

42/15/0020

MR S MARTIN-SCOTT

**ERECTION OF 1 No 5 BEDROOMED DETACHED DWELLING WITH SINGLE GARAGE AND ASSOCIATED WORKS IN THE GARDEN TO THE SIDE OF THE OLD RECTORY, WILD OAK LANE, TRULL**

Location: THE OLD RECTORY, WILD OAK LANE, TRULL, TAUNTON, TA3  
7JT

Grid Reference: 321601.122353

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:

(A1) DrNo P07 Rev A Proposed Front and Rear Elevations  
(A4) DrNo P01 Rev A Site Location Plan  
(A1) DrNo P02 Site Survey  
(A1) DrNo P03 Rev A Proposed Site Plan  
(A3) DrNo P04 Rev A Proposed Ground Floor  
(A3) DrNo P05 Rev A Proposed First Floor Plan  
(A3) DrNo P06 Rev A Proposed Second Floor Plan  
(A1) DrNo P07 Rev A Proposed Front & Rear Elevations  
(A2) DrNo P08 Rev A Proposed Right Side Elevations  
(A2) DrNo P09 Rev A Proposed Left Side Elevation and General Site Section  
(A4) DrNo P10 Proposed Garage Details  
(A3) DrNo P11 Rev A Axonometric Views  
(A1) DrNo P12 Rev A Additional Elevations

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

3. Prior to their installation, samples of the materials to be used in the

construction of the external surfaces of the development hereby permitted shall be 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) 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.

5. Prior to the occupation of the dwelling hereby permitted, full details of the boundary treatment to Wild Oak Lane shall be submitted to and approved in writing by the Local Planning Authority. The details shall be fully implemented prior to the occupation of the dwelling and shall thereafter be maintained as such, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of the visual amenities of the area.

6. Prior to the occupation of the dwelling hereby permitted, full details of the proposed hard landscaping shall be submitted to and approved in writing by the Local Planning Authority. The details shall be fully implemented prior to the occupation of the dwelling and shall thereafter be maintained as such, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of the visual amenities of the area.

7. There shall be no obstruction to visibility above 900mm from the adjoining carriageway level within the splays indicated on drawing 285/02/P03 rev A.

Such visibility splays shall be provided prior to the occupation of the dwelling hereby permitted and shall thereafter be maintained as such.

Reason: in the interest 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 entered into pre-application discussions 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**

This application seeks full planning permission for the erection of a new dwelling. It is a revised design for a dwelling previously given reserved matters approval on Plot 2. This is a full application, as the proposal increases the size of the site and is slightly higher than permitted by the outline permission. The proposed dwelling would be larger than that approved, being 5 bedrooms over 2.5 storeys. The proposal includes the lowering of the ground level of the site by up to 1.3 metres, in an effort to mitigate some of the increase in height. The dwelling would be finished in render with brick quoins and a tile roof. A gable projection is proposed to the front with large areas of glazing and dormer windows to the roof, with fenestration of varying sizes throughout the property. To the rear, a raised balcony area would provide access from the first floor to the garden.

The dwelling would be staggered back slightly from the front of the adjacent dwelling and provides parking and turning for two cars, including a single garage. It is proposed to create an access in the same position as that previously approved. The north (side) boundary is proposed to be delineated by a 2 metre high rendered wall to the rear of the property, which would be lowered to a low retaining wall on the element that protrudes to the front of the property.

Since the original submission, the application has been amended following concerns over design raised by your officers. The roof has been steepened and eaves lowered in effort to improve the proportions of the dwelling. There has also been a slight increase in height.

### **SITE DESCRIPTION AND HISTORY**

The site comprises part of the large garden of The Old Rectory, which is a substantial render and tile property set back from and on a higher level than the road. The site lies just outside of the Conservation Area and there is a large tree on the roadside, which is subject to a Tree Preservation Order. There is a mix of size and style properties along Wild Oak Lane, with substantial dwellings set within large plots to the north and a mix of semi-detached and terraced dwellings to the south.

These terraced/semi-detached properties are largely red brick with slate/tile roofs, set on a higher level than the road.

Outline planning permission was initially granted for the erection of two dwellings in the southern part of the garden in 2007, which was renewed in January 2011. That outline application reserved all matters for future consideration, with the exception of means of access. A subsequent application sought approval of reserved matters for the erection of the dwelling on Plot 1, which was granted in February 2012 and has since been constructed. A further reserved matters application was approved in February 2014 for Plot 2.

## **CONSULTATION AND REPRESENTATION RESPONSES**

### **Consultees**

*TRULL PARISH COUNCIL* – In respect of the original application: Objects – dwelling too large, takes too much of Old Rectory garden and out of keeping with street scene.

Comments are awaited in respect of the revised submission; members will be updated at the committee meeting.

*SCC - TRANSPORT DEVELOPMENT GROUP* - Refer to standing advice. Standing advice requires:

- Provision of visibility splays
- Pedestrian visibility splays of 2 x 2m to the rear of the footway.
- 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.
- 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.

*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.

*DRAINAGE ENGINEER* - No comments received

*LANDSCAPE* - Subject to appropriate roadside landscaping, proposals should be acceptable. Main concern is possible impact on Sycamore tree, if roadside bank would need to be lowered to achieve visibility splay.

