

22/2005/002

TAUNTON DEANE BOROUGH COUNCIL

ERECTION OF DWELLING HOUSE, LAND AT THE CAUSEWAY, LYDEARD ST LAWRENCE AS AMENDED BY ...

12792/32440

FULL PERMISSION

PROPOSAL

The proposal provides for the erection of a detached dwelling on an area of vacant land within the village limits and Conservation Area. Three bedroom accommodation is proposed, with the building materials to be of rendered walls and slate roof. Because of the nature of the site and constraints with the site being within the Conservation Area, no on site parking is proposed.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY the lack of on-site parking is a concern, however it may be unreasonable to object in this instance considering that the proposal is in the middle of the village and there are other dwellings adjoining and nearby that do not benefit from off street parking. In the event of planning permission being granted would recommend conditions re disposal of surface water to prevent its discharge onto the highway and no overhanging or obstruction of adjoining footway. COUNTY ARCHAEOLOGIST as far as we are aware there are limited or no archaeological implications to the proposal and therefore have no objections on archaeological grounds. WESSEX WATER the site is not located within a Wessex Water sewered area. Points of connection for water supply need to be agreed.

CONSERVATION OFFICER type of development proposed is sympathetic to this part of the Conservation Area. No objection subject to conditions covering sample panel of render to be erected on site for approval, sample slate, no bell casts to render and timber windows.

PARISH COUNCIL object. There is no mains drainage in the village. The provision of a septic tank on such a sloping and enclosed site could be problematic. Question whether the regulation distance from existing septic tanks for neighbouring buildings can be complied with. There is no provision for parking on the site so inevitably residents would park outside - extremely dangerous on a bend on a very narrow stretch of road. The car park at Cridlands is already fully utilised. The site is within a Conservation Area. The application would involve the felling of trees - including those planted as memorials by the WI and others. It is understood there are prescriptive rights of way across the plot.

THREE LETTERS OF OBJECTION have been received raising the following issues:- contrary to both local and national policy and would detrimentally affect the residential and visual amenity of the surrounding properties and area; concern that the Council is not treating the application as it would an application from a private individual; application form contains a number of inaccuracies eg by stating that there is mains

drainage in the village, does not involve felling of trees and that development does not affect a public right of way; many villagers cross the site and use it as open space; the development is unsustainable and contrary to the strategy set out in the Local Plan for development to be focussed on rural centres and towns; the support that this house will provide to the social and economic viability of the village is negligible in comparison with the detrimental effect that it will have on the environmental quality arising from the loss of the open space and trees; because of limited facilities in the village, the occupiers of the proposed house will be dependent on their own transport to get to work or go shopping, making the development unsustainable on the basis that it will lead to an increase in car travel; contrary to Taunton Deane Local Plan Policy H1 which requires a safe and convenient access by bus or on foot from any housing development to facilities and employment; the development will detrimentally affect the residential amenity and privacy of the neighbouring and nearby properties; the application site is cramped and surrounded on all sides by residential properties and slopes steeply upwards from front to rear; due to the proximity of the proposed house to the neighbouring properties and the topography of the site, the building and the garden will directly overlook adjacent properties with resultant loss of privacy; harm will be caused to the residential amenity of the area and the appearance and character of the landscape and adjacent buildings; no consideration has been given to the design of the building so as to minimise the adverse impact on the existing land uses; windows directly overlook adjacent properties; proposed building will prevent maintenance of adjacent wall and obstruct a private right of access; no details of deflection of rainwater; foundations of the adjacent property will be exposed and damaged during construction; will block light to ground floor kitchen window and interfere with right to light; the development would result in the loss of public open space and important trees, thereby harming the residential amenity and landscape; the site which is grassed and planted with trees has provided a public open space enjoyed by the villagers since the 1950s; many of the trees have been planted to commemorate various events; area is particularly attractive in the Spring when several of the trees are in blossom and the site provides a safe haven for local wildlife; a number of the villagers cross the site each day as a short cut through the village avoiding the road and the grassed area is also popular with dog walkers and children; Taunton Deane Local