

49/18/0071

MR & MRS E GAINES

**Conversion of coach house into 1 No. dwelling at Tor House, 48 Ford Road, Wiveliscombe**

Location: TOR HOUSE, 48 FORD ROAD, WIVELISCOMBE, TAUNTON, TA4  
2RE

Grid Reference: 308560.128067

Full Planning Permission

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## **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:

(A1) DrNo 2406. 04X Rev A Plan & Elevations as Existing. Site Layout & Location Plans

(A1) DrNo 2406. 05X Rev A Plans & Elevations as Proposed. Privacy Diagram

(A1) DrNo 2406. 06X Rev A Site Layout as Proposed

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

3. Prior to commissioning, details of the following shall be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in accordance with subsequent approved details unless any variation thereto is first agreed in writing by the Local Planning Authority: Metal railings; windows; doors; slates; stone paint.

Reason: To ensure the use of materials and details appropriate to the character of the Listed Building, in accordance with Taunton Deane Core Strategy Policies DM1 and CP8 and Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

4. All guttering, downpipes and rainwater goods shall be constructed of metal and painted black and thereafter maintained as such.

Reason: To ensure that the proposed development does not harm the character and appearance of the building in accordance with Policy DM1 and Policy CP8 of the Taunton Deane Core Strategy.

5. The courtyard area allocated for parking on the approved plan number 2406.06X rev A shall be properly consolidated, surfaced, drained and marked out before the use commences or the building is occupied and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

Reason: To ensure that there is adequate space within the site for the parking of vehicles clear of the highway in accordance with retained Policy M4 of the Taunton Deane Local Plan.

6. The natural stone to be used in the construction of the steps to the West elevation of the building shall match the stone used in the existing building unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the proposed development does not harm the character and appearance of the building and surrounding area in accordance with Policy DM1 and Policy CP8 of the Taunton Deane Core Strategy.

7. The development hereby permitted shall not be commenced (including any demolition) until a bat emergence and dawn survey report has been submitted to and approved in writing by the Local Planning Authority. The survey(s) shall ascertain the usage of the site by bats. They shall be undertaken by an appropriately qualified person at an appropriate time of year (May to July) and use techniques and equipment appropriate to the circumstances.

**Reason** To ascertain accurate and up to date usage of the buildings by bats

8. The development hereby permitted shall not be commenced until details of a strategy to protect bats and birds has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be based on the advice of Jh Ecology's Preliminary Bat Roost Assessment report dated January 2019 and further bat survey and include:

1. Details of protective measures to include method statements to avoid impacts on protected species during all stages of development;

2. Details of the timing of works to avoid periods of work when the species could be harmed by disturbance

3. Measures for the retention and replacement and enhancement of places of rest for bats and birds

#### 4. Details of any outside lighting

Once approved the works shall be implemented in accordance with the approved details and timing of the works unless otherwise approved in writing by the Local Planning Authority and thereafter the resting places and agreed accesses for bats and birds shall be permanently maintained. The development shall not be occupied until the scheme for the maintenance and provision of the new bat roosts and bird boxes and related accesses have been fully implemented

Reason: To protect and accommodate wildlife.

#### 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 and has imposed planning conditions to enable the grant of planning permission.
2. It should be noted that the protection afforded to species under UK and EU legislation is irrespective of the planning system and the developer should ensure that any activity they undertake on the application site (regardless of the need for planning consent) must comply with the appropriate wildlife legislation. Bats are known to use the building(s) as identified in JH Ecology's report, dated January 2019. The species concerned are European Protected Species within the meaning of the Conservation of Natural Habitats and Species Regulations 2010 (as amended 2011). Where the local population of European Protected Species may be affected in a development, a licence must be obtained from Natural England in accordance with the above regulations. The condition relating to wildlife requires the submission of information to protect wildlife. The local planning Authority will expect to see a detailed method statement clearly stating how wildlife will be protected throughout the development process and be provided with a mitigation proposal that will maintain favourable status for species affected by this development proposal.

## Proposal

The application seeks planning permission for the conversion of a former Coach House into a two bedroom dwelling, with associated access, parking and amenity space, on land adjoining Tor House, Wiveliscombe. This is a renewal of a previous permission 49/15/0009 which has now expired.

The proposed conversion will result in the formation of an open plan living kitchen and dining area at ground floor with WC at ground floor, and two bedrooms and a family bathroom at first floor level. The conversion will make use of the existing building only, with no extension proposed. Additionally, all existing openings will be used, negating the need to form new openings within the fabric of the building.

