- The dwelling is squashed in and out of character with houses two metres away within the Conservation Area
- Being close to the bungalow Uplands, the dwelling size looks out of proportion; permission should be given for a single storey dwelling;
- Though recent housing has added nothing to the beauty of the area this should not be used as a reason to allow further deterioration of the environment;
- The proposal will lead to a loss of light and view to Laurel House, impinging upon amenity;
- The Listed boundary wall is in poor condition and excavation works are likely to destabilise the wall to an extent that it may collapse; if any collapse occurs the applicants should be made to rebuild using the old bricks and not new bricks or a

wooden fence with it being the Conservation Area boundary.

PLANNING POLICIES

CP6 - TD CORE STRATEGY - TRANSPORT AND ACCESSIBILITY,
SP1 - TD CORE STRATEGY SUSTAINABLE DEVELOPMENT LOCATIONS,
CP1 - TD CORE STRAT. CLIMATE CHANGE,
CP4 - TD CORE STRATEGY - HOUSING,
CP8 - CP 8 ENVIRONMENT,
NPPF - National Planning Policy Framework,
DM1 - TD CORE STRATEGY - GENERAL REQUIREMENTS,

LOCAL FINANCE CONSIDERATIONS

The development of this site would result in payment to the Council of the New Homes Bonus.

1 Year Payment

Taunton Deane Borough Council (Lower Tier Authority)	£1079
Somerset County Council (Upper Tier Authority)	£270

6 Year Payment

Taunton Deane Borough Council (Lower Tier Authority)	£2474
Somerset County Council (Upper Tier Authority)	£1619

DETERMINING ISSUES AND CONSIDERATIONS

The application site is within the settlement limit of Bishops Hull. The site is considered to be relatively sustainable and in such locations, Policies SP1 and CP4 of the Taunton Deane Core Strategy support the general principle of providing new residential development, inclusive of small infill plots. The proposed dwelling will be within a close proximity of Uplands and the United Reformed Church, the latter of which has had works undertaken in relation to planning permission for a change of use to a dwelling. The proposal is considered to be of a design and position within the site that will not materially harm residential amenity within the area.

Having regard to the above, the pertinent issues to consider are impact of the design scale and layout upon visual amenity, highway safety and the impact of the proposal upon the adjacent Conservation Area and Listed Building.

Applications for planning permission affecting a listed building or its setting must be determined in accordance with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. This requires that "In considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority...shall have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses".

Design Scale and Layout

The proposed dwelling will comprise a traditionally designed two storey building located on a plot of land between a bungalow to the South and a two storey former Church to the North; to the Southwest are two storey newly built dwellings. The area comprises a wide range of building design and finished materials. There are areas large estate development such as the new Persimmon development to the Southwest, whilst traditional properties can be found to the East of Bishops Hull Road.

The two closest properties, being Uplands and the former Taunton United Reform Church are more linear in form than the proposed dwelling. On close inspection, it can be seen that the proposed dwelling has taken the general design principles of Uplands and transformed this into a two storey building; the sloping roof and projecting gable are characteristics of Uplands as can be seen when viewed from the highway. There have been both objections to and support for the proposals referring to the design of the building, however I consider this to be an appropriate design given the wide range of building types within the area and the lack of a distinct local vernacular along Bishops Hull Road.

As with design, objection has been received in relation to the scale of the dwelling. Whilst Uplands is single storey in height, the area is dominated by two storey buildings. The adjacent former Taunton United Reform Church is two storey and the proposed dwelling will provide an appropriately scaled infill development between the bungalow and the former Taunton United Reform Church. A building of the scale proposed can be accommodated within the site as demonstrated on the submitted plans and there does not appear to be to be any demonstrable harm from a dwelling of this scale as to warrant refusal.

In relation to layout, the proposed scheme is considered to be appropriate; by setting the dwelling behind the principle elevation of the adjacent property (Uplands), there is sufficient scope to provide the necessary amenity spaces without adversely affecting the street scene. The layout maintains the general arrangement of dwellings to the West of the highway. The layout does have a slightly cramped appearance to it on plan form but such is not to say that consequently there will be any demonstrable harm to visual amenity.

In relation to visual amenity, the proposals are not considered to result in any significant adverse impact. When viewed from along the highway South of Uplands or North of the former Church, the dwelling will be largely screened by existing buildings due to its positioning backward of the existing building line. This positioning will also largely eradicate any clear visual indication of a cramped development as the building will not be prominent. Notwithstanding, even were the building to be seen along the street scene it would not adversely affect visual amenity. The representations received from neighbours and Parish Council are noted, however the overall design scale and layout of the proposed development is considered to be acceptable and such will not result in any significant adverse impact upon visual amenity within the area. The proposals therefore comply with Policy DM1 of the Core Strategy.

Highway Safety

The Highway Authority have objected to the proposed development due to a lack of appropriate visibility splays across the site frontage for the proposed dwelling. It considers adequate parking and turning space to be provided. Additional bicycle storage and matters relating to the positioning of gates can be dealt with by way of conditions.

It is important to note that Bishops Hull Road is an unclassified highway and subject to a 20 mph speed limit. The fall back position of the refusing the proposals on highway grounds would be for the access to be provided under permitted development rights prior to applying for planning permission. This fall back is given some weight in terms of the principle of providing a new access.

It is accepted that the visibility splay obtainable across the site frontage is below standard and that to secure a splay to the South, restrictions would have to be placed over adjoining land, which is currently owned by the applicants. Notwithstanding, the amended plan allows for acceptable visibility to be provided to the South and this can be controlled by way of a planning condition. Visibility to the North is more restricted with a splay of approximately 2.4m x 11m being obtainable. Whilst such is below standard the highway is subject to numerous traffic calming measures and it is considered appropriate for the amount of current (and future) traffic movements. The speed limit is 20mph and vehicles should be accepted as travelling at such speed in general. Traffic from this direction would also be travelling on the far side of the carriageway.

Despite being substandard to the North, it is considered that the development would not cause significant harm to highway safety. Vehicles will be able to see and be seen upon egress and the speed of vehicles is such that conflict on the highway is considered unlikely. Para 32 of the NPPF makes it clear that development should only be refused on transport grounds if the impacts of development are severe.

I do not consider the proposals to result in severe risk to highway safety for the reasons set out above and therefore the proposals do not conflict with Policy DM1 of the Core Strategy of guidance within the NPPF to a degree that warrants refusal.

Impact upon Conservation Area and Setting of Listed Building

Comments have been received stating that the proposed dwelling will have a detrimental impact upon the character and appearance of the adjacent Conservation Area and the setting of the grade II listed Taunton URC, with both of these heritage assets being immediately North of the site.

The proposed dwelling is not considered to adversely effect any designation or heritage asset within the area. The dwelling will be set backward of the adjoining bungalow and this, as noted above, is considered to significantly reduce the visual impact of the building. When viewing the Conservation Area and Listed Building from along the highway South of the site, the proposed dwelling will not interrupt any key view of the Conservation Area or impact upon the contribution that the Church makes to visual amenity within the area.

Concern has been raised as to the potential impact of the development upon the listed boundary wall, whilst any damage would be harmful to the historic environment, the building would be some 2.4 meters from this feature and this is not considered to be a reason to refuse planning permission. The undertaking of

sympathetic on site works is down to site management and if employed, which is to be expected, it will reduce the likelihood of any damage to the wall significantly.

The dwelling will be finished in materials in keeping with Uplands and will not be prominent locally. The development is therefore considered to maintain the character and appearance of the adjacent Conservation Area and preserve the setting of the Listed Building. The proposals therefore accord with Policy CP8 of the Core Strategy and Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Conclusions

The proposed development will provide for an additional new dwelling within a sustainable location where planning policy supports the principle of new residential development. No demonstrable adverse impact can be attributed to the proposed development, which is considered to be of an appropriate design, scale and layout and such will allow assimilation into the local area. The benefits of providing an additional dwelling within a sustainable location are considered to outweigh any minimal adverse impact upon highway safety.

Having regard to these matters, the proposals are considered to be acceptable and it is recommended that planning permission be granted subject to conditions.

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

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