

38/21/0504/LB

MR G AMOS

**Alterations to garden wall and formation of access driveway within the grounds of Weir Lodge, 83 Staplegrove Road, Taunton (retention of part works already undertaken)**

Location: WEIR LODGE, 83 STAPLEGROVE ROAD, TAUNTON, TA1 1DN

Grid Reference: 322106.125089

Listed Building Consent: Works

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## **Recommendation**

**Recommended decision: Conditional Approval**

### **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:

(A4) DrNo WLOU/01A Location Plan  
(A4) DrNo FWT530 Elevation & Plan as Existing  
(A4) DrNo FWT531 Elevation & Plan as Proposed  
(A4) DrNo FWTS32 Site Plan

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 2021 the Council has worked in a positive and creative way and has imposed planning conditions to enable the grant of listed building consent.

## **Proposal**

The proposal is to remove a section of low garden wall, 3.5m in length to form an access point and to reuse the materials to construct new sections of wall on either side. This is a listed building application submitted in conjunction with the planning application 38/21/0503.

The applicant is related to a member of the Council.

## **Site Description**

The site lies on the western side of Staplegrove Road and north of the corner with French Weir Avenue and consists of a large detached listed property set in large grounds with a number of significant trees. The site is accessed off Staplegrove Road via an original driveway with listed gate piers and a more modern wider access to the north. The detached property is now a residential dwelling having been in the ownership of Somerset County Council for many years. The building is a Grade II listed building as are the gate piers and lies within the Staplegrove Conservation Area. Permission for a pair of semis to the end of the formal garden has previously been considered by Committee.

## **Relevant Planning History**

38/17/0281 - Erection of 2 No. semi detached dwellings with associated landscaping, fencing, relocation of solar panels and alteration of garden land south of Weir Lodge on land off French Weir Avenue, Taunton CA 13/10/17  
38/21/0014 - Variation of Condition No's 02 (Approved Plans), 04 (Landscaping Scheme), and 06 (Wildlife Strategy) of application 38/17/0281 on land south of Weir Lodge, 83 Staplegrove Road, Taunton CA 2/6/21

## **Consultation Responses**

*HERITAGE* - I have no objections to the application. The wall is of low significance within the site and the benefit of the proposed work will be to improve the separation between the listed building and the new dwellings.

*PLANNING ENFORCEMENT* - No comment

## **Habitats Regulations Assessment**

The site lies within the catchment area for the Somerset Moors and Levels Ramsar site. However works to a listed building does not raise phosphate issues to require a HRA.

## **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 former Taunton Deane area 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). Where they are formally adopted, Neighbourhood Plans form part of the development plan under section 38(6).

District Wide Design Guide SPD 2021

The National Planning Policy Framework 2021 (the NPPF) is a material consideration.

Relevant policies of the development plan are listed below.

CP8 - Environment,  
DM1 - General requirements,  
DM4 - Design,

Neighbourhood Plan:

There is no made neighbourhood plan.

## **Local finance considerations**

### **Community Infrastructure Levy**

N/a.

## **Determining issues and considerations**

The main consideration with this proposal is the impact on the character and setting of the listed building.

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 Conservation Officer raises no objection and considers the wall to be of low significance within the site. The wall materials will be reused and the route created will give an improved separation between the new properties and the main listed building. The works will have limited impact on the setting of the main listed house and is not considered to adversely affect the setting of the gate piers. Consequently the development is not considered to harm local heritage assets.

Applications for development in a conservation area must be considered with regard

to the general duty in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. This requires "special" attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. It is considered that the works preserve the character of the area and do not cause harm to it.

In light of the above considerations the development is recommended for approval.

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

**Contact Officer: Mr G Clifford**