Externally, new stone steps and balustrade will access the main entrance to the West elevation. Parking and turning will be provided within the existing walled compound to the West. Private gardens will be to the North of the building and an enclosed courtyard to the East where an existing outbuilding will be retained following modest renovation.

The physical conversion works will result in the roof being re-slatted with breathable membrane and timbers repaired where necessary. All fenestration will be of timber and rainwater goods black metal. Internally, new timber partitions will be installed and a new staircase constructed. Foul waste will be disposed of via mains sewer and surface water drained to gullies as existing.

## **Site Description**

Tor House is a Grade II Listed Building located to the East of Ford Road. The site comprises the principle listed dwelling house, which is set within large gardens and contains outbuildings to the North. The site is predominantly surrounded by residential development to the North, South and West.

The building subject of this application is listed virtue of its curtilage status and relationship to the principle buildings. The building is used actively for domestic storage and other purposes. It is of stone walls, slate roof and timber windows and doors. The compound to the West, which is enclosed by high stone walls and timber gates, is used for parking for Tor House, although the main dwelling has a main access and driveway to the South, which serves a large parking and turning area.

## **Relevant Planning History**

- 49/15/0037 and 49/15/0038/LB - outline permission for the erection of 2 no. dwellings with all matters reserved except for access – Approved - 13/11/2015
- 49/15/0009 and 49/15/0012/LB - conversion of coach house into 1no. dwelling - Approved - 15/06/2015
- 49/18/0073/LB - Various alterations to walls and of vehicular access
- 49/18/0074 - Outline planning permission for the erection of 2 dwellings approved 27/02/19 (renewal of 49/15/0037)

## **Consultation Responses**

*WIVELISCOMBE TOWN COUNCIL* - No response

*SCC - TRANSPORT DEVELOPMENT GROUP* - Standing advice

WESSEX WATER - No objections

*BIODIVERSITY -*

**Bats** - The surveyor found evidence of bats within the internal space of the coach house in the form of individual droppings of at least 2-3 species of bat, namely lesser horseshoe, brown long eared and possible pipistrelle. No significant accumulations of droppings were found so the surveyor assessed the coach house as having moderate potential for bats. The owners sighted bats in the building during the summer months.

No evidence of bats was found in the outbuilding but there is potential for the building to be used as a night roost. I agree that further survey is required. As alternative roosting provision could be provided for bats within the proposed scheme, I agree that the survey work could be conditioned. This dedicated roof void should be shown on the architect's drawings.

**However as the works will destroy bat roosts an EPS licence will be required from Natural England.**

**Birds** - The surveyor found evidence of nesting birds using the building in the form of a single old swallow nest. I agree that works should take place outside of the bird nesting season and I support the provision of a swallow cup and a bird nest box on the building or a tree on site.

**Condition for submission of a further bat survey**

The development hereby permitted shall not be commenced (including any demolition) until a bat emergence and dawn survey report has been submitted to and approved in writing by the Local Planning Authority. The survey(s) shall ascertain the usage of the site by bats. They shall be undertaken by an appropriately qualified person at an appropriate time of year (May to July) and use techniques and equipment appropriate to the circumstances.

**Reason** To ascertain accurate and up to date usage of the buildings by bats

**Suggested Condition for protected species:**

The development hereby permitted shall not be commenced until details of a strategy to protect bats and birds has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be based on the advice of Jh Ecology's Preliminary Bat Roost Assessment report dated January 2019 and **further bat survey** and include:

1. Details of protective measures to include method statements to avoid impacts on protected species during all stages of development;
2. Details of the timing of works to avoid periods of work when the species could be harmed by disturbance
3. Measures for the retention and replacement and enhancement of places of rest for bats and birds
4. Details of any outside lighting

Once approved the works shall be implemented in accordance with the approved details and timing of the works unless otherwise approved in writing by the Local Planning Authority and thereafter the resting places and agreed accesses for bats and birds shall be permanently maintained. The development shall not be occupied until the scheme for the maintenance and provision of the new bat roosts and bird boxes and related accesses have been fully implemented Reason: To protect and accommodate wildlife.

### **Informative Note**

It should be noted that the protection afforded to species under UK and EU legislation is irrespective of the planning system and the developer should ensure that any activity they undertake on the application site (regardless of the need for planning consent) must comply with the appropriate wildlife legislation Bats are known to use the building(s) as identified in jh Ecology's report, dated January 2019. The species concerned are European Protected Species within the meaning of the Conservation of Natural Habitats and Species Regulations 2010 (as amended 2011). Where the local population of European Protected Species may be affected in a development, a licence must be obtained from Natural England in accordance with the above regulations.

The condition relating to wildlife requires the submission of information to protect wildlife. The local planning Authority will expect to see a detailed method statement clearly stating how wildlife will be protected throughout the development process and be provided with a mitigation proposal that will maintain favourable status for species affected by this development proposal.

## **Representations Received**

None received

## **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.

SD1 - Presumption in favour of sustainable development,  
CP1 - Climate change,  
CP4 - Housing,  
CP8 - Environment,  
A1 - Parking Requirements,  
SP1 - Sustainable development locations,

M4 - Residential parking provision,  
SB1 - Settlement Boundaries,

## Local finance considerations

### Community Infrastructure Levy

Creation of dwelling is CIL liable.  
Proposed development measures approx. 70sqm.

The application is for residential development outside the settlement limits of Taunton and Wellington where the Community Infrastructure Levy (CIL) is £125 per square metre. Based on current rates, the CIL receipt for this development is approximately £8750.00. With index linking this increases to approximately £11,750.00.

### New Homes Bonus

The development of this site would result in payment to the Council of the New Homes Bonus.

#### *1 Year Payment*

Taunton Deane Borough	£1,079
Somerset County Council	£270

#### *6 Year Payment*

Taunton Deane Borough	£6,474
Somerset County Council	£1,619

## Determining issues and considerations

The application site is located within the settlement limit of Wiveliscombe, which is classified as a Major Rural Settlement under TDBC Core Strategy policy SP1 where the principle of new residential development is acceptable in principle. There have been few significant material changes on the ground at the site since the previous planning approval (although there were some changes in Local Plan and national policies, but none that directly impact on the principle of development) and as such there are no substantive policy objections to the proposal. The pertinent issues to consider are therefore the impact of the development upon highway safety and the Listed Building.

### Highway Safety

The proposed dwelling will be served by an enclosed courtyard parking area to the West. This area has an historic access onto Ford Road and is used on a day to day basis by the residents of Tor House. Tor House itself has a large parking area with separate access and therefore the loss of this area to the main dwelling will not compromise the ability of Tor House residents to park clear of the highway. The compound parking area measures approximately 8m x 8m; whilst tight it is possible

to park and turn vehicles within in order to exit the site in a forward gear. Across the access, visibility is slightly restricted by boundary walls and the splay falls well short of Highway Standards. Notwithstanding these matters, given the historical use of the access and compound for residential parking, the proposed new dwelling is not considered to result in any significant harm to highway safety.

### Impact upon Listed Building

Applications for planning permission affecting a listed building or its setting must be determined in accordance with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. This requires that "In considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority...shall have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses".

The building has little architectural or historically significant features that must be retained. The Coach House currently has a relatively domesticated appearance to it, with historic windows and doors to its elevations. The building lends itself well to conversion and the proposed scheme will not result in any significantly intrusive works to the historic fabric of the building.

Two new rooflights are proposed on the front roofslope which is currently blank. However the number of rooflights and their size has been kept to a minimum and I do not consider the impact upon the appearance of the building to be so significant as to warrant a reason for refusal.

The proposed development will make use of appropriate materials and will provide a suitable conversion for the building, thereby preserving its fabric and historical importance for future generations.

### Other matters

The proposed amenity areas serving the dwelling are considered to be acceptable and relate well to the building; the use of the proposed garden area is currently residential and therefore there should not be any undue impact upon neighbouring amenity. With regard to amenity of future occupiers, the conversion of the Coach House is not considered to result in an unacceptable relationship with Tor House.

### Protected Species

A preliminary bat roost and nesting bird assessment report has been submitted with the application. Evidence of bats were found within the internal space of the coach house in the form of individual droppings of at least 2-3 species of bat, namely lesser horseshoe, brown long eared and possible pipistrelle. No significant accumulations of droppings were found so the surveyor assessed the coach house as having moderate potential for bats. No evidence of bats was found in the outbuilding but there is potential for the building to be used as a night roost. It is recommended that a condition be attached to any permission requiring a further survey as alternative roosting provision could be provided for bats within the proposed scheme. However as the works will destroy bat roosts an EPS licence will



be required from Natural England.

### Conclusions

The proposed development will make good use of a Listed Building, providing for a sustainable residential development within Wiveliscombe. The development is not considered to adversely impact upon visual or residential amenity, highway safety, wildlife or the architectural or historic interest that the building possesses.

Taking the above matters into consideration, it is recommended that planning permission be granted subject to conditions.

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

**Contact Officer: Jackie Lloyd**