

30/14/0007

MR & MRS T WARD

**ERECTION OF DETACHED DWELLING WITH DETACHED GARAGING AND ASSOCIATED WORKS ON LAND ADJACENT TO WAYSIDE, HOWLEIGH LANE, BLAGDON HILL**

Location: WAYSIDE, HOWLEIGH LANE, BLAGDON HILL, TAUNTON, TA3  
7SW

Grid Reference: 321150.118918

Full Planning Permission

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**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 115.3.01 Rev E Location and Site Plan

(A3) DrNo 115.3.02 Rev B Site Plan

(A3) DrNo 115.3.03 Ground and First Floor Plans

(A3) DrNo 115.3.04 Roof Plan, Perspective View

(A3) DrNo 115.3.05 Rev A North, South and East Elevations

(A3) DrNo 115.3.06 Rev A North East, South East and South West Elevations

(A3) DrNo 115.3.07 Rev A West and North West Elevations Sections S-01 and S-02

(A3) DrNo 115.3.08 Ground and Roof Plans NSE and W Elevations Section S-1

(A4) DrNo 115.3.09 Sketch Site Section

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

3. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out and thereafter retained as such,

in accordance with the approved details as above, 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.

4. (i) Before any part of the permitted development is commenced, 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.

5. The applicant shall undertake all the recommendations made in Appendix 4 of Blackdown Environmental's Preliminary Ecological appraisal report dated January 2014, and provide mitigation for birds and bats as recommended.

The works shall be implemented in accordance with the approved details and timing of works, unless otherwise approved in writing by the Local Planning Authority. The development shall not be occupied until the scheme for the maintenance and provision of the new bird and bat boxes and related accesses have been fully implemented. Thereafter the resting places and agreed accesses shall be permanently maintained.

Reason: To protect and accommodate bats and breeding birds.

6. 1. The proposed access shall be constructed in accordance with details shown on the submitted plan, Drawing No. 115.3.02, and shall be available for use before the commencement of the development hereby permitted. Once constructed the access shall be maintained thereafter in that condition at all times.

Reason: In the interests of highway safety.

7. The proposed access shall incorporate pedestrian visibility splays on both its sides to the rear of the existing footway based on co-ordinates of 2.0 metres x 2.0 metres. Such splays shall be fully provided before the access hereby permitted is first brought onto use and shall thereafter be maintained at all times.

Reason: In the interests of highway safety.

8. There shall be no obstruction to visibility greater than 900millimetres above adjoining road level in advance of lines drawn 2.4 metres back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 43 metres either side of the access. Such visibility shall be fully provided before the development hereby permitted is commenced and shall thereafter be maintained at all times.

Reason: In the interests of highway safety.

9. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

#### 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 has negotiated amendments to the application to enable the grant of planning permission.
2. The access hereby permitted shall not be brought into use until drop kerbs have been installed at the carriageway edge and a vehicle cross-over constructed across the footway fronting the site for the width of the access.
3. Having regard to the powers of the Highway Authority under the Highways Act 1980 the applicant is advised that the creation of the new access will require a Section 184 Permit. This must be obtained from the Highway Service Manager for the Taunton Deane Area at The Highways Depot, Burton Place, Taunton: Tel No 0845 345 9155. Application for such a permit should be made at least four weeks before access works are intended to commence.
4. The condition relating to wildlife requires a mitigation proposal that will maintain favourable status for these species that are affected by this development proposal.

Most resident nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended).

It should be noted that the protection afforded to species under UK and EU

legislation is irrespective of the planning system and the developer should ensure that any activity they undertake on the application site (regardless of the need for planning consent) must comply with the appropriate wildlife legislation.

## **PROPOSAL**

The proposal comprises the erection of a dwelling within the curtilage of Wayside. The dwelling is detached and finished in stone and render. Along with the dwelling a detached double garage is also proposed.

A new vehicular access is required to serve the site.

