

MR R C SMITH

ERECTION OF SINGLE STOREY EXTENSION TO SWIMMING POOL, CEDAR FALLS HEALTH FARM, BISHOPS LYDEARD AS AMENDED BY LETTER DATED 17TH OCTOBER, 2002 WITH ACCOMPANYING DRAWING NO. 573/3C

16350/30430

FULL PERMISSION

PROPOSAL

The proposal provides for a single storey extension to the existing flat roofed swimming pool at the health farm. A paved terrace currently occupies the site. There is a modern 4 storey block of flats immediately to the west of the proposed siting. These flats have side windows facing onto the site on the first, second and third floors serving a kitchen. The proposed extension will be built across the side window on the first floor and the second and third floors will be above the flat roofed element of the proposed extension. The proposed extension measures 13.5 m x 14.5 m and the height to the top of the parapet at the edge of the flat roof element will be 3.4 m. A pitched lantern light comprising a natural slate roof with tinted glass panels will occupy the central part of the roof area measuring 6.5 m x 6.8 m. The maximum height to the top of the lantern will be 6.1 m. The walls will be triple glazed oak framed screens with oak columns and fascias. The solid panels on the return walls will be cedar boarding natural finish. The interior of the extension will incorporate an oval shaped pool measuring 8.5 m x 6.3 m. The Committee refused a broadly similar application in May of this year. The reasons were that the proposal represented a seriously unneighbourly form of development which would be overbearing in relation to the adjoining properties, thereby causing loss of light and outlook to its occupiers; the proposed extension incorporating a lightwell would result in an unacceptable loss of light and outlook from the kitchen/breakfast room of the occupiers of 6 Cedar Falls; not demonstrated that there will not be unacceptable noise levels; and loss of security to the adjoining flats due to the ease of access from the proposed roof onto the balconies of the flats. The current proposal incorporates revisions to provide for an increased long dimension to the open light well (an increase in the maximum depth from 2.3 m to 3.3 m) and adjustment of the flank wall to be a metre from the end of the boundary wall. The applicant's agent has consulted acoustic specialists and confirms that noise and vibration from the mechanical services plant required for the swimming pool extension will be controlled so that the resultant noise level at the nearest 'sensitive' window (adjacent flats) is limited to the measured minimum background noise level. A site noise survey over a 24 hour period will be carried out to assess the current prevailing ambient noise levels. The agent states that full details of the noise survey and plant will be submitted to the Local Planning Authority prior to operation.

CONSULTATIONS AND REPRESENTATIONS

AVON AND SOMERSET CONSTABULARY no adverse comments.

ENVIRONMENTAL HEALTH OFFICER details of the survey to assess ambient and plant noise levels referred to by the applicant's agent should be agreed prior to the commencement of works.

FIVE LETTERS OF OBJECTION plans vary in two minor details to the plans that were comprehensively rejected (14:2) last May, these differences are very minor in detail and would not make any substantial difference to the whole project; noise created by the exercise instructor and those taking instruction - which will increase as a result of more intensive use; sound is magnified over water; noise from the outdoor pool is clearly heard in apartment 70 m away; lease for apartments states that residents 'may peacefully and quietly enjoy' the occupancy; noise other than from plant machinery; even with triple glazing and sound baffles in the lantern, would still be disturbed by activity sessions, especially when ventilation windows and other doors and windows are open; still concerned about the lowering of security, as it would still be possible to gain access from the pool roof to the south facing balconies of the apartments at the eastern end, which might affect insurance cover and peace of mind; the side wall of the new building will loom some 20 ft directly above the end of terrace, which will cut off all morning light, making living room dark and introduce a very grim outlook; plans do not show drainage and already suffer surplus water from the Cedar Falls gardens; query how the new pool will be drained; window to objector's kitchen/breakfast room overlooks the area of the proposed extension and at present receives the early morning sun, so making the kitchen very light and airy - the proposal will reduce the sunlight, reduce the natural light significantly and reduce the amount of fresh air to the kitchen; will virtually have a blank wall within 2 - 3 m of window making the general atmosphere depressive; light well makes no allowance for drainage, will result in a damp area subject to mosquitoes; maintenance to the light well areas likely to be at unusual hours; will not be possible to gain access to clean windows; additional presence of more people outside window and balcony, particularly when classes are being held; no indication of treatment to wall to prevent condensation; will provide an unsightly addition to a well established country house.

POLICY CONTEXT

The building is a listed building and Policy 9 of the County Structure Plan requires that the setting, local distinctiveness and amenity of buildings and structures of architectural or historic interest should be maintained and where possible enhanced. Policy WD/EC/19 of the West Deane Local Plan sets out criteria which need to be satisfied when extending a listed building. Policies EN17 and EN18 of the emerging Taunton Deane Local Plan cover alterations and extension to listed buildings. Policy S1(E) of the same plan requires that proposed developments should not give rise to nuisance that would harm the amenity of individual dwellings. Policy 38 of the County Structure Plan states the outside settlements, provision may be made for sport and recreation facilities, provided they are compatible with the amenity, landscape and environment of the area. Policy WD/RT/1 of the West Deane Local Plan indicates that proposal for recreation

development will be encouraged where they meet certain objectives. Policy WD/RT/15 states that improvements to an existing recreation facility will be encouraged. Policy WD/IE/3 indicates encouragement of proposals which will promote rural diversification and support the rural economy. It is considered that the proposal complies with the above policies.

ASSESSMENT

The proposed extension will improve the appearance of the Listed Building at this point by hiding the existing unfortunate flat roofed swimming pool. I consider that the proposed extension is well designed in that respect. The site of the proposed extension has for a considerable time been used as an external rest areas and for teaching on the warmest days. The applicant contends that the proposed extension will mean that the existing outdoor activities will be further away from the flat area and therefore less troublesome. The servicing for the pool would be linked to the existing system, which connects to the existing foul drainage. This is an inverted syphonage system, which relies on a throughput of water to successfully operate. This is cleared by the Water Authority. Since the previous application was considered, a meeting has been held with the Police Architectural Liaison Officer, with the consequence that with the amendments on the current application, the Avon and Somerset Constabulary no longer object. The size of the lightwell has also been increased in order to improve the outlook from No 6 Cedar Falls. Whilst there will be some loss of outlook from the kitchen window, I do not consider that this impact is serious enough to justify a refusal of permission. In the light of these amendments the proposal is considered to be acceptable.

RECOMMENDATION

Permission be GRANTED subject to conditions of materials and noise arising from activities within building shall be imperceptible to the neighbouring residential premises in accordance with a scheme to be approved. Note regarding listed building consent.

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

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NOTES:

