

49/18/0073/LB

MR & MRS E GAINES

Various alterations to walls and repositioning of vehicular access at Tor House, 48 Ford Road, Wiveliscombe

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

Grid Reference: 308589.128011

Listed Building Consent: Works

Recommendation

Recommended decision: Conditional Approval

Grant Listed Building Consent

Recommended Conditions (if applicable)

1. The works for which consent is hereby granted shall be begun not later than the expiration of three years from the date of this consent.

Reason: To comply with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended by S51(4) 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 12X LB Location Plan

(A1) DrNo 2406.10 X Turning Head Area Existing and Proposal

(A1) DrNo 2406.09 X Access Plan and Elevations Existing and Proposal

(A1) DrNo 2406.08 LB X Site Layout and Access as Proposed

Reason: In the interests of preserving the listed building, its setting and any features of historic or architectural interest that it possesses, in accordance with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policies DM1 and CP8 of the Taunton Deane Core Strategy and the relevant guidance in the National Planning Policy Framework.

3. Prior to the commencement of the construction of the access samples of the materials to be used for the hard surfaces including edging and tarmac shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter maintained as such.

Reason: In the interests of preserving the listed building, its setting and any features of historic or architectural interest that it possesses, in accordance with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policies DM1 and CP8 of the Taunton Deane Core Strategy and the relevant guidance in the National Planning Policy Framework.

4. (i) A landscaping scheme shall be submitted to and approved in writing by the local Planning Authority prior such a scheme being implemented. The scheme shall include details of the species, siting and numbers to be planted.

(ii) The scheme shall be completely carried out within the first available planting season from the date of commencement of the development.

(iii) For a period of five years after the completion of each landscaping scheme, the trees and shrubs shall be protected and maintained in a healthy weed free condition and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of similar size and species.

Reason: In the interests of preserving the listed building, its setting and any features of historic or architectural interest that it possesses, in accordance with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policies DM1 and CP8 of the Taunton Deane Core Strategy and the relevant guidance in the National Planning Policy Framework.

5. No development, excluding site works, shall begin until a panel of the proposed stone work for the walls to be erected in accordance with the approved plans and measuring at least 1m x 1m has been built on the site. Both the materials and the colour and type of mortar for pointing used within the panel shall be agreed in writing by the Local Planning Authority prior to application and the development shall be completed in accordance with the agreed details and thereafter maintained as such, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of preserving the listed building, its setting and any features of historic or architectural interest that it possesses, in accordance with Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policies DM1 and CP8 of the Taunton Deane Core Strategy and the relevant guidance in the National Planning Policy Framework.

6. No gates shall be erected to the access.

Reason In the interests of preserving the listed building, its setting and any features of historic or architectural interest that it possesses, in accordance with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policies DM1 and CP8 of the Taunton Deane Core Strategy and the relevant guidance in the National Planning Policy Framework.

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.

Proposal

The application seeks Listed Building Consent for alterations and works affecting vehicular access, boundary walls and gate pillars at Tor House, Wiveliscombe. A previous Listed Building Consent for the same works granted in November 2015 (ref 49/15/0038) has expired. The current proposal is the same as previously approved.

The proposed works seek to provide a betterment to the existing access arrangement serving Tor House and Tor View; the works would also benefit the associated planning application (49/15/0037) that seeks outline permission for the erection of two new dwelling houses within the property.

The roadside stone walls and wall abutting the driveway will be removed and replacement structures erected. The roadside walls will be faced with reclaimed stone and new gate pillar constructed to replicate the original; these works will provide visibility splay improvements. The retaining wall abutting the driveway will be finished with render and the driveway will be realigned at a gradient not exceeding 1 in 15. A new turning head together with passing places will also be provided.

Site Description

Tor House is an imposing residential property located East of Ford Road, Wiveliscombe. The site comprises a large, two storey dwelling house that is Grade II Listed, set within a large residential curtilage largely laid to lawn with domestic landscaping. The property benefits from vehicular access to the South, which enters the site along a narrow driveway. The roadside boundary comprises a natural sandstone retaining wall with tall gate pillars finished with render. There are residential properties to the North and South of the site and planning permission has recently been granted for the conversion of an outbuilding to a separate dwelling house, LPA reference s 49/15/0009 and 0012LB.

Relevant Planning History

49/15/0038 - alterations and works affecting vehicular access, boundary walls and gate pillars at Tor House Approved November 2015

49/15/0009 and 0012LB - The conversion of an outbuilding to a separate dwelling house

49/18/0071 and 49/18/0072LB the conversion of an outbuilding to a separate dwelling house (still to be determined)

49/18/0074 - Outline Planning Permission with all matters reserved, except for access and layout, for the erection of 2 No. dwellings on land at Tor House, 48 Ford Road, Wiveliscombe. Reported to Planning Committee on 26 March 2019 and granted permission

Consultation Responses

WIVELISCOMBE TOWN COUNCIL - No comment received

Representations Received

None

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.

ROW - Rights of Way,
EN12 - TDBCLP - Landscape Character Areas,

Determining issues and considerations

Section 66 of the Planning (Listed buildings and Conservation Areas) Act 1990 requires that in considering applications which affect Listed Buildings special regard must be had to the desirability of preserving the building or its setting. This duty is reflected in the NPPF 2018.

Public benefits need to outweigh the less than substantial harm to the significance of designated heritage assets.

Applications for listed building consent must be determined in accordance with Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990. This requires that in considering whether to grant listed building consent, the Local Planning Authority "shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

The proposed works effect the boundary walls of Tor House, which are considered to be listed as curtilage features associated to Tor House. The relaying of the access drive and provision of additional hardstanding areas within the property do not affect the listed building and do not specifically require Listed Building Consent.

The realigned road side walls and gate pillars will be finished in materials that replicate the existing structure. It is considered that there will be no significant harm to these elements of the heritage asset as a result. The use of render to finish the retaining walls erected along the driveway edge will be in keeping with the general finish and appearance of the main Listed Building and is appropriate in the context of the site.

The proposed works will have a minimal impact upon the heritage asset and will not materially harm the appearance of the walls and site in general. As a consequence the proposals will preserve the historic interest of these features as is required by Section 16 of the Act. In addition, the proposals will provide betterment to the existing access through improved visibility splays which are considered to provide appropriate justification for the works to the road side walls.

Having regard to the above matters, the proposed works are considered to comply with Policy CP8 of the Core Strategy and guidance set out within the National Planning Policy Framework. It is therefore recommended that Listed building Consent be approved.

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

Contact Officer: Paul Dadson