

42/2006/017

S & M DODGE

**ERECTION OF DWELLING AT 7 ORCHARD CLOSE, TRULL AS AMENDED BY**

321521/122322

FULL

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**PROPOSAL**

Outline permission was granted on appeal in May 2006, reference 42/2005/040, and the current full application seeks permission for the detailed design, which comprises the erection of a 3 bedroomed chalet bungalow within the garden area of No. 7 Orchard Close. Vehicular access is proposed off Trull Green.

Permission was also granted for an extension and dormer window at No. 7 Orchard Close, in November 2005, reference 42/2005/041.

**CONSULTATIONS AND REPRESENTATIONS**

COUNTY HIGHWAY AUTHORITY recommends conditions. WESSEX WATER recommends note.

PARISH COUNCIL recommends refusal. The proposed dwelling is of an excessive size for the plot. Reference should be made to the suggestion from the Planning Inspectorate that a small bungalow would be appropriate.

5 LETTERS OF OBJECTION have been received raising the following issues:- the proposal does not comply with the Planning Inspectorate's recommendation; the scale, height and size would have a serious adverse impact on amenity; the proposal conflicts with planning policy; dormer windows would result in direct overlooking; loss of light would result; the design is out of character with the area; a bungalow should be constructed, not a house; the proposal constitutes an overdevelopment of the site; existing properties would be devalued; and road safety would be jeopardised.

**POLICY CONTEXT**

Policies S1 and S2 of the Taunton Deane Local Plan seek to safeguard, inter alia, visual and residential amenity, and road safety. Policy H2 accepts residential development inside settlement limits provided there is no adverse impact on visual and residential amenity.

**ASSESSMENT**

The principle for a dwelling at this site has clearly been established by the design granted on appeal, and whilst the Inspector does say in his decision letter:- "In my view a small dwelling, such as a bungalow, could be sited here without being too obtrusive or harming the outlook from the houses opposite", the submitted proposal nevertheless proposes a chalet bungalow. The principle issue therefore to be

assessed is whether it would be reasonable to resist the proposal based on its 2 storey design, and I not consider that to be the case. Firstly, the neighbouring property No. 7 was granted permission for a dormer window in November 2005, reference 42/2005/041. The proposal would not therefore be the only property the estate with a dormer window. Secondly, the proposed ridge height is some 5.95 m compared to that of No. 7 which is 5.55 m. A difference of 0.4 m can only reasonably be regarded as insignificant. Thirdly, the ground area of the proposed dwelling is significantly smaller than that of No. 7, and compares fairly equally with other bungalows on the estate. Fourthly, the applicant has agreed to omit the only one of the four dormers which could realistically be argued to give rise to any undue overlooking, although at the time of agenda preparation appropriately amended drawings had not been submitted. Finally, the design is not considered too out of character with the predominant bungalow design on the estate.

On balance, therefore, I consider that it would be unjustified and unreasonable to resist the proposal.

### **RECOMMENDATION**

Subject to the receipt of satisfactory revised drawings which omit the dormer window from the southern elevation, and which replace it with a velux light above eye level, the Development Control Manager in consultation with the Chair/Vice Chair be authorised to determine and permission be GRANTED subject to conditions of time, materials, highway conditions, landscaping, recessed fenestration, removal of PD rights, details of walls and fences. Notes re soakaways, highways, Wessex Water

**REASON(S) FOR RECOMMENDATION:-** The proposed development would not adversely affect visual amenity, residential amenity, or road safety, and therefore does not conflict with Taunton Deane Local Plan Policies S1, S2 and H2.

**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**

NOTES: