

10/2005/012

MR M DAVIES

REMOVAL OF CONDITION 18 OF PERMISSION 10/04/020 TO ALLOW GARAGES TO BE LIVING ACCOMMODATION AND ALTERATIONS TO ELEVATIONS AT FRONT AND REAR AT TRENTS VIEW, TRENTS FARM, CHURCHINFORD

21461/12573

REMOVAL OF ONEROUS CONDITIONS

PROPOSAL

Removal of Condition 18 of Permission 10/04/020 to allow garages to be living accommodation and alterations to elevations at front and rear at Trents View, Trents Farm, Churchinford.

The proposal allows for the garages to be used as living accommodation and includes the changing of the door openings to be used as windows and doors and the provision of a rooflight on the east elevation to allow light to an en suite bathroom. The applicant points out that the reason for the original condition was to ensure parking standards were adhered to. While the removal of the condition would remove the garaging there is a substantial area for driveway and parking set back from the road and as a result it is unlikely that cars would park on the surrounding rural roads as a result of the loss of garaging.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY have no objections to this proposal providing that alternative parking can be provided within the curtilage to compensate for the loss of parking resulting from the garages being converted into living accommodation. In the event of permission being granted I would recommend conditions be imposed concerning plans for the parking of two vehicles be submitted and approved and no subdivision of the single residential planning unit.

PARISH COUNCIL strongly opposed to the proposals. Please refer to my Council's comments of 14 April in response to application 10/04/020 and my Council comments e-mailed on 10th September. My Council comments of 18 April 2003 in response to application 10/03/006 make particularly interesting reading. My Council feels that if the applicant is in need of additional living accommodation, that is what the original application should have requested not an attached garage. My Council would like to see this application rejected. Summary of comments on 10/04/020 dated 10.9.04 (Revised conversion of Barn to Dwelling with attached garage) - The Council wish to see the application refused for reasons of property has approval for a garage suitable for its needs; this will be the only property on the development with an attached garage; it will be unacceptably close to the adjacent property; it will involve an abnormal amount of excavation work; it will destroy the visual integrity of the original structure. In addition there have been alterations to the layout and elevations contrary to the TDBC Guidance

on Rural Building Conversions. The original approval was sympathetic to the simplicity of the original structure whereas current proposals compromise/eliminate it totally. The need to avoid suburbanisation was emphasised and it is felt the proposal creates such an undesirable effect. Comments on 14.4.05 (A minor amendment for a door and window on the rear of the garage) - The Council must object to the proposal as it "flies in the face" of policy guidance set out in TDBC's Rural Building Conversions document. The guidance suggests that people living in converted buildings should adopt their lives to the building not vice versa; attached garages detrimentally affect the original form of the building and thus harm its intrinsic character, every effort should be made to retain the original simplicity of the building and creation of new openings should be avoided during conversion. The Council feels the property is in grave danger of becoming an exact replica of drawing on page 3 of the Guidance which purports to be an illustration of an unsympathetic residential conversion which bears no resemblance to the original barn. It is felt that what was a very attractive collection of old barns is now a collection of new houses. The Council was unanimous in its objection to the latest amendment.

POLICY CONTEXT

RPG10 Regional Planning Guidance for the South West.

Somerset and Exmoor National Park Joint Structure Plan Review Policies STR1 Sustainable Development, STR6 Development Outside Towns, Rural Centres and Villages, POLICY 3 Areas of Outstanding Natural Beauty, POLICY 48 Access and Parking.

Taunton Deane Local Plan Policies S1 General Requirements, S2 Design, H7 Conversion of Rural Buildings, M4 Parking Requirements.

ASSESSMENT

The proposal is to remove a condition on the previous permission in 2004 which restricted the garage to be kept available for the parking of motor vehicles for domestic purposes. The reason for the condition was to ensure satisfactory parking facilities were maintained to comply with policy. The issue in removing the condition is whether there is satisfactory space within the site for the parking and turning of vehicles. The County Highway Authority raise no objection subject to the conditioning of parking for 2 vehicles. The objections of the Parish Council to this specific application are noted as are their previous concerns in relation to the development of this site as a whole. Each application, however, has to be considered on its merits and in this instance given that the garage building has been constructed and there is sufficient parking on site for two vehicles there is inadequate ground to object.

A similar condition on a property at Ford Barton, Moor Lane was considered on appeal by a Planning Inspector earlier this year. The outcome in that case was the appeal was allowed and the condition removed as the Inspector considered it not necessary as there was parking clear of the road which would not cause harm to the character of the

area. The current application site is set well back from the road and is well screened from it and it is not considered that parking outside the building would have any adverse visual impact on the character of the area. In light of this the application is recommended for approval.

RECOMMENDATION

Permission be GRANTED subject to conditions of parking and turning for two vehicles. Note re need to comply with conditions on original permission.

REASON(S) FOR RECOMMENDATION:- The proposal will still enable adequate parking provision on site in line with Taunton Deane Local Plan Policy M4 and material considerations do not indicate otherwise.

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: