

43/2004/034

MR P ELLIOTT

RETENTION OF FIRST FLOOR WINDOWS, 4 HIGHLAND PLACE, HIGH STREET, WELLINGTON.

14145/20301

RETENTION OF BUILDINGS/WORKS ETC.

PROPOSAL

Retention of three first floor windows on the north west elevation. Windows have an internal obscure film applied and it is proposed to restrict the openings of the windows. The windows serve a bedroom, a bathroom, and a hall landing.

Permission was granted on 16th January, 2003 for a new dwelling. This application was approved with one first floor high level circular window with obscure glazing and a restricted opening. Planning Committee on 28th January, 2004 refused to accept amended plans retaining the windows without the proposed restricted openings.

CONSULTATIONS AND REPRESENTATIONS

TOWN COUNCIL oppose application because it will create overlooking and loss of privacy for neighbours.

TWO LETTERS OF OBJECTION raising the following:- original application passed with specific and express proviso that the building should not unduly overlook my property; small circular window passed was set high so did not overlook as the three rectangular windows do; obscure film can easily be removed; windows drawn are inaccurate and not to scale, far left window twice the width as drawn; object to brick wall being lowered; view from my window used to be to an attractive high brick wall, now I look onto ugly building; loss of trees on site without checking with the council; windows overlook garden, bedroom windows and dining room; idea of restricted openings is to use a couple of screws which can be removed; even if obscured, the windows will have appearance of overlooking, any prospective buyer would assume we were overlooked;

THREE LETTERS OF SUPPORT raising the following:- area has become a smart residential site; vast improvement on the old waste ground; development has improved parking and road surface into the site; improved outlook from a piece of overgrown land and derelict out buildings to a very clean and tidy property.

POLICY CONTEXT

Policy S1 (General Requirements) of the Taunton Deane Local Plan Revised Deposit seeks to ensure that the amenity of any residential property will not be harmed by any development.

ASSESSMENT

The northwest elevation has three rectangular windows at the first floor with an internal obscure film applied. The dwelling is approximately 8.3 m to the boundary of the neighbouring properties, and 20 m to the neighbouring dwelling. The new dwelling is set down 780 mm from the ground level of the neighbouring properties to the rear. The applicant has indicated that the windows will have restricted openings, though I do not feel this is necessary to condition. Given that the windows are to have an obscure film, the distance from the dwelling to the nearest neighbouring property, and the difference in ground levels, it is considered that any overlooking or loss of privacy would be kept to a minimum and considered acceptable

The wall referred to within the objections is an old boundary wall that previously had permission to be lowered to 1.8 m. The wall has now been lowered by a further 170 mm to 1.63 m and amended plans are awaited. There is no objection from the Conservation Officer. The Local Authority Landscape Technician has visited the site and has no control over the loss of the trees on site or the reduction in the height of the Eucalyptus tree.

RECOMMENDATION

Permission be GRANTED subject to conditions of obscure film to be retained, and all new glazing to be obscure.

REASON(S) FOR RECOMMENDATION:- The proposal is considered not to harm the visual or residential amenity of neighbouring properties and is in accordance with Taunton Deane Local Plan Revised Deposit Policy S1.

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

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NOTES:

