

08/2005/014

GLENMILL HOMES LTD

ERECTION OF A DWELLING ON LAND TO THE WEST OF MAIDENBROOK FARMHOUSE, CHEDDON FITZPAINE.

23492/26430

OUTLINE APPLICATION

PROPOSAL

Full planning permission was granted in 2001 for the conversion of the grade 2 listed Maidenbrook farmhouse into two dwellings and the conversion of the adjacent barns (listed by virtue of curtilage) into 5 dwellings (plus one ancillary unit). The permission retained existing curtilage land to the west and north of the farmhouse as domestic curtilage for the converted farmhouse, so as to retain an appropriate setting for the listed building. Subsequent to this permission unauthorised fences, 10 m - 12 m from the rear of the farmhouse have been erected and the remainder of the site cleared of all evidence of the former garden. The farmhouse has been converted and both dwellings sold off without the garden area shown in the original permission. The current proposal is for the erection of a dwelling on the land to the west of Maidenbrook farmhouse that formed its original curtilage. In order to gain access to the site, the applicant is proposing to create a new road (application 08/2005/015) to the north of the listed farmhouse to link into the part constructed access road that joins the A3259 to the north of Maidenbrook farmhouse (now called the Tudor and The Stuart).

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY it appears that a private drive will serve the proposed dwelling and that the drive will have access to a section of proposed highway that is not the subject of this planning application. As a result, I do not wish to raise any highway comments on this application and would recommend that the following conditions are imposed:- 1. The section of proposed highway that lies to the east of the application site but does not form part of this particular application shall be constructed to an approved standard prior to occupancy of the proposed dwelling. 2. The garage and area allocated for parking on the submitted plan shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted. 3. The proposed access over the first 5m of its length, as measured from the edge of the adjoining carriageway, shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details, which shall have been submitted to and approved by the Local Planning Authority. 4. No unbound material from the driveway shall be allowed to disperse onto the proposed adjoining highway. 5. No private surface water from the application site will be allowed to discharge onto any part of the proposed adjoining highway. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway details of which shall have been submitted to and approved by the Local Planning Authority. 6. Any private gates must be hung to open inwards and be set back a minimum distance of 4.5 m from the carriageway edge. COUNTY ARCHAEOLOGIST no comments. WESSEX WATER mains water supply is available, there are no surface

water drains and the developer should investigate alternatives, the foul sewers are private and the applicant will need to obtain the permission of the owner ENVIRONMENT AGENCY no comment.

LANDSCAPE OFFICER I am concerned about the impact of the proposal on the listed building and the impact of the proposal on the two oaks on the northeast corner of the plot. The oaks could be thinned to one specimen to allow it to mature to its full size. The proposed building, however, is within 10m of the tree and does not meet the Council's guidance on 2/3 falling distances. There is a walnut tree just outside the application boundary that has the potential to provide significant amenity value. CONSERVATION OFFICER the site forms part of the approved retained curtilage to the listed farmhouse. The fencing erected to the west, to separate the converted farmhouse from the application site, is unauthorised. Since the conversion has taken place, not only has the aforementioned fencing been erected but the retained curtilage to the west and north, denuded of its former function. Objection raised, as detrimental to setting of listed building.

PARISH COUNCIL support the application now that the layout is understood.

1 LETTER OF OBJECTION has been received raising the following issues:- the dwelling would be adjacent to a grade 2 listed building and care should be taken to ensure that adequate light is retained to the garden and overlooking windows are avoided, a lower building would be preferable for those reasons; additional dwellings may hinder access to the adjacent drive that is used for reversing, the site plans are inaccurate and the reference to the removal of the boundary wall to provide parking does not have the owners permission.

POLICY CONTEXT

Somerset And Exmoor National Park Joint Structure Plan Review policies Policy 49 (Transport Requirements for new developments) STR1 Sustainable Development, Policy 9 The Built Historic Environment,

Taunton Deane Local Plan policies: - S1 (General requirements), S2 Design, H2 Housing, M4 (Residential parking). EN6 (Protection of trees, woodlands, orchards and hedgerows) EN16 (Listed Buildings) Development proposals which would harm a listed building, its setting or any features of special or historic interest which it possesses, will not be permitted.

ASSESSMENT

Permission was granted in 2001 for the conversion of Maidenbrook farmhouse into two dwellings. Care was taken over the physical details of the conversion as well as full consideration of an appropriate curtilage required to preserve the character and setting

of the listed building. The applicant purchased the site in full knowledge of that permission. Following the conversion of the listed building into two dwellings, unauthorised 2 m high fences, to subdivide the curtilage to the west of the listed building have been erected to provide an 10 - 12 m long rear garden with the rest of the domestic curtilage to the farmhouse being cleared. The illustrative plan shows the erection of a dwelling with its gable approximately 21 m from the rear of the listed building and windows in the front elevation which would introduce overlooking of the rear of the listed building. Planning Policy Guidance Note 15, Planning and the Historic Environment (Para 2.16-2.17) emphasises that the setting of a listed building is an essential part of the buildings character and " the economic viability as well as the character of historic buildings may suffer and they can be robbed of much of their interest if they become isolated from their surroundings". I consider that the proposed dwelling would have a detrimental impact on the historic setting and character of the listed farmhouse. Proposal considered unacceptable.

RECOMMENDATION

Permission be REFUSED for the following reasons: - the proposed development would be detrimental to the character and setting of the grade 2 listed building, contrary to Taunton Deane Local Plan Policies S1 and EN16 and Somerset and Exmoor National Park Joint Structure Plan Review Policy 9, the development would be too close to two oaks, considered to be of high amenity value and would be likely to result in the loss of the trees.

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

CONTACT OFFICER: 356467 MRS J MOORE

NOTES: