

05/20/0027

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**Replacement of summer house and construction of gazebo at Rumwell Park,
Wellington Road, Rumwell**

Location: RUMWELL PARK, WELLINGTON ROAD, RUMWELL, TAUNTON,
TA4 1EH

Grid Reference: 319680.123648

Full Planning Permission

Recommendation

Recommended decision: Conditional Approval

Recommended Conditions (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:

(A4) Site Location Plan

(A4) Block / Site Plan

(A3) DrNo 17-225-03/A Proposed Gazebo Courtyard

(A3) DrNo 17-225-04 Proposed Summerhouse

Reason: For the avoidance of doubt and in the interests of proper planning.

Notes to Applicant

1. In accordance with paragraph 38 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the applicant and has negotiated amendments to the application to enable the grant of planning permission.

Proposal

This application proposes to replace an existing, currently dilapidated summerhouse with another larger summerhouse. The proposed design will be 7.5m long x 3m deep and 3.1 high with an open porch 1.3 x 3m to the front. It is proposed to build the new structure with timber frame, and timber boarding under a natural slate roof with timber windows.

There is a hot tub which is located next to an existing lean-to built brick structure within the courtyard north of the house. It is proposed to build a gazebo to cover this hot tub and provide a BBQ area. The gazebo would have a timber frame measuring approximately 7.4 metres in length and a height to the eaves of 2.2 metres and a maximum height of 3.2 metres. The section over the hot tub would have a flat roof to accommodate for the neighbouring high level window at the former Coach House. It should be noted that this application is partly retrospective as some of the timber gazebo is already in place.

Site Description

The site concerns the garden of the Grade II listed Rumwell Park. Rumwell Park is a mid 19th century Italian style villa sited within its own grounds situated on the western outskirts of Taunton.

To the north of the main house lies an enclosed concrete paved courtyard. To the north of the courtyard on the boundary with Elm Farm is a lean-to brick built and slate roofed building, now a sauna. The west of the boundary is formed by another single storey lean to store and the east boundary is a high stone wall. The gazebo would be positioned in between the lean to brick built building and the high stone wall.

To the west of the main house beyond the northern courtyard stands a dilapidated timber built summer house, facing south, on a raised paved plinth. The building is bounded to the north by a high stone wall. The building is approximately 15 metres from the main house and screened from it by another stone wall, trees and vegetation.

The site is accessed via a driveway, north of the A38. This driveway is partly shared by another property, Four Winds, and can also be used to access Elms Farm.

Relevant Planning History

05/20/0028/LB Replacement of summer house and construction of gazebo at Rumwell Park. Recommended for approval.

05/28/0034 Change of use and conversion of former coach house to 1 No. dwelling with erection of garage to serve main dwelling at Elm Farm, Rumwell Park Lane. CA – 12/10/2018.

Consultation Responses

BISHOPS HULL PARISH COUNCIL - OBJECTS to this application with the following comments:

The proposed development would result in infringement of natural light to the neighbouring property.

Both the summer house and the Jacuzzi buildings will cause concerns in relation to accessing the neighbour's boundary wall as the new build will be too close should the neighbours wall require attention.

Please also note that work has already begun on the Jacuzzi framework even though the application states no work yet started.

Representations Received

6 objections were received which raise concerns regarding:

- Noise and nuisance
- Litter
- Traffic on shared driveway
- Size and height
- Use
- Light entering coach house
- Incorrect information in Design and Access Statement regarding obscure glazed window at Coach House
- Ownership and maintenance of north and west wall
- Impact on the Coach House, of Elms Farm
- Commencement of works
- Partially visible from access

Planning Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan for Taunton Deane comprises the Taunton Deane Core Strategy (2012), the Taunton Site Allocations and Development Management Plan (2016), the Taunton Town Centre Area Action Plan (2008), Somerset Minerals Local Plan (2015), and Somerset Waste Core Strategy (2013).

Relevant policies of the development plan are listed below.

ENV3 - Special Landscape Features,
CP8 - Environment,
DM1 - General requirements,
DM2 - Development in the countryside,

Local finance considerations

Community Infrastructure Levy

Not applicable.

Determining issues and considerations

The main issues in the consideration of this application are the principle of the development, its design, amenity impacts and the impact on Grade II listed Rumwell Park House.

The principle of development

Policy SP1 confirms that the application site lies in open countryside and as such policy DM2 is the relevant policy that deals with development in the open countryside.

Whilst Policy DM2 is the relevant policy for development in the countryside. This application concerns a small structure that would be adjacent to a high wall which adjoins a neighbouring newly converted dwelling. As such, it would be incommensurate to use Policy DM2 to assess this structure. Given its size and placement, it is considered to be acceptable in this location.

The summerhouse would replace an existing dilapidated summerhouse. It would also be located adjacent to a high wall and would be on top of an existing hardstanding. For the same reason as noted above and the fact that a summerhouse would correspond with the established residential nature of the site, the principle is considered to be acceptable.

The existing use of the site has come under scrutiny, however, the LPA can confirm a dwelling let out for short-term holiday or leisure use can still be considered a dwellinghouse within Use Class C3 of the 'Use Classes Order'. If there are further concerns a complaint can be made to the Council's Enforcement Team.

Design

The gazebo would be constructed of a timber support frame with part welsh slate roof and part glazed flat roof. This structure has already been partially constructed and the site visit revealed that the thin timber post would remain fairly inconspicuous when viewed against the render wall behind it. The sloping slate roof would match that of the existing brick built lean-to to the west and would therefore be consistent.

The summerhouse would also be constructed of timber with a welsh slate roof consistent with the gazebo and appropriate for a garden setting. It would be no higher than the existing summerhouse and no higher than the existing wall behind it. Its scale and height would not be excessive and as such, is considered to be acceptable.

Concerns have been raised that the gazebo would be visible from the road. This is not considered to be correct as the road has a 40mph limit and it would be extremely difficult, if not impossible, to catch a glimpse view of it through the small gap in the courtyard wall when driving by.

Amenity

Initially, the proposed gazebo had a pitched roof which covered a side elevation high level window at the Coach House. This section of the roof has now been flattened which would help to avoid any impact occurring for the high level window at the former Coach House.

The complaints regarding noise and nuisance and litter as a result of holiday makers visiting the house are not considered to be an issue that should be considered as part of this application.

Similarly, it is not considered that the construction of a gazebo and summerhouse would lead to increased traffic on the shared driveway.

In regards to the concerns raised regarding the ownership and maintenance of the boundary wall, this is a legal and not a planning matter.

As such, it is considered that no amenity impacts would arise as a result of the gazebo.

Effect on the setting of Rumwell Park _

As Rumwell Park is a Grade II listed building, the affect the proposed gazebo and replacement summer house would have on its setting needs to be taken into account. As previously mentioned, the gazebo would be nestled to the north of the Rumwell House and next to an existing brick built lean-to. Due to its positioning within a courtyard which is accessed through a gap in the courtyard wall it would be difficult to view the structure unless peering through this gap. As such, the proposed gazebo by virtue of its location, scale, and materials to be used will not adversely affect the character of the listed building.

The Summerhouse replaces an existing building in disrepair, it is remote from the main house and bounded on two sides by high stone walls. The replacement building will be constructed of materials of a better quality, which is considered to be an improvement on the existing dilapidated structure.

Conclusion _

In light of the above assessment, the application is recommended for an approval.