

38/14/0394

MR B RICHMOND

**ERECTION OF 2 No DETACHED BUNGALOWS WITH GARAGES AND THE
ERECTION OF 1 No GARAGE TO SERVE THE EXISTING PROPERTY IN THE
GROUNDS OF 1 WHEATLEIGH CLOSE, TAUNTON**

Location: 1 WHEATLEIGH CLOSE, TAUNTON, TA1 4QE

Grid Reference: 322132.123797

Full Planning Permission

RECOMMENDATION AND REASON(S)

Recommended Decision: Refusal

- 1 The proposed dwelling to plot 2, by virtue of its prominent position and proposed elevated boundary treatment, exacerbated by the design and mix of materials, is considered to result in an incongruous addition to the street scene, to the detriment of the character and appearance of the surrounding area and the setting of the adjacent grade II* listed building. The proposed dwellings are furthermore deemed to appear cramped and out of character with surrounding properties, with limited amenity space available for future occupiers. The proposal is therefore deemed contrary to Policies DM1 (d) (General Requirements) and CP8 (Environment) of the Taunton Deane Core Strategy.
- 2 The proposed development, by reason of its close proximity to the protected trees is considered to lead to harm to the long term health of the trees and a likely pressure from future occupants to either prune or fell them due to daylight shading and perceived oppressive outlook, which would result in an adverse impact upon the character and amenity of the area. The proposal would therefore be contrary to Policy DM1 (d) (General Requirements) and CP8 (Environment) of Taunton Deane Core Strategy.

RECOMMENDED CONDITION(S) (if applicable)

Notes to Applicant

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council works in a positive and pro-active way with applicants and looks for solutions to enable the grant of planning permission. However in this case the applicant was unable to satisfy the key policy test and as such the application has been refused.

PROPOSAL

1 Wheatleigh Close is a brick and tile bungalow set in a cul-de-sac of similar style properties. The site is set within a large plot, with garden area to the front and rear. It lies on a higher level than Trull Road, separated by a belt of trees, which are the subject of a Tree Preservation Order. A further line of trees, also subject to a Tree Preservation Order lies to the north of the site. To the west is Wheatleigh House, a grade II* listed building, which has been converted to flats. Works have been undertaken in recent months to remove trees from the site.

This application seeks planning permission to erect two bungalows, one to the rear of the existing property (Plot 1) and one to the front (Plot 2). Plot 1 would comprise of a three bedroom bungalow of render and tile with brick detailing and a small element of timber boarding to the front. A detached single garage would be positioned to the side of matching materials, with a parking space to the front and a turning area to the south of the bungalow. The property would be accessed via a driveway, which would pass directly to the east of the existing property.

Plot 2 lies to the front of the bungalow and is of an irregular shape, being positioned between Wheatleigh Close and Trull Road. The bungalow would be of three bedrooms with an attached garage. This has been designed in an angular shape, which reflects the shape of the plot. The bungalow would be render to the main part, with a substantial amount of timber boarding and large elements of glazing to the south-west elevation, with further timber boarding to the garage. Again, the roof would be of tile. A further parking space is proposed to the front of the garage. It is proposed to erect a 1.8 metre high fence around the site, which would sit above the existing wall fronting Trull Road.

To the north of plot 2, it is proposed to erect a further single garage, to serve Wheatleigh Close, which would serve the existing bungalow. A parking space is also proposed to the front and side of this garage.

The application is accompanied by an Arboricultural Constraints Report and a Heritage Statement.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

WARD CLLR – Supports on the grounds of:

- Applicant has indicated willingness to address concerns by planting screening and providing further response to Heritage Officer.
- Do not agree with Heritage Officer that it will have deleterious impact on Wheatleigh House as distance to plots is considerable.
- Belmont Drive and Belmont House have a successful layout, which is comparable to Wheatleigh Close.
- Believe there to be a need for bungalows in Taunton. Existing bungalows are built on land sold to raise money to repair the dilapidated house.
- Considers conditions should be imposed to reinstate screening and the street scene

SCC - TRANSPORT DEVELOPMENT GROUP - Standing advice

PARKING

- 1) The parking provision for developments should be in accordance with the adopted SCC parking strategy (Appendix 11.6).
- 2) The requirements for parking space and garage dimensions are also contained within the adopted SCC parking strategy and should where possible be adhered to (Appendix 11.7).

VISIBILITY SPLAYS

Where accesses and junctions are to be formed, this advice considers that Manual for Streets is the appropriate guidance for visibility splays. (Appendix 11.1 & 11.3) unless otherwise stated.

Visibility splays should be determined by the posted speed limit, unless physical measures, speeds or change is agreed by the Local Planning Authority. There may be occasions where the Highway Authority recommends that standing advice applies to an application, but that an alternate (Design Manual for Roads and Bridges) visibility splay is more appropriate. Under these circumstances, the visibility splay requirements will be clearly defined with the initial consultation response.

PEDESTRIAN VISIBILITY

Where a new pedestrian access is proposed, it is necessary to ensure that adequate visibility splays are provided. These will be 2.0m x 2.0m and will be provided to the rear of the footway, or where the access meets the carriageway edge. (Appendix 11.2)

SURFACING AND DRAINAGE

Adequate provision shall be made to ensure that surface water does not drain onto the public highway. Equally any new access shall be designed to ensure that highway water does not drain onto the development site.

CREATION/ALTERATION OF A DRIVEWAY - REQUIREMENTS

- 1) In Somerset up to two dwellings may be served by a driveway. This advice will therefore apply, provided that the proposal does not constitute the laying out of a street. As defined within the Highways Act 1980.
- 2) Visibility splays shall be in accordance with Manual for Streets visibility splay criteria (Appendix 11.3) unless otherwise stated. The visibility splays will be required to be provided within the control of the applicant, which is allocated within the red/blue lines of the applicants' boundary or highway land.
- 3) Any access for a single residential unit should have a minimum width of 3.0 metres. Where an access serves more than one unit, adequate width to pass two vehicles should be secured. Recommend a minimum width of 5.0 metres over a minimum of 6.0 metre length.
- 4) The gradient of any driveway shall not exceed 1 in 10, for at least the first 6.0 metres from the edge of the adopted highway.
- 5) Any new or altered access, must be consolidated or surfaced for at least the first 5.0 metres of its length, as measured from the edge of the adjoining carriageway, (not loose stone or gravel).
- 6) Positive drainage shall be provided, to prevent the discharge of water from private land to the adopted highway. It may also be considered necessary to take

measures to prevent the 'run off' of water from the adopted highway onto private land. Details of such an arrangement should be approved by the Highway Authority prior to implementation.

7) Any entrance gates shall be hung to open inwards and shall be set back a minimum distance of 5.0 metres from the carriageway edge. Gates for pedestrian only access should be hung to open inwards.

8) Having regard to the powers of the Highway Authority under the Highways Act 1980 the applicant is advised that the creation or alteration of an access to the highway will require a Section 184 Permit. This must be obtained from the Highway Service Manager at the Area Highway offices - Taunton Deane Area Highways Office - Burton Place, Taunton. The Area Highways Office, is contactable on the following telephone number No. 0845 345 9155. Applications for such a permit should be made at least four weeks before access works are intended to commence.

WESSEX WATER - New water supply and waste water connections will be required from Wessex Water to serve this development. Suggest note regarding application forms guidance and further information, sewer connections signed adoption agreement and statutory easement.

DRAINAGE ENGINEER - No observations

LANDSCAPE - Consider plot too small to accommodate two extra dwellings, especially considering proximity of proposed dwellings to TPO tree belt along Trull Road. Due to daylight shading and perceived oppressive outlook, there will always be pressure from future homeowners to fell or carry out tree surgery. Driveway for plot 1 within root protection area of Yew Tree and several other trees.

The house on plot 2 with its elevated position and close boarded fence will dominate the entrance to the close and I consider it will be detrimental to the street scene.

COMMUNITY INFRASTRUCTURE LEVY (CIL) OFFICER - Measurements taken from plans currently held on file. Total liability £16,590.

HERITAGE - Wheatleigh House, is a Grade 2* Listed Building.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, requires that, when determining planning applications which affect a listed building, special regard shall be paid to the desirability of preserving the building, its setting and any features of architectural or historic interest it possesses.

Paragraph 128 of the National Planning Policy Framework, states that local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets importance and no more than is sufficient to understand the potential impact of the proposal on their significance. Whilst a "Heritage Statement" has now been submitted, it does not address the

specific requirements of Paragraph 128 ie to describe the significance of the heritage asset and assess the impact of the proposal on the significance. Policy CP8 of the Taunton Deane Core Strategy (environment), is also relevant.

It is acknowledged that the existing bungalows in Wheatleigh Close, have had a detrimental impact on the setting of Wheatleigh House, which was listed on 4 July 1974 and which the bungalows pre-date.

As plot 2 will to all intents and purposes be opposite the principle aspect of Wheatleigh House, the presence of a bungalow, will clearly have a very different effect on its setting, than the previously greened site or indeed the current cleared site.

ENGLISH HERITAGE (ALL CONSULTATIONS) - No comments received

Representations

11 letters of OBJECTION received from 7 households on the grounds of:

- Wheatleigh House is Grade II* listed building. Bungalow built on land to front would impact upon beauty of Wheatleigh House and its setting.
- Applicant has not provided assessment of impact upon the Grade II* listed building.
- Site was a wildlife haven before cleared. Two bungalows would prevent this recovering.
- Clearance of site has changed natural character, setting and outlook from Wheatleigh House, creating an eyesore from Trull Road. Noise from Trull Road has also increased. Should be re-instated. Bungalow in elevated position would be conspicuous, dominate view and completely change character of Trull Road. Detrimental to street scene of Trull Road.
- Overdevelopment of the site, given constraint of tree belt.
- Bungalows will threaten long term health of trees.
- Proposed wooden fence would be different from low brick/stone walls in front of other bungalows in Wheatleigh Close, would create alien boundary treatment.
- Design of plot 2 contrived, simply to fit tapering site. Appears incongruous with remainder of scheme.
- Impact of driveway upon occupiers of existing bungalow
- Loss of privacy and visual impact to flats at Wheatleigh House facing site, reducing value of flats, particularly no.1. Bungalows were previously sited out of view of main house for a good reason.
- Existing bungalows around Wheatleigh House were built to facilitate upkeep of the house.
- Access onto Trull Road dangerous. Wheatleigh Close is narrow. Increase in traffic hazardous to drivers and pedestrians, especially large construction vehicles. No available parking on private road, concerns regarding parking during construction.
- No representation has been made to gain access across private road, access for construction vehicles would not be permitted. Concerns regarding increased maintenance and upkeep of road.

- Noise and disturbance of building works

7 letters of SUPPORT from 6 households on the grounds of:

- Site suitable and in keeping with existing building in the Close. Site poorly managed in recent years. Proposed dwelling on plot 2 would improve visual appearance of area, a fantastic addition to Taunton architecture.
- Difficult to find new bungalows close to town centre.
- New bungalows will benefit area and the elderly. Feel they will be greatly and widely appreciated.
- Land is far oversized for the existing property. Land being used in sympathetic way to provide bungalows rather than houses.
- Arboricultural report has been undertaken to ensure that trees under TPO are not affected.
- Plan provided showing maintenance responsibility of private road.
- Land at Wheatleigh Close was infested with vermin and full of rubbish, almost anything would be an improvement.

PLANNING POLICIES

DM1 - TD CORE STRATEGY - GENERAL REQUIREMENTS,
 SP1 - TD CORE STRATEGY SUSTAINABLE DEVELOPMENT LOCATIONS,
 CP1 - TD CORE STRAT. CLIMATE CHANGE,
 CP8 - CP 8 ENVIRONMENT,

LOCAL FINANCE CONSIDERATIONS

The application is for residential development within the settlement limits of Taunton where the Community Infrastructure Levy (CIL) is £70 per square metre. Based on current rates, the CIL receipt for this development is approximately £16,500.

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) £2,158

Somerset County Council (Upper Tier Authority) £540

6 Year Payment

Taunton Deane Borough Council (Lower Tier Authority) £12,948

Somerset County Council (Upper Tier Authority) £3,238

DETERMINING ISSUES AND CONSIDERATIONS

Principle

The site lies within the settlement boundary for Taunton where the principle of residential development is acceptable, subject to the relevant planning criteria being met. The matter for consideration is therefore whether the proposed scheme is acceptable in terms of the design and impact upon the surrounding area, setting of the adjacent listed building, the amenities of neighbouring properties and highway safety.

Design and impact on surrounding area

Wheatleigh Close is currently open in nature, with Wheatleigh House being the prominent view when entering the Close and the existing bungalows set beyond it. Whilst it is acknowledged that the bungalows have had an impact upon the setting of Wheatleigh House, due to their positioning there is no development to the front, maintaining clear views both towards and out of the listed building. The siting of the dwelling on plot 2 would be directly opposite the principle aspect of Wheatleigh House, resulting in a very different relationship than that of the current cleared site and the formerly green site. The proposed scheme is therefore deemed to detract from the grand appearance of the grade II* listed building, to the detriment of its setting.

It is acknowledged that 1 Wheatleigh Close lies in a substantially larger plot than the adjacent bungalows, however, by virtue of the positioning of the existing building, the site does not lend itself to the erection of a further two dwellings. The size of plot 1 itself appears reasonable and a dwelling on this site would not be considered to result in a plot size that is cramped or out of character with the surrounding pattern of development. However, it is important to note that a large proportion of the site is occupied by the protected tree belt, leaving limited amenity space available to the proposed dwelling. Plot 2 is even smaller than plot 1, again with part of the site taken up by trees and the dwelling has been designed in a shape to fit the plot. The dwelling therefore occupies a large proportion of the site, resulting in a very limited amount of amenity space being available to the property and consequently resulting in a cramped appearance, out of character with the surrounding area.

The existing bungalows within Wheatleigh Close are of gabled roof design, constructed of brick and tile. The proposed bungalows and garages, in the main would reflect the gabled roof design, with the exception of the south-west elevation of the dwelling on plot 2. The proposed dwellings would be constructed of render with elements of timber boarding, particularly on plot 2. Plot 2 also incorporates a very large section of glazing. Whilst there is no objection to the use of some timber boarding within the scheme, the concern is raised over the complicated design and extensive use of timber cladding and glazing, exacerbated by the angular design on the south-west end elevation. This would result in a design and mix of materials that are out of character with the appearance of nearby properties. Whilst the use of render on plot 1 is not reflective of nearby properties, in view of its inconspicuous position, this element alone is not considered to result in harm to the appearance of the surrounding area.

Plot 2 lies in a prominent location between Wheatleigh Close and Trull Road, on a significantly higher level than the latter. It is therefore clearly in the direct line of site on the approach along Trull Road towards Taunton Town Centre. In the past,

mature trees have softened this view but these have recently been removed. In view of the prominence of the site, a dwelling of any design would appear particularly prominent, however, by virtue of the incorporation of materials and design features that are not typical of the area, this is deemed to exacerbate the situation significantly. In addition, the existing boundary wall to Trull Road is just over 1.5 metres in height. The addition of a further 1.8 metre high close boarded fence above this, in such an elevated position, would also appear very prominent and stark within the street scene, to the detriment of its character. It is noted that there is evidence of a close boarded fence above a wall on the opposite side of Trull Road. This is however considered to be in a position that is not as elevated, prominent or clearly visible from wider views.

As such, the proposed bungalow on plot 2 and its associated boundary treatment is deemed to result in an incongruous addition to the street scene, out of character with the simple, traditional design of surrounding properties, to the detriment of the character and appearance of the street scene and the setting of the adjacent Grade II* listed building.

Impact on neighbouring property

The proposed bungalow on plot 1 is considered to be set a sufficient distance from the boundary with 2 Wheatleigh Close to avoid harm to the amenities of the occupiers of that property and there are no windows above ground level to result in any overlooking. The proposed access to plot 1 would pass in very close proximity to the existing dwelling, which can often lead to increased noise and disturbance to the occupiers, however it is acknowledged that this dwelling is within the ownership of the applicant and this is deemed to be a material consideration.

In terms of plot 2, concerns are raised regarding the loss of privacy. Whilst it is acknowledged that there are windows in the side elevation of the proposed dwelling that would face Wheatleigh House, this is over 27 metres away, which is considered to be a sufficient separation distance to avoid any significant overlooking. In addition, it is considered to be positioned a sufficient distance to avoid any loss of light or overbearing impact upon the occupiers of the apartments.

The proposed dwellings are not therefore considered to lead to a level of harm to the living conditions of the occupiers of those properties that would warrant refusal.

Impact upon highway safety

The proposed scheme would involve alterations to widen the existing access to facilitate access to the two new plots, as well as the garage proposed to serve the existing property. These alterations would take place on a curve in the cul-de-sac, which would enable clear views in both directions. It is acknowledged that the scheme would involve reversing out onto the highway, however this is an existing situation for other properties within Wheatleigh Close. The scheme incorporates two car parking spaces for each of the proposed properties and the existing dwelling, which is deemed an acceptable level of car parking for three bedroom properties.

Objectors raise concern regarding the road being narrow with no parking and concerns regarding access of construction vehicles. Whilst it is acknowledged that there may be limited on road parking, it is important to note that adequate off road

parking is provided and as such, the scheme is not deemed to result in significant additional pressure on parking in the area. On the above basis, the scheme is not considered to result in such detriment to highway safety that would warrant refusal.

The site lies in an area with a network of footpaths and cycle ways connecting to the town centre and other more local facilities and amenities, along with bus services and bus stops within easy reach along Trull Road. Taking this into account, along with there being ample space within the sites for the storage of cycles, the scheme is considered to provide alternative sustainable modes of travel.

Other matters

The dwellings would be positioned in very close proximity to the protected trees, with the driveway to plot 1 lying within the root protection area of a mature Yew tree, along with other nearby trees. As such, the development on plot 1 would impact upon the roots of the protected trees, to the detriment of their long term health. In addition to this direct impact, in view of the close proximity of the bungalows to the protected trees, there are concerns regarding future pressure of occupants of those dwellings to either prune or fell them due to daylight shading and perceived oppressive outlook. This highlights how close the trees are to the new dwellings and the consequent cramped appearance of the site. The impact and potential impact upon the protected trees is therefore considered to be a further reason for refusal.

The receipt of the New Homes Bonus and Community Infrastructure Levy is noted, however, it is considered that this matter carries very limited weight in this case.

Concerns are raised regarding construction traffic and noise/disturbance of building works. In processing the planning application, the local planning authority must give consideration to the impact of the end development on neighbouring properties, the local planning authority cannot get involved with how the development is constructed. As such, these issues are civil matters to be agreed between the relevant parties, rather than planning matters and limited weight can be attributed to these issues in determining the application.

Several concerns have been raised that no consent has been sought to gain access across the private road, the proposal would lead to increased maintenance and upkeep of road and that construction vehicles would not be permitted. As the road is privately owned, the right of way across it is a civil/legal matters, to be agreed between the relevant parties. These issues raised are not planning matters and are unfortunately not issues that the local planning authority can become involved with or take into account in the processing of this planning application. As such, no weight can be attributed to this aspect in determining the application.

Conclusion

Whilst the scheme is not deemed to result in a material increased impact upon the residential amenity of neighbouring properties or to highway safety, there are significant concerns regarding the elevated and prominent appearance of the dwelling and boundary treatment to plot 2, exacerbated by the design and mix of materials. This is considered to result in a dominating impact to the street scene and harm to the setting of the adjacent grade II* listed building. Furthermore, the close proximity of the dwellings/driveways to the tree belt, which is subject to a Tree Preservation Order, is deemed to result in harm to the long term health of the trees, by directly impacting upon the tree roots in the case of plot 1 and by future pressure

to prune or fell them, which is deemed relevant to both plots. As such, it is recommended that planning permission is refused.

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

CONTACT OFFICER: Mrs K Walker Tel: 01823 356468