The scheme has been amended, altering the materials and relocating the dwelling further away from the northern boundary.

## **SITE DESCRIPTION AND HISTORY**

The site forms part of the garden curtilage to Wayside, a grade II listed building. The site is separated from Wayside by a tree lined boundary and was granted permission as domestic curtilage. The site is bound by hedgerows and adjoins a field to the rear of the site.

The tree lined boundary currently forms the boundary of the Settlement of Blagdon Hill, with the application site being outside of the settlement. The site has been included as an area that would be within the settlement, extending the settlement of Blagdon Hill, within the proposed Site Allocations and Development Management Plan.

## **CONSULTATION AND REPRESENTATION RESPONSES**

### **Consultees**

*PITMINSTER PARISH COUNCIL* - Supports application provided:-

- Land lies within the village envelope.
- That Highways are in agreement for the proposed access.

*SCC - TRANSPORT DEVELOPMENT GROUP* - Following observations:-

Proposal – Land Adjacent to Wayside, Blagdon Hill - The proposal seeks the erection of a residential dwelling on land adjacent to the property known as 'Wayside', the formation of a new vehicular access, detached garage and associated works. My comments are made from onsite observations and the information submitted supporting the planning application specifically, the *Design and Access Statement* produced by *Robert Toy Architects (115/RJT January 2014)* and Drawings *115.3.01 rev C* and *115.3.02*.

Site Location – Land Adjacent to Wayside, Blagdon Hill - The proposed development site is located on land adjacent to the residential property known as 'Wayside', to which vehicular access is to be obtained via the formation of a new access. The proposed site frontage accesses onto Blagdon Hill Road a designated classified unnumbered highway to which a 30mph speed limit applies.

It was noted from onsite observations that Blagdon Hill Road is provided with footway (western edge of carriageway) however, does not provide any street lighting in proximity to the site. Furthermore, having checked accident data, I can confirm that there are no known recorded accidents in proximity to the site.

Traffic Generation – Land Adjacent to Wayside, Blagdon Hill - Somerset County Council takes the view that estimated vehicle movements for a single residential dwelling are approximately 5-7 movement per day. TRICS (Trip Rate Information Computer Systems) indicates that trip rates for a 'Land use 03 – Residential/A – Houses Privately Owned', would result in approximately a maximum of 0.577 vehicle movements within the peak hour.

Therefore it is considered that the introduction of a single residential dwelling in this location would not have any significant impact on the highway network.

Access Arrangements – Land Adjacent to Wayside, Blagdon Hill- Drawing No. 115.3.02 indicates the formation of the proposed vehicular access onto Blagdon Hill Road. The access arrangements for the single residential property are considered acceptable.

From onsite observations it was considered that design guidance from Manual for Streets (March 2007) is applicable in this location. Given the 30mph speed limit in place past the proposed site frontage any newly created access would be required to provide visibility splays based on coordinated of 2.4m x 43m in either direction to the nearside carriageway edge, with no obstruction greater than 900mm.

Drawing No. 115.3.01 rev C, provides the required vehicular visibility splays for the proposed access and is therefore considered acceptable.

Additionally, given the existing pedestrian footway in this location the proposed access would be required to provide pedestrian visibility splays on both its sides to the rear of the existing footway based on co-ordinates of 2.0 metres x 2.0 metres.

Finally, for the creation of the new accesses a Section 184 licence would be required from the Taunton Deane Area Highways Service Manager for the creation of the vehicular access (Dropped kerbing and crossover) onto Blagdon Hill Road.

Vehicle Parking Provision – Land Adjacent to Wayside, Blagdon Hill - Commenting further on the scheme, Blagdon Hill and the surrounding area has been identified as a 'Zone C' for vehicle parking provision therefore the Somerset County Council – Parking Strategy (amended September 2013) states the following requirement for Zone C parking provision:-

### 5.3 The standards for residential development (ZONE C)

Zone C	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom
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C – Green    2 car space    2.5 car space    3 car spaces    3.5 car spaces

Drawing No. 115.3.02, indicates the proposed developments internal layout of the site. The proposed residential five bedroom dwelling is provided with a double garage and ample vehicle parking. It is considered that suitable provision is available to allow vehicle turning within the site given the classification of Blagdon Hill Road.

