

21/09/0020

MR G BREWER

ERECTION OF A DWELLING IN THE GARDEN OF 5 SWIFTS, LANGFORD BUDVILLE (RESUBMISSION OF 21/08/0029)

311107.122924

Full Planning Permission

SITE DESCRIPTION AND HISTORY

The site comprises the front/side garden of the existing dwelling, 5 Swifts. The majority of the site is level with the front of the existing dwelling, however, the junction of Swifts slopes down steeply to meet the road through the village and as such, it is significantly elevated when viewed from the north and east. The site is open to the road on the north and east, with this site boundary being a steep grass bank. A low timber fence forms the eastern site boundary to the neighbouring number 3, which fronts the main road rather than Swifts estate road. The south boundary is a high rendered wall to the garden of the existing number 5.

The site sits at the corner of number 5 Swifts and the road through the village, past the church and school. There are a mixture of surrounding dwellings: The south and east side of Swifts are unremarkable, yet uniform terraced bungalows, with the north and west being two storey. The Victorian school buildings sit to the north, with a number of older properties sited along this road.

Application 21/08/0029 sought planning permission for the erection of a dwelling on this site. The application was refused for 5 reasons, as follows:

1. The proposed development is considered to provide insufficient private amenity space for the future occupiers of the site and has poor outlook from one of the habitable rooms due to the close proximity to the boundary. It is considered that the site is not large enough to accommodate the dwelling proposed and it is, therefore poorly designed and laid out contrary to policy S2 of the Taunton Deane Local Plan.
2. The proposed dwelling, by reason of the surrounding site levels, orientation and proximity to the highways would appear dominant in the street scene when viewed from the northwest. It would detract from the visual amenity of the immediate area and the character and appearance of the adjoining conservation area, contrary to policies S1 and S2 of the Taunton Deane Local Plan, policy 9 of the Somerset and Exmoor National Park Joint Structure Plan Review and the duty outlined at Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
3. Insufficient information has been provided to demonstrate that the proposed dwelling would not detract from the setting of the listed church to the east. It is therefore considered to be contrary to policy S1 of the Taunton Deane Local Plan, policy 9 of the Somerset and Exmoor National Park Joint Structure Plan Review and the duty outlined at Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

4. The proposed flat roofed garage is considered to be an incongruous feature within the submitted design specifically and surrounding area generally. It is considered to detract from the street scene and setting of the conservation area, contrary to policies S1 and S2 of the Taunton Deane Local Plan, policy 9 of the Somerset and Exmoor National Park Joint Structure Plan Review and the duty outlined at Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
5. Insufficient information has been provided to demonstrate that the proposed development can be made acceptable in terms of highway safety without causing further detriment to the visual amenities of the area. It is therefore considered to be contrary to policies S1 and S2 of the Taunton Deane Local Plan.

PROPOSAL

This application seeks full planning permission for the erection of a dwelling. The one bedroom dwelling would be sited in the side garden of the existing dwelling, set closer to the two roads that border this corner plot. It would have a single storey and would be have rendered walls with concrete roof tiles. A retaining wall would be constructed along the back of the footway that runs around the site, to provide a level site, raised up from the footway by around 1.7 metres at its maximum on the north side. The material proposed for the retaining wall is not specified.

The proposal is a modified scheme from the previous application, removing the garage from the proposal and re-siting the dwelling within the site.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

SCC - TRANSPORT DEVELOPMENT GROUP – The proposal would result in a reduction in parking for the existing dwelling. However, this is a one bedroom property, so a single space (as indicated) for each of the dwellings is acceptable.

Given that an existing access is being used, it may be considered unreasonable to insist upon the same visibility splays that were recommended for the last proposal. However, it is necessary to ensure that a reasonable splay is imposed to ensure no boundary fences or trees are positioned, obstructing visibility in the future. A visibility splay as indicated on an enclosed plan should be secured by condition.

LANGFORD BUDVILLE PARISH COUNCIL – Support the proposal.

CONSERVATION OFFICERS – Verbally confirmed that the proposals do not overcome the concerns raised in respect of the previous application, in that the proposal sits awkwardly in relation to the established pattern of development and may prejudice the setting of the listed church and conservation area.

DRAINAGE ENGINEER - No objection. Soakaways should be constructed in accordance with BRD 365.

WESSEX WATER - The development is within a foul sewered area and a point of

connection must be agreed. The Local Planning Authority must be satisfied with the method of disposal to soakaway. The developer should check with Wessex Water to ascertain whether there are any uncharted sewers or mains on the site.

Representations

THREE letters of support and FIVE letters raising no objection have been received, making the following comments:

- The proposed vehicular access is acceptable and safe.
- Query the need for a visibility splay when one can see adequately in both directions. The splay would impact upon the established garden frontage.
- It is not necessary for the access to the highway to be at right angles.
- The proposal will not interfere with Swifts or the School Road.
- The proposal will provide a much needed lower cost housing unit and potentially a pupil for the school.
- The proposal seems to be designed in a way to help it blend in with the surroundings.
- The site is outside the conservation area.

PLANNING POLICIES

S1 - TDBCLP - General Requirements,
S2 - TDBCLP - Design,
M4 - TDBCLP - Residential Parking Provision,
EN4 - TDBCLP -Wildlife in Buildings to be Converted or Demolished,
S&ENPP9 - S&ENP - The Built Historic Environment,
S&ENPP49 - S&ENP - Transport Requirements of New Development,
PPS1 - Delivering Sustainable Development,
PPG15 - Planning and the Historic Environment,

DETERMINING ISSUES AND CONSIDERATIONS

The site is within the settlement limit of Langford Budville and the development is considered to be acceptable in principle. The main issues in the consideration of this application are the impact of the design and layout on the general street scene and local character, character and appearance of the conservation area and nearby listed buildings, highway safety, and the impact on neighbouring property.

Design and layout

The site is located within the context of generally unremarkable properties and despite the site's location adjoining the conservation area, it would be difficult to raise an objection to the design style *per se*. Of greater importance is the proposed layout of the site, the physical bulk and the way that it would sit in the street scene.

In terms of the detailed site layout, the application proposes a small dwelling on a small plot. Space about the building would be severely limited, with an external amenity area measuring, approximately 40 square metres. Whilst in total area terms, this is reasonable for a dwelling of this size, the space would be on the public side of the dwelling and not in any way private. It is narrow and therefore its usability is questionable. Although, no means of enclosure is proposed, there would likely be pressure from future occupiers to enclose the space to create a private amenity area

and to prevent direct views into the living room. Due to the prominent location of the site and change in levels such a means of enclosure, however constructed, would be detrimental to the general street scene and appearance of the adjoining conservation area, especially as it would sit on top of the proposed 1.5 metre high retaining wall. Even without any boundary screening (such as a wall or fence) the proposed retaining wall is by itself considered to be an intrusive feature in the general street scene.

Turning to the wider scale and surrounding context, the proposed layout is somewhat at odds with the prevailing plan form of the area. The dwellings of Swifts are constructed in strong building lines that are set a reasonable distance back from the road. The proposed dwelling, would be forward of the building lines and would, as such appear prominent in the street scene. This would be exacerbated by the significant elevation of the site and proposed retaining wall. This impact would be particularly apparent when viewed from the northwest into the conservation area. The view towards the site from this direction is dominated by the listed church in the background. The conservation officer does not believe that views of the church will be interrupted by the dwelling, but information on context is poor. In any case, the intrusive nature of the dwelling, as outlined above would dominate the foreground and this may well be detrimental to the setting of the important listed building at the heart of the conservation area. Further information accurately depicting the context may alleviate these concerns, but on the basis of the information submitted the proposal is considered to be inappropriate for these reasons.

When viewed from the west, looking down Swifts, the bulk of the building would be less of a problem and the curve in the road means that it does address the public realm in a manner that is generally acceptable, although the details of the fenestration, with the high level windows in the gable end are a little stark. The proposal would also force the parking area for the existing 5 Swifts to the front of that dwelling, which would increase the prominence of parked vehicles in the street scene. Whilst, in this context, this may not warrant refusal in its own right, it adds weight to the concerns noted above.

Highways

The Highway Authority has raised no objection in principle to the scheme, considering that it can be made acceptable. The level of parking provision is acceptable and the proposed boundary wall could be realigned to accommodate the highway authority's proposed visibility splay. The previous highway reason for refusal is considered to have been overcome.

Neighbouring property

The dwelling would be sited in close proximity to the boundary with number 3 to the east. However, it is not considered that the bulk of the building would create an unacceptable impact on the amenity space of this dwelling. The proposed boundary fence and lack of windows in the east elevation would prevent any unacceptable overlooking. The existing number 5 would retain sufficient amenity space to the rear. It is not considered that this dwelling, or any others in the surrounding area would be impacted on unacceptably.

Conclusions

It is considered that the proposed dwelling would be sited such that it was unduly dominant in the street scene. It has a poor relationship with surrounding dwellings and the public realm in visual terms. There is insufficient information provided regarding the potential impact on the character and appearance of the adjoining conservation area in general and the church in particular. The proposed layout provides insufficient private amenity space for the future occupiers and for these reasons it is considered to be unacceptable. It is, therefore, recommended that planning permission is refused.

RECOMMENDATION AND REASON(S)

Recommended Decision: Refusal

- 1 The proposed development is considered to provide insufficient private amenity space for the future occupiers of the site. It is considered that the site is not large enough to accommodate the dwelling proposed and it is, therefore, poorly designed and laid out contrary to policy S2 of the Taunton Deane Local Plan.
- 2 The proposed dwelling, by reason of the surrounding site levels, proposed retaining wall, orientation and proximity to the highways would appear dominant in the street scene when viewed from the northwest. It would detract from the visual amenity of the immediate area and the character and appearance of the adjoining conservation area, contrary to policies S1, S2 and EN14 of the Taunton Deane Local Plan, policy 9 of the Somerset and Exmoor National Park Joint Structure Plan Review and the duty outlined at Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 3 Insufficient information has been provided to demonstrate that the proposed dwelling would not detract from the setting of the listed church to the east. It is therefore considered to be contrary to policy S1 of the Taunton Deane Local Plan, policy 9 of the Somerset and Exmoor National Park Joint Structure Plan Review and the duty outlined at Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

RECOMMENDED CONDITION(S) (if applicable)

Notes for compliance

In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1988.

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