

49/15/0037

MR E & MRS P GAINES

OUTLINE PLANNING APPLICATION WITH SOME MATTERS RESERVED FOR THE REPOSITIONING OF THE VEHICULAR AND PEDESTRIAN ACCESS WITH ALTERATIONS TO DRIVEWAY FOR THE ERECTION OF 2 No DWELLINGS ON LAND AT TOR HOUSE, 48 FORD ROAD, WIVELISCOMBE

Location: TOR HOUSE, 48 FORD ROAD, WIVELISCOMBE, TAUNTON, TA4
2RE

Grid Reference: 308548.128032

Outline Planning Permission

RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval

RECOMMENDED CONDITION(S) (if applicable)

1. Approval of the details of the layout, scale, appearance and landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Application for approval of the reserved matters shall be made to the Local Planning Authority not later than the expiration of three years from the date of this permission. The development hereby permitted shall be begun, not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: In accordance with the provisions of S92 (2) Town and Country Planning Act 1990 (as amended by S51 (2) Planning and Compulsory Purchase Act 2004).

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

(A1) DrNo 2406.08 Site Layout and Access as Proposed
(A1) DrNo 2406.09 Access Plan and Elevations Existing and Proposed
(A1) DrNo 2406.10 Turning Head Area Existing and Proposed
(A3) DrNo 2406.11 Location Plan for Outline Planning Application

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

3. No dwelling hereby permitted shall be occupied until the means of vehicular access to the site has been constructed in its entirety in accordance with the

plans hereby approved,

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

4. Before any dwelling hereby permitted is first occupied, the visibility splays shown on approved plan DrNo 2406.08 and 2406.09 shall be fully constructed before any dwelling hereby permitted is first occupied. Thereafter the visibility splays shall remain unobstructed above a height of 900mm adjoining the carriageway level to the satisfaction of the Local Planning Authority.

Reason: To preserve sight lines at the junction between the adopted highway and site access in the interests of highway safety in accordance with Policy DM1 of the Taunton Deane Core Strategy.

5. Details of the relative heights of the existing and proposed ground levels and the height of the ground floor of the proposed dwellings shall be submitted as part of the reserved matters application, as required by Condition 1 and the development shall be carried out wholly in accordance with the approved plans.

Reason: To ensure that the proposed development makes a satisfactory contribution to the local character and distinctiveness of the area in accordance with Taunton Deane Core Strategy Policies DM1 and CP8.

6. Prior to implementation, a plan indicating the positions, design, materials and type of boundary treatment to be erected shall be submitted to and approved in writing by the Local Planning Authority. The agreed boundary treatments shall be completed before the dwellings are first occupied and thereafter maintained as such, unless otherwise agreed 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.

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 application seeks outline planning permission for the erection of two dwelling

houses on land at Tor House, Wiveliscombe.

The application forms and submitted plans do not indicate the scale of the proposed dwellings or the number of bedrooms that each would provide. Detailed approval of access and layout are sought at this stage, however only access is genuinely sought, with the layout referring solely to the revised access and driveway arrangements that will serve the proposed dwellings, and not the layout of the plots themselves. The proposals seek approval for works and changes to the existing site access and driveway.

It is proposed to rebuild the gate piers and stone boundary walls so as to improve visibility splays across the roadside frontage. Stone will be re-used for the walls and the gate piers will be of a matching design, scale and finish to the original structures. A retaining wall will be erected abutting the driveway; this will be finished with render. The driveway will be realigned at a gradient not exceeding 1 in 15 and surfaced in sustainable brick paving. Access to the proposed dwellings will be provided North of the two plots. A new turning head together with passing places will also be provided along the driveway and a new boundary wall with gates and piers will be erected between the driveway and retained Tor House curtilage as to provide an acceptable degree of separation.

SITE DESCRIPTION AND HISTORY

Tor House is an imposing residential property located East of Ford Road, Wiveliscombe. The site comprises a large, two storey dwelling house that is Grade II Listed, set within a large residential curtilage largely laid to lawn with domestic landscaping. The property benefits from vehicular access to the South, which enters the site along a narrow driveway. The roadside boundary comprises a natural sandstone retaining wall with tall gate pillars finished with render. There are residential properties to the North and South of the site and planning permission has recently been granted for the conversion of an outbuilding to a separate dwelling house, LPA reference s 49/15/0009 and 0012LB.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

WIVELISCOMBE TOWN COUNCIL - Support the application but would like to comment on the access to the proposed two new dwellings and the two existing dwellings.

Are the visual splays adequate for the current dwellings and the proposed new dwellings and has consideration been taken regarding the increase in traffic using the nearby junction due to new housing developments also can the visual splays be maintained.

SCC - TRANSPORT DEVELOPMENT GROUP - Standing advice applies and requires:

- Visibility splays of 2.4 x 43m in either direction, measured to the nearside carriageway edge.
- Provision of adequate drainage so that surface water does not drain from the

site onto the highway or vice versa.

- The access should have a minimum width of 3m with a minimum of 5m over a minimum 6m length where more than 1 dwelling is served.
- The access should be properly consolidated for the first 5m and must not exceed a gradient of 1 in 10 for the first 6m from the edge of the adopted highway.
- Vehicular entrance gates should be set back a minimum distance of 6m from the carriageway edge and should open inwards. Pedestrian gates should open inwards.
- On site turning space should be provided where the proposal derives access from a classified road.
- Turning will be required, independent of the necessary parking provision where an access is onto a classified road.

HERITAGE - The proposed new build and entrance would not impact on the setting of the listed Tor House. The roadside boundary wall is curtilage listed and listed building consent is required for the proposed alterations - but I have no objections to this provided the piers are reinstated in the proposed position.

DRAINAGE ENGINEER - Soakaways should be constructed in accordance with British Standards.

LANDSCAPE - Alterations to the access will impact upon street scene but will be relatively small in comparison to present road works taking place on Burgess Lane. If roadside holm oak tree is retained the tree officer will require a Method Statement. Landscape condition required given further tree felling within the site.

WESSEX WATER - No objection. Standard advisory comments provided.

Representations

1 letter received making the following comments:

- Have parked car off the road on land in front of Newtons for 30 years as it would be one car less for the limited parking now available in the area. Will any parking be available? The visibility splay doesn't seem to offer any views towards Ford, surely just as important for safety reasons?

PLANNING POLICIES

SP1 - TD CORE STRATEGY SUSTAINABLE DEVELOPMENT LOCATIONS,

NPPF - National Planning Policy Framework,

SD1 - SD 1 TDBC Presumption in Favour of Sustain. Dev,

CP4 - TD CORE STRATEGY - HOUSING,

CP8 - CP 8 ENVIRONMENT,

DM1 - TD CORE STRATEGY - GENERAL REQUIREMENTS,

DM2 - TD CORE STRATEGY - DEV,

LOCAL FINANCE CONSIDERATIONS

Development is CIL Liable and attracts a rate of £125 per square metre of new floor space. No floor plans provided at this stage therefore CIL cannot be calculated.

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)	£2158
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Somerset County Council (Upper Tier Authority)	£540
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6 Year Payment

Taunton Deane Borough Council (Lower Tier Authority)	£12949
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Somerset County Council (Upper Tier Authority)	£3237
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DETERMINING ISSUES AND CONSIDERATIONS

The application seeks outline permission with detailed approval of access. The pertinent issues to consider are therefore the principle of the development and the impact on the highway network.

It has been established that the proposals will not adversely impact upon the setting of the Grade II Listed Building of Tor House and it is generally considered that any possible issues with amenity can be suitably designed out of any final development proposal.

Principle

The proposed development will be sited within the residential curtilage of Tor House, although part of the affected curtilage area falls partially outside of the settlement limits of Wiveliscombe. Planning policy does not ordinarily support new residential development outside of settlement limits, however in this instance plot 1 straddles the settlement boundary line, being partially in and partially outside of the settlement limit, while plot 2 is sited adjoins the settlement limit. A residential development site that falls outside of settlement limits is normally considered to be within open countryside where planning policy would not allow the creation of new dwelling houses. It is, therefore, contrary to Policy CP8 of the Taunton Deane Core Strategy.

