

24/2005/051

MR & MRS W J WEBB

**ERECTION OF TWO STOREY SIDE EXTENSION ERECTION OF DETACHED DOUBLE GARAGE AND EXTENSION OF RESIDENTIAL CURTILAGE INTO PADDOCK, THE LODGE, 7 KNAPP LANE, NORTH CURRY.**

31671/25352

FULL PERMISSION

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**PROPOSAL**

This is a resubmission of an identical application which was refused permission on 29th September, 2005, reference 24/2005/028, under powers devolved to the Parish Council. It was refused for the following reason: "The existing residential curtilage is too small to accommodate satisfactorily the proposed extension and double garage. An extension of the residential curtilage into the adjacent field is required, together with the loss of four mature conifer trees and this would be detrimental to the visual amenity of an attractive rural area and out of keeping with the street scene and a prominent site at the entrance to the village. The proposed extension would also lose its existing character of a Lodge. The proposal is therefore contrary to Taunton Deane Local Plan Policies S1, S2 and H17". An appeal has been made against the refusal, and an informal hearing will be held into the appeal.

The proposal comprises the erection of a 2 storey extension, the erection of a detached double garage, the felling of 4 No. conifer trees, and the modest extension of the residential curtilage into an open paddock. The Lodge is a detached early 19th Century dwelling.

The current application is being presented to the Committee because the proposal was again presented to the Parish Council at their meeting 30th November, 2005 for their re-consideration and re-assessment, but notwithstanding advice that a refusal was unreasonable, they nevertheless again recommended that the application be refused for the same reasons as per 24/2005/028. In such circumstances, devolved applications may be decided by Taunton Deane Borough Council Planning Committee. This is in accordance with the devolved agreement which reads: "If ... decision remains which the Planning Officer believes would result in a significant risk of legal and other costs being awarded against the Council in the appeal, then he shall have the right to refer the matter to Taunton Deane's Planning Control Committee" In this instance, it is considered that a refusal is unreasonable, and that there is a significant risk of cost being awarded against the Council at the forthcoming appeal.

**CONSULTATIONS AND REPRESENTATIONS**

COUNTY HIGHWAY AUTHORITY recommends condition. WESSEX WATER recommends note.

LANDSCAPE OFFICER the existing conifers are in very poor condition and will soon have to be felled. Subject to landscape details it should be possible to accommodate the proposed changes. However I think there may be a need for more than 4 trees, subject to species and a hedgerow along the near boundary.

PARISH COUNCIL recommends refusal.

6 LETTERS OF SUPPORT have been submitted on the grounds that:- the development would enhance the building, the street scene, and the entrance to the village; the conifer trees are nearly dead and an eyesore, and their removal and replacement would be a blessing; many houses in the Parish have a curtilage no greater than this and parking in the road is avoided by this proposal; the Lodge would be made into a habitable dwelling; and that appropriate materials must be used.

## **POLICY CONTEXT**

Policies S1, S2 and H17 of the Taunton Deane Local Plan seek to safeguard, inter alia, the character of buildings, road safety, and visual and residential amenity.

## **ASSESSMENT**

There are 4 issues to be addressed and assessed:- the extension; the garage; the trees; and the curtilage extension.

With regard to the 2 storey extension:- this is modest in size and provides a third bedroom at first floor and an additional room at ground floor; it is clearly 'subservient' which is a pre-requisite of the Local Planning Authority; no neighbouring properties would be affected in terms of light or privacy; the architectural detailing accurately reflects the existing building; and the extension balances and compliments the extension on the other side of the building. The extension is therefore considered appropriate in design terms and will not distract from either building or the street scene.

In respect of the garage, this also is modest in size and has a ridge height of only 3.1 m. It is not consequently considered obtrusive in the street scene. In addition, if the garage could be re-sited such that it would not require planning permission, but would have greater visual impact.

With regard to the trees, they are not protected by a TPO, and are not within a Conservation Area. Accordingly, permission is not required for their felling. Furthermore, and as the Landscape Officer has advised: "The existing conifers are in very poor condition and will soon have to be felled". They clearly have limited amenity value, and the planting of replacement trees would significantly enhance the street scene and visual amenity.

Finally, with regard to the modest curtilage extension of 3 to 4 m, this allows the provision of the on-site garage and turning circle which would be beneficial to road

safety. The curtilage would also be bounded by a 'rural' metal fence to match an adjoining fence, and this in turn would help to visually improve the site.

In conclusion therefore, I would advise that road safety would be improved, the street scene would be enhanced, the character of the Lodge would be safeguarded and residential amenity would not be harmed in any way.

## **RECOMMENDATION**

Permission be GRANTED subject to conditions of time, materials, landscaping and visibility splay.

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

**CONTACT OFFICER: 356465 MR J GRANT**

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