

42/16/0019

MR S MARTIN-SCOTT

**Variation of Condition No. 02 (approved plans) of planning permission 42/15/0020 for alterations to the approved design, including the provision of an internal garage on land 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 Removal or Variation of Condition(s)

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## **Recommendation**

**Recommended decision: Conditional Approval**

### **Recommended Conditions (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:

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and the following drawing permitted pursuant to planning permission 42/16/0019:

(A1) DrNo P03 Rev A Proposed Site Plan - except that the garage shown on the drawing is not permitted by this permission.

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 no. 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

## Proposal

This application seeks to amend a previous planning permission for the erection of a dwelling. The proposals see the dwelling simplified in terms of its detailing and reduced in terms of the overall floorspace provision. An integral garage would be proposed in lieu of a separate free-standing garage building; the overall scale of the building and general design principles are as before.

The application is before the planning committee because the applicant is an elected member.

## Site Description

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.

## Relevant Planning History

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.

Full planning permission was granted for a larger dwelling under application 42/15/0020. This was for a larger, 2.5 storey dwelling and separate garage to the front.

## Consultation Responses

*TRULL PARISH COUNCIL* – Supports the application.

*SCC - TRANSPORT DEVELOPMENT GROUP* – Please refer to standing advice.

- 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.

*LANDSCAPE* – No comments to make.

## **Representations Received**

None.

## **Planning Policy Context**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan for Taunton Deane comprises the Taunton Deane Core Strategy (2012), saved policies of the Taunton Deane Local Plan (2004), the Taunton Town Centre Area Action Plan (2008), Somerset Minerals Local Plan (2015), and Somerset Waste Core Strategy (2013).

Relevant policies of the development plan are listed below. Policies from emerging plans are also listed; these are a material consideration.

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, 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**

The revised proposal will see the dwelling remain on the same site as previously allowed and the overall height and shape of the dwelling will remain unaltered. The separate garage block has been removed and an integral garage provided in its place. Fenestration has been simplified.

Given the similarities in scale and massing, the impact on neighbouring property is considered to be acceptable and the main issues relate to design. The site is on the edge of the conservation area so, in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Local Planning Authority must ensure that the character and appearance of the conservation area will still be preserved or enhanced by the proposal.

The provision of a free-standing garage to the front of the dwelling is seldom ideal in terms of its impact on the street scene, so the removal of this feature is an improvement. That said, an integral garage, particularly in an elevation such as this is also not considered to be particularly good design as the arrangement of the front elevation is somewhat awkward. However, when considered in the context of the previous permission and the immediately adjoining dwelling to the south, the proposal is considered to be an acceptable amendment that would not cause harm to the character and appearance of the conservation area. It is, therefore, 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.

**Contact Officer: Mr M Bale**