

34/11/0040

MR A KIRKHAM

**ERECTION OF GARAGE WITH ANCILLARY ACCOMMODATION ABOVE, AND
ERECTION OF INDOOR SWIMMING POOL WITH GYM AND CHANGING AREA
IN THE GROUNDS OF STAPLEGROVE HOUSE, STAPLEGROVE (AMENDED
SCHEME OF 34/11/0032)**

Grid Reference: 320926.126356

Full Planning Permission

RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval

The proposal would preserve the character and appearance of the Conservation Area and would not harm either visual nor residential amenity. The setting of the listed building is not harmed. Accordingly, the proposal does not conflict with Taunton Deane Local Plan Policies S1 (General Requirements), S2 (Design), H17 (Extensions), H18 (Ancillary Accommodation) and EN14 (Conservation Areas), PPS 5 (Planning and Historic Environment) or Section 66 & 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990

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 003 Rev A Block Plan

(A1) DrNo 005 Rev B Proposals Pool and Garage

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 protect the character and appearance of the existing building in accordance with Policy S2 of the Taunton Deane Local Plan.

4. Prior to commencement of trenching works within the canopy spread of the existing Horse Chestnut tree near the proposed coach house, all trenching works, foundation details and surfacing materials shall be agreed with the Local Planning Authority. Works shall thereafter be carried out in accordance with those agreed details. All trenching works should be hand dug and no roots larger than 20mm in diameter should be severed without first notifying the Local Planning Authority. Good quality topsoil should be used to backfill the trench and compacted without using machinery.

Reason: To avoid potential harm to the root system of any tree leading to possible consequential damage to its health which would be contrary to Taunton Deane Local Plan Policies EN6 and EN8.

Notes for compliance

PROPOSAL

The proposal comprises the erection of a garage and a building to house an indoor swimming pool.

The proposed garage provides space for two cars, a store and WC on the ground floor while providing ancillary accommodation above the garage. The building will be finished with a natural stone wall on the front elevation with all other elevations in render; a slate roof is proposed and timber doors. An external staircase is proposed on the side of the garage to gain access to the first floor that will be lit by four conservation rooflights.

The other proposed building will house a swimming pool, gym, changing room and plant room. The building has been designed with three components; a higher central building with two smaller wings to both sides. All components have a flat roof parapet with a timber glazed lantern proposed on the roof of the larger central element. The building will be finished in render with timber windows and doors.

This application is a resubmission of a recently withdrawn application for the same proposal. The amended scheme has relocated the garage and the position of the external staircase on the garage.

SITE DESCRIPTION AND HISTORY

Staplegrave House is a large render natural stone house with a hipped slate roof. The house has been divided into two dwellings with the neighbouring property known as Long Meadow House. Staplegrave House has extensive gardens with ample parking; a large area of garden is screened by a high boundary wall (4.3m high).

The house is Grade II listed and lies within the Staplegrave Conservation Area.

Planning history

34/11/0032 - Erection of coach house with garaging and ancillary accommodation and erection of indoor swimming pool with gym and changing area in the grounds of Staplegrove House, Staplegrove. Application withdrawn on 2nd December 2011.

Listed building consent has been granted for internal and external alterations to the house.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

STAPLEGROVE PARISH COUNCIL - Following observations: -

- Amended scheme has partly addressed previous objection and location of garage/coach house has been moved little further away from Long Meadow House.
- However, alteration does not meet approval of owners of Long meadow House and ourselves. Current location of garage will still be overpowering due to proximity to house and block out late afternoon/evening sun.
- All parties would be satisfied if garage/coach house were located a further 5m west and hope developers will accede to this request.

SCC - TRANSPORT DEVELOPMENT GROUP - No objection: -

- Location of proposed garage and swimming pool will not affect already ample vehicle parking and turning area.
- Ancillary accommodation above garage should be tied to main dwelling.
- As swimming pool ancillary and for private use, not likely to result in an increase in vehicle movements.

LANDSCAPE - Following observations: -

- Subject to details of surfacing within the root protection of the Horse Chestnut, and protection of the tree during construction, the proposals are acceptable.

HERITAGE - No objection.

Representations

FOUR LETTERS OF OBJECTION raising the following: -

Swimming pool

- Object to location; adjacent to lane beside the property wall, roof line of building higher than wall and visible from the garden of Wall House.
- Possible noise, particularly on summer evenings, with doors and windows open, spoiling enjoyment of local residents in their garden; noise from plant room.
- Height of pool building would be above northern boundary wall by 93.8cm; There is currently an unobstructed view from kitchen and dining room windows of 1 Staplegrove Cottages; do not want to look at any part of the

- building
- Concern of disposal of swimming pool water on existing old drains, new toilets on old sewers.

Coach House

- Now closer to 1 Staplegrove Cottages; windows above boundary wall will impose into our garden and cottage privacy
- Vista of Staplegrove House from our property will be blocked by very large building.
- The development would spoil, not enhance original design of Grade II listed building; close proximity is not in keeping with immediate area of fine listed building.
- Old coach house 20+ metres away from house.
- No justification for extra accommodation; 2 dwellings refused (34/88/0065 & 64.
- Higher than boundary wall; not in keeping, as large as modern two bedroom house
- Loss of light and privacy; 5 windows on the west elevation of Long Meadow House will look onto the proposed building.
- If moved 15m further back into garden, behind hedge, would be less intrusive and more in keeping with layout of grounds.
- Impact on roots of Horse Chestnut Tree

Other

- No need for parking and turning area when substantial parking already available.
- Concern that there may be an increase in vehicles using private drive; will create unacceptable noise and fumes.
- Concern that new build could be a business premises with leisure facilities for staff.
- Previous applications have been refused by Highway Committee on access of private lane to main highway.
- Object to felling of trees affected by this build.
- Buildings detrimental to back drop of rural and agricultural area.
- Permission would allow more applications to build in the conservation area.
- Concern that Staplegrove House has a right of way over the private lane to rear of the House, if so, lane narrow and difficult for large vehicles to safely manoeuvre; resident children use the lane to play and go to school – health and safety concern.

PLANNING POLICIES

S1 - TDBCLP - General Requirements,

S2 - TDBCLP - Design,

H17 - TDBCLP - Extensions to Dwellings,

H18 - TDBCLP - Ancillary Accommodation,

EN6 - TDBCLP -Protection of Trees, Woodlands, Orchards & Hedgerows,

EN8 - TDBCLP - Trees in and around Settlements,

EN14 - TDBCLP - Conservation Areas,

S&ENPP9 - S&ENP - The Built Historic Environment,

PPS 5 - PPS5 Planning for the Historic Environment,

DETERMINING ISSUES AND CONSIDERATIONS

The main considerations are impact on visual and residential amenity and the setting of the listed building and conservation area.

Residential amenity

The proposed coach house is sited at the end of the existing drive, near an existing Horse Chestnut Tree. One of the gable ends, with external staircase, of the building will face towards the boundary wall, with the garage door elevation facing towards Long Meadow House. The roof lights on the west elevation face into the garden of Staplegrove House.

The corner of the proposed garage, at the closest point, would be 15.2m from Long Meadow House. The east elevation facing the neighbour contains no windows, only two solid garage doors and a solid door. As such, there is not considered to be any undue overlooking or loss of privacy to the adjoining neighbour. The proposed coach house is not considered to cause any undue loss of light, or considered to be overbearing, on Long Meadow House as the proposed coach house is not sited directly in front of the five windows of the neighbour, but to the side, with the corner of the coach house in line with only one window.

Though the height of the coach house would project higher than the boundary wall, this is not considered detrimental to the amenity of the adjoining neighbouring property. As the gable of the coach house is closest to the boundary, this allows for the minimal amount of building to be visible. Furthermore, the adjoining property is approximately 18m away. Given the proposed rooflights are within the elevation facing into the existing garden of Staplegrove House and the occasional use of the accommodation, the rooflights are not considered to cause any detrimental harm to residential amenity.

As the driveway in front of the side elevation of Long Meadow House is existing; vehicles can drive past and park in front now. Vehicles gaining access to the garages are not considered to cause any further detriment beyond the existing situation.

Whilst the top of the swimming pool building would be visible from certain points, the visual presence of the building would not harm the residential amenity of neighbouring properties.

Any possible noise generated from the swimming pool building is not considered detrimental beyond the use of the existing garden during the summer. Furthermore, enclosing the swimming pool within a building is considered to help reduce any noise from the users.

Visual amenity/Conservation Area

Only part of the timber glazed lantern on top of the swimming pool building would be visible above the existing boundary wall; this itself would have limited views from the adjoining road, the A358 and the private lane leading to the neighbouring properties.

The proposed coach house is set back further into the site, with tree planting screening the building. As such, the coach house would have limited or no views from the A358 and would only be partially visible to the adjoining neighbouring properties.

Regard must also be given to Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. This requires that development proposals must be assessed to ensure that they preserve or enhance the character and appearance of the conservation area. There will not be any detrimental impact of views to and from the Conservation Area as the works are not visible, or are limited views to which are not detrimental.

Listed Building

The Conservation Officer has not raised an objection to the introduction of a new coach house, and the swimming pool building is set far enough away from the listed house as not to harm the setting of the listed building.

The swimming pool building has been designed to reflect an orangery, with the large timber glazed lantern and the coach house is of a simple traditional pitched roof design. The materials of both buildings have tried to reflect the main house.

As such, regard must be given to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. This requires that development proposals must be assessed to ensure that they preserve the listed building, its setting or any features of special architectural or historic interest which it possess. The application is not considered to adversely affect the character and appearance of the listed building nor harm the historic fabric of the building.

The proposal is also considered to comply with PPS 5 (Planning for the Historic Environment) Development Management Policies HE7 and HE9.

Other Matters

The proposed coach house has been moved further away from the canopy of the Horse Chestnut Tree and the application raises no objection from the Landscape Officer. A condition will be attached to confirm the surface treatment within the Root Protection Area (RPA).

The proposed buildings are indicated to be accessed from the main driveway via the A358. The proposal has not included the use of a private lane that the owners may/may not have access over. If the owners/occupiers had a right of way over the private lane, the use would not be considered to be any greater than the existing dwelling. As such, no objection to the use of the private lane would have been raised.

There is no reason to suspect a business use is proposed. If such a business use was to take place an application would be requested and assessed.

New buildings are allowed within a conservation area, having regard to Section 72 (as mentioned above).

Conclusion

The new buildings are in keeping with character and appearance of the dwelling and are not considered to harm the listed building. There will be no overlooking/loss of light to neighbouring properties and the proposals would have limited views from the public. As such, there is no harm to visual or residential amenity, or the Conservation area.

With regard to these matters, the proposal is considered to be acceptable and it is, therefore, recommended that 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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