*Subsequent comments* - As the applicant has confirmed that the bank is low enough to accommodate the visibility splay, I withdraw my concerns. I note that the applicant will take advice with regards to the TPO tree.

## **Representations**

The following representations have been received in respect of the original submission. There have been no representations in respect of the amended plans.

*WARD CLLR (CLLR EDWARDS)* – No objection. Outstanding permission for a slightly smaller footprint and this is in keeping with the variation of designs in the vicinity.

One letter of objection received on the grounds of:

- Contrary to planning policies and advice
- Over intensive development due to volume, size, position of garage.
- Design non-traditional, poor mix of materials and out of character with The Old Vicarage.
- Impact upon the setting of The Old Vicarage and the nearby Conservation Area.
- Reduction of site level by 1.5 metres will create a contrived landscape form, out of character with Wild Oak Lane.

Five letters of support received on the grounds of:

- Thought-through design in-keeping with The Old Rectory for a local resident, improvement to previous design.
- Will blend in sympathetically with surroundings.
- Seems the right size for the plot.
- In keeping with perceived 'up market' status of Wild Oak Lane. A great modern take on the Old Rectory.

## **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**

Community Infrastructure Levy

The application is for residential development, where the Community Infrastructure Levy (CIL) is £70 per square metre. Based on current rates, the CIL receipt for this development is approximately £22,500.

### New Homes Bonus

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**

Planning permission has already been granted on the site for a dwelling and there is an extant permission, which could be implemented at any time. As such, the principle is already established. The matter for consideration is therefore whether the revised scheme would result in any increased harm to the character and appearance of the area, the residential amenities of neighbouring residents and highway safety.

### Character and appearance of the area

The application site sits within a varied, historic street scene. Properties to the north are largely Victorian, both terraced and semi-detached. To the south is the Arts and Crafts style Old Rectory. All of these are rich in their architectural detailing. Immediately to the north, adjoining this site, is the recently constructed Higher Lea, which, by contrast, is bland and simple. On the opposite side of the road are a number of bungalows, although there are further older properties to the north.

The proposed dwelling will be of modern design. It is not of traditional proportions as the emphasis is strongly on the middle floor which has the largest windows. The large projecting gable will be dominant on the property – in a similar way to the projecting gable on the adjoining Old Rectory – albeit with a very different window to wall ratio. On the proposed dwelling, the gable will be almost entirely glazed, which will give the dwelling a much more modern feel. Given the variation in dwellings along Wild Oak Lane, all of which are true to their time, such an approach is deemed to be acceptable in principle.

In contrast to the original proposals, which had a shallow pitched roof and large amount of wall above the first floor windows, the revised proposals have dropped the eaves and slightly increased the overall height such that the roof is more steeply pitched. The dormer windows now sit more comfortably within the roof slope and are acceptable.

The dwelling will be a little higher than Higher Lea to the north, although this dwelling does appear a little too small alongside its Victorian neighbours, and in height terms, the proposal will sit between this and the Old Rectory to the south. The ground is proposed to be excavated, which will accentuate the overall height of the dwelling, although the overall height is below that of the Old Rectory. However, given the set back from the road, subject to suitable front boundary landscaping, the proposal is considered to be acceptable in terms of its impact on the street scene.

The site is close to the boundary with the Conservation Area, but in light of the considerations above, it is not considered to detract from the character and appearance of the area.

#### Impact upon neighbouring residents

The proposed dwelling would be sited largely alongside the gable end of Higher Lea, where there are no windows to be affected. Whilst it would protrude to the rear, this is not considered to be by an amount that would result in any overbearing impact or loss of light to the garden or rear windows. There are no windows in the side elevation that would face Higher Lea. Given the height of the boundary wall and the distance from it, the raised balcony is not considered to give rise to unacceptable overlooking of this property.

The Old Rectory is set on a higher level and although close, the proposal is not considered to result in significant harm to the residential amenities of that property. Whilst The Old Rectory faces towards the plot, due to the orientation, the main windows face the parking area to the front and there are no habitable room windows in the side. The proposed 2 metre high boundary wall would prevent overlooking between gardens and the raised balcony. As such, there are no concerns regarding overlooking and an element of private amenity space is available to the proposed dwelling.

There are further neighbouring properties to the rear, but again, the distance from these is considered to be acceptable; the boundary being approximately 14m from the proposed balcony at the closest point.

#### Highway safety

The proposal provides adequate space for two car parking spaces and a turning area within the site. The proposed access lies in the same position as that previously approved under the outline permission. As such, the scheme is not deemed to result in any increased impact beyond that of the extant permission. Highway standing advice requires the provision of visibility splays. Splays of 2.4 x 30m are proposed which are suitable for traffic speeds of between 20 and 25mph. Given the characteristics of Wild Oak Lane, such is considered to be appropriate.

#### Other matters

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.

## Conclusions

The proposed development is considered to be acceptably designed and would not impact unreasonably upon the amenities of neighbouring property, the street scene, character and appearance of the adjoining conservation area or highway safety. It is, therefore, considered to be acceptable and it is recommended that planning permission is granted.

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

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