Cycle Parking Provision – Land Adjacent to Wayside, Blagdon Hill - Additionally, as part of the Somerset County Council – Parking Strategy, new residential development is required to provide cycle storage facilities. It is considered that Drawing No. 115.3.02, indicates that the site can accommodate this require to provide cycle storage provision facilities promoting sustainable travel.

In the event of permission being granted, I would recommend that the following conditions are imposed:-

#### *LANDSCAPE –*

- Main concerns are new access breaching roadside hedgerow; position of proposed house, close to prominent northern part of the site.
- Recommend moving dwelling further south which will give more opportunity for larger tree planting on the northern side of the dwelling.

*BIODIVERSITY* - No objection.

- Bat and bird boxes to be provided.

#### *WESSEX WATER –*

Water Supply and Waste Connections - New water supply and waste water connections will be required from Wessex Water to serve this proposed development. Application forms and guidance information is available from the Developer Services web-pages at our website [www.wessexwater.co.uk](http://www.wessexwater.co.uk).

Please note that DEFRA intend to implement new regulations that will require the adoption of all new private sewers. All connections subject to these new regulations will require a signed adoption agreement with Wessex Water before any drainage works commence.

Further information can be obtained from our New Connections Team by telephoning 01225 526222 for Water Supply and 01225 526333 for Waste Water.

Separate Sewer Systems - Separate systems of drainage will be required to serve the proposed development.

No surface water connections will be permitted to the foul sewer system.

S105a Public Sewers - On 1st October 2011, in accordance with the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011, Wessex Water

became responsible for the ownership and maintenance of thousands of kilometres of formerly private sewers and lateral drains (section 105a sewers).

At the date of transfer many of these sewers are unrecorded on public sewer maps. These sewers can be located within property boundaries at the rear or side of any premises in addition to the existing public sewers shown on our record plans. They will commonly be affected by development proposals and we normally advise applicants to survey and plot these sewers on plans submitted for Planning or Building Regulations purposes.

More information relating to this transfer can be found on our website. It is important to undertake a full survey of the site and surrounding land to determine the local drainage arrangements and to contact our sewer protection team on 01225 526333 at an early stage if you suspect that a section 105a sewer may be affected.

*DRAINAGE ENGINEER* - Following observations: -

- Soakaway in accordance with Building Research Digest 365 (September 1991).
- Foul drainage - If a package sewage treatment works is to be installed, Environment Agency need to be consulted regarding treated effluent consents

*HERITAGE* –

Wayside is a Grade II listed building dating to the late medieval period. The proposed development site is immediately north of this listed building and I am surprised that the impact of this development on the setting of Wayside is not addressed in any of the submitted material.

The proposed dwelling is substantial and appears out of scale with its neighbours. I do, however, consider that it is sufficiently far off the listed building not to have a palpably negative impact on its setting.

## **Representations**

11 letters of SUPPORT received which raise the following issues:-

- Will be in keeping with the natural beauty of the village.
- Sympathetic design; sensitive to character of local architecture and countryside.
- Well located within village.
- Similar elevated plot to many properties in the village, being set back from road will have less visible impact.
- Would not overlook other properties.
- Support given appropriate planting scheme.
- Balance development on approach into village from Taunton

2 letters of REPRESENTATION received which raise the following issues:-

- Decision be delayed until Highway improvement deliberations taking place for applications for Pixie Lawn and Shangri-La are finalised. Road realignment is

likely to affect visibility splays and gradient of proposed access.

- Changes to footpath will make progress difficult for not so agile and anyone with a perambulator.
- Dwelling will be visible unless roadside hedge is allowed to grow much higher.
- Access, with slope, would be tricky if frost or ice; safest access via shared route from Howleigh Lane.

1 letter of OBJECTION received which raise the following issues:-

- Highly visible.
- Out of scale to surroundings; stretched out north facade; awkward extended footprint, out of keeping with scale, proportion and configuration of adjoining plots.
- Render above stone work is not characteristic; design not in keeping with locality.
- Design fails to take into account the surrounding area and how other design solutions may of enhanced setting and not be so damaging.
- Should incorporate local vernacular and not import design elements from other parts of the country.

## **PLANNING POLICIES**

SP1 - TD CORE STRATEGY SUSTAINABLE DEVELOPMENT LOCATIONS,  
CP4 - TD CORE STRATEGY - HOUSING,  
CP8 - CP 8 ENVIRONMENT,  
DM1 - TD CORE STRATEGY - GENERAL REQUIREMENTS,

## **LOCAL FINANCE CONSIDERATIONS**

The application is for residential development outside the settlement limits of Taunton and Wellington where the Community Infrastructure Levy (CIL) is £125 per square metre. Based on current rates, the CIL receipt for this development is approximately £48,000

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)	£1,079
Somerset County Council (Upper Tier Authority)	£270

### 6 Year Payment

Taunton Deane Borough Council (Lower Tier Authority)	£6,474
Somerset County Council (Upper Tier Authority)	£1,619

## **DETERMINING ISSUES AND CONSIDERATIONS**



## Principle

The proposed dwelling is currently sited within the curtilage of Wayside, though this additional area of curtilage falls outside of the settlement limits of Blagdon Hill. A proposed site that falls outside of the settlement is normally considered to be within open countryside where policies would not allow the creation of a new dwelling. In this particular case, the site is found adjoining the settlement, within an existing garden and is not isolated. Furthermore, the site has been included as a proposed extension to the settlement boundary of Blagdon Hill. As such, the principle of the proposed dwelling is considered acceptable.

## Visual amenity

The site is bound by a hedgerow that is shared with an adjoining field, which itself shares the boundary with the village park/recreational area. As such, the site is within a prominent position, particularly as the proposed dwelling would be the first dwelling on this side of the road when approaching from Taunton. The landscape officer originally raised concerns regarding the siting of the dwelling and the proposed access. Following meetings the Landscape Officer no longer has these concerns; the proposed dwelling has been sited further away from the northern boundary to allow additional tree planting. Tree planting is also shown along the boundary facing the road into Blagdon Hill and the south western boundary of the site. The new siting and landscaping allows the proposal to sit comfortably within this location without harm to the visual amenity of the area or street scene.

The proposed dwelling is large, though it can sit comfortably within the site. Materials have been amended and are now considered acceptable to this site.

## Residential amenity

The proposed dwelling is sited: 13m from the boundary of Wayside and 30m away from Wayside; 7m from the boundary of the neighbouring property and also 30m from the adjoining dwelling. There is one first floor window within the side elevation that acts as a secondary window to a bedroom; this window faces towards the rear of the neighbouring garden and not the dwelling itself. Given the above, the proposed dwelling is not considered to cause any undue overlooking or loss of privacy.

## Highways

The Highway Authority has not objected to the proposed dwelling and sufficient visibility, parking and turning can be provided. In addition to this, pedestrian visibility, though not shown, can also be provided. Additional sectional drawings have been submitted to show the gradient of the access and that there is no obstruction below 900mm within the visibility splay.

## Other matters

The proposed dwelling is not considered to cause any harm to wildlife; bat and bird boxes will be requested.

Alterations to the footpath adjoining the site have not be opposed by the Highway

Authority.

Conclusion

The proposed dwelling can be accommodated within the site without harm to the visual or residential amenity of the area and 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.**

**CONTACT OFFICER: Mr D Addicott Tel: 01823 356463**