In this particular case, however, the site is found to be partially within and adjoining the settlement limit; it is located within existing gardens used by Tor House; it does not encroach onto agricultural land and is not within an isolated location. The site is surrounded by residential properties to the North, South and West; the siting of the two plots is such that there would be no significant encroachment into any area of open countryside. When seen from the limited public vantage points available in the area, the proposed dwelling houses would be viewed in conjunction with the neighbouring residential properties and will not stand alone within the landscape. It is considered that a well designed scheme can make a positive contribution to the character and appearance of the area whilst maintaining the setting of the Listed

Building.

Wiveliscombe is identified as a Major Rural Settlement by Policy SP1 of the Taunton Deane Core Strategy; the application site is well located and within close proximity to the wide range of services and facilities that the town has to offer. Education, retailing, health care and employment opportunities can all be accessed on foot and bicycle from the site, along safe well lit routes that provide pedestrian footpaths through to the town centre. Such ensures that the proposed development will not foster a need to travel by unsustainable modes such as private motor vehicle.

The NPPF makes it clear that the role of the planning system is to contribute towards the achievement of sustainable development and that to do so the system should perform economic, social and environmental roles that are intrinsically linked. From an economic perspective, the proposed development will make good use of an otherwise under utilised area of residential curtilage; the residential development will create employment opportunities within the local labour market, increase local expenditure and demand for services, contribute towards New Homes Bonus, CIL and Council Tax payments within Taunton Deane; and facilitate increased expenditure from new residents that will remain within the Wiveliscombe and rural area

Socially, the development will provide new, high quality housing within a sustainable location that meets the needs of present and future generations; the principle of good design can have a direct benefit to people's quality of life. New housing can attract new individuals and families to an area thus supporting strong, vibrant and diverse communities. In addition, an increase in local population will increase accessibility to local services and spending within, thereby supporting health, social and cultural well being.

Environmentally, the development will provide high quality, sustainable design; protect the historic environment and protect open countryside by making good use of an otherwise redundant area of residential curtilage. Due to the sustainable location of the site, there will be less pressure on incoming residents to use unsustainable modes of transport to access local services and facilities.

The proposals are considered to represent a sustainable development in accordance with guidance set out within the NPPF. The proposal will also make a small contribution to the Borough's housing supply. Whilst this is not a significant contribution in this case, given the lack of identifiable harm, that the site is partially sited within the settlement limit of Wiveliscombe where new residential development is acceptable in line with Policy SP1 of the Taunton Deane Core Strategy, the principle of the proposed development here, taking into account other considerations such as visual impact and recent approvals for similar sites across the Plan area, it is considered to be acceptable in this instance.

Access

The access that currently serves To House and Tor View is derived off Ford Road to the West. Existing visibility splays are impeded by boundary walls, gate piers and adjoining planting and the driveway is narrow with no passing places other than the main parking area.

The proposals will see the roadside walls and gate piers demolished and rebuilt further into the site, thereby improving the visibility splay available across the site frontage to both the North and South. The splays will not meet the requirements of the Highway Authority Standing Advice document which requires 2.4m x 43m splays in a 30 mph zone, however, the existing splay affords 2.4m x 4.5m to the North and 5.6m to the South. The proposed access works will provide 2.4m x 34m to the North and 23m to the South, a significant improvement to the safety of the access for Tor House and such is considered to be acceptable in this location as to serve two additional plots.

The internal layout of the access drive, parking, turning and passing places are acceptable in design terms. The plots are considered to be of sufficient size as to accommodate a four bedroom dwelling, enclosed gardens and parking for three vehicles each and such will be controlled through the final design scheme and a reserved matters application.

In conclusion, the access to the site is considered to be acceptable and will not result in any severe impacts upon highway safety.

Conclusions

The proposed dwellings can be accommodated within the site without harm to the visual or residential amenity of the area, highway safety and the setting of Tor House. The proposals would be sited partially within and adjacent to the settlement boundary of Wiveliscombe and not within an isolated location within the landscape. The principle of this development is similar to other schemes permitted elsewhere within Wiveliscombe and the wider Borough, where sites in sustainable locations adjoining settlement limits have been supported by the Council.

Having regard to the above considerations, the proposal is considered acceptable and it is therefore recommended that the application be approved.

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

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