

42/13/0020

MR SULLY

ERECTION OF FRONT BOUNDARY WALL, RAILINGS AND GATES, ROOF EXTENSION WITH INSTALLATION OF DORMERS AND EXTENDED DRIVE AT CEDARS, WILD OAK LANE, TRULL (AMENDED SCHEME TO 42/13/0002)

Grid Reference: 321642.122687

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 12/123/101E Proposed Floor Plan
(A3) DrNo 12/123/100D Proposed Elevations
(A3) DrNo 12/123/200A Proposed Site Plan
(A3) DrNo 12/123/500 Existing Site Plan
(A3) DrNo 12/123/106B Proposed Boundary Wall
(A3) DrNo 12/123/101A Existing Floor Plan
(A3) DrNo 12/123/100 Existing Elevations
(A4) DrNo 12.123.1000 Location Plan

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

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) the first floor windows to be installed in the west elevation of the proposed extension shall be obscured glazed and non-opening (unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed). The type of obscure glazing shall be submitted to and agreed in writing by the Local Planning Authority prior to its installation and shall thereafter be so retained.

Reason: To protect the amenities of nearby dwellings in accordance with Policy DM1 (E) of the Taunton Deane Core Strategy.

4. Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Class A 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), no window/dormer windows shall be installed in the **first floor west** elevation of the extension hereby permitted without the further grant of planning permission (unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and are fitted with obscure glazing). The type of obscure glazing shall be submitted to and agreed in writing by the Local Planning Authority prior to its installation and shall thereafter be so retained.

Reason: To protect the amenities of adjoining residents in accordance with Policy DM1(E) 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 with the applicant and entered into pre-application discussions to enable the grant of planning permission.

PROPOSAL

The proposal comprises the erection of a first floor extension above part of an existing bungalow. The extension will increase the number of bedrooms from 3 to 4 and allow the reconfiguration of the ground floor of the dwelling.

The extension would increase the height of the eaves of the dwelling by 2.3m and the ridge height by 2.5m, giving an overall ridge height of 8.2m. The first floor extension has a footprint measuring 11.6m x 8.1m.

The proposal also includes altering the existing access, widening the entrance, and building a higher front boundary wall with fence panels above.

SITE DESCRIPTION AND HISTORY

The Cedars is located off Wild Oak Lane, within the village of Trull, with the lane leading to the centre of the village. The bungalow is set back from the road, slightly elevated. There is an existing vehicular access with a turning area within the site and a detached garage. There are residential properties to the rear of the property, further elevated than Cedars. Opposite the site is a single property and open countryside.

An application for an alternative design to the first floor was submitted and withdrawn on the 19th February 2013.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

SCC - TRANSPORT DEVELOPMENT GROUP - Initial comments: -

In detail the proposal represents no increase in vehicle movements and the occupancy of the site will remain the same. The development seeks the erection of a front boundary wall, including railing and a gate as well as alterations to the existing drive and extensions to the property.

It is noted that the planning application seek to make amendments to the existing boundary wall which is to include railings. The Highway Authority considers that these proposed alterations are detrimental to highway safety in a location with limited visibility.

The existing access arrangement provided limited visibility to vehicle existing onto Wild Oak Lane. However, the proposed alterations to the access are considered to obstruct visibility further. The proposed alterations will see the existing boundary wall raised to 1.2 metres with railings (physical structure) increasing the height to that of 1.8 metres.

When applying visibility splays to accesses the Highway Authority consider that there shall be no obstruction to visibility greater than 900millimetres above adjoining road level forward of lines drawn 2.4 metres back from the carriageway edge on the centre line of the access and extending to the extremities of the site frontage. This is site specific based on the location of the development and the its proposed nature.

In this instance I would not wish to see any obstruction greater that 900mm to the access based on 'X' coordinates of visibility at 2.4m back from the adopted highway (carriageway edge).

Furthermore, Drawing No. 12/123/200a details the proposed location of the gates. The Highway Authority note that the access gate is set back the minimum requirement of 5.0m from the highway, meaning that vehicles will be able to operate the gates without becoming an obstruction highway users along Wild Oak Lane.

As a result the Highway Authority would require amendments to the proposed boundary wall, as the proposed scheme is considered detrimental to highway safety compared to the existing access arrangement. Once additional information has been received the Highway Authority will comment further.

Further comments: -

In light of our telephone conversation earlier and my observations dated 24th May 2013 it has come to my attention that the Highway Authority did not comment on planning application 42/13/0002 and therefore, whilst ideally the changes mentioned in my earlier letter should still take place, I feel that it would be unreasonable to raise an objection to the current application.

TRULL PARISH COUNCIL - Objects: -

- Imposing building which is far too big for the site.
- Adverse impact on the neighbours; will overlook on two sides, South and West.

Representations

Five individual letters OBJECTION from three properties (including annex): -

- Out of scale with surrounding area.
- Concerns over height; dominates skyline.
- Overlooking; loss of privacy for existing neighbours and for Cedars due to elevated position of neighbouring properties.
- Loss of trees, hedgerows and shrubs replaced with 6ft wooden fence.

Five letters received from Channon House: -

- No planning related observations/comments.

PLANNING POLICIES

DM1 - TD CORE STRATEGY - GENERAL REQUIREMENTS,
H17 - TDBCLP - Extensions to Dwellings,

DETERMINING ISSUES AND CONSIDERATIONS

The main considerations are impact on visual and residential amenity and highway safety.

Residential amenity

The Cedars is adjoined by properties on three sides of the site. To the North, Channon House (part of Queens College); to the South is Rose Arbour (with annexe), separated by an access road; and to the West is Kafue Lodge.

Channon House is sited 28m away from the proposed extension and is not considered to be harmed by this proposal. Furthermore, no objection has been received from this property.

The proposed extension, though only 3m from the boundary of Kafue Lodge is 25m away when measured from dwelling to dwelling. There are two new windows proposed within the elevation facing onto Kafue Lodge, both windows serve bathrooms and have obscure glazing. A condition will ensure the windows are retained with obscure glazing. Given the distance between properties and the obscure glazing, the proposal is not considered to be detrimental to the residential amenity of this property.

Rose Arbour is sited to the south west of the Cedars, with the garden of this property directly south of the Cedars, with an access road separating the properties. At the closest point (corner to corner) the two properties are 15.5m apart, and the side of the proposed extension (at its closest) is 16.2m from the garden of Rose Arbour, this point is 18m from the rear of Rose Arbour.

The Cedars is at a lower level than the adjoining properties of Kafue Lodge and Rose Arbour, where currently only a small part of the roof/ridge of the Cedars is visible from the neighbours. As such, the new windows, when viewed from Rose Arbour would be limited.

Visual amenity/Character

Extension

Wild Oak Lane contains a variety of properties; older historic properties and modern dwellings. These dwellings also have varying roof designs, some hipped and some pitched. Therefore the pitched roof design of the extension is considered to be in keeping with the area. The gable end of the first floor extension faces onto the road, with a single storey storey element (existing part of the dwelling) projecting to the side. The overall design is considered acceptable and the proposal does not dominate the street scene.

Whilst a first floor extension may not be subservient in terms of size, overall the dwelling is in keeping with the character of the area, and the extension is in keeping with the design of the bungalow.

Furthermore, the dwelling is sited within a large plot measuring approximately 36m x 25m that can comfortably accommodate the dwelling and the proposed extension.

Boundary wall

The proposal includes raising the height of the boundary wall from 1m (highest point) to 1.4m and placing fence panels on top of the wall giving an overall height of 2m. Whilst the fence panels are not ideal, the proposal would be similar to an adjoining property that has a boundary wall and larger fence panels than proposed. As such, the boundary is not considered detrimental to the visual amenity of the area beyond that of existing boundaries and the fence panels are not considered to be of such detriment to warrant refusal.

Highways

The Highway Authority originally objected to the application based on poor visibility from the proposed boundary wall and that the proposed scheme is considered detrimental to highway safety compared to the existing access arrangement. These comments, and objection, were later removed as the Highway Authority felt it was unreasonable to raise an objection to the current application when no comments were made for the previous application (42/13/0002).

Notwithstanding the above, the front boundary wall can be built to 1m as Permitted Development, above the required 900mm the Highway Authority would have wanted. Furthermore, the applicant has submitted photographs of the existing access (before works began) which showed hedgerows as high as the proposed boundary present, that also over hanged beyond the boundary.

As such, given the wall can be built to 1m and that the Highway Authority have removed any objection, the proposal is not considered to be detrimental to highway safety beyond the existing access and beyond what can be built within the need for

planning permission.

Conclusion

Given the distance between the properties, the difference in levels and the use of obscure glazing and conditions, the proposal is not considered detrimental to the residential amenity of the adjoining neighbouring properties. The extension and boundary is in keeping with the area and is not considered to harm the visual amenity of the area.

The proposal is therefore considered acceptable and recommended for approval.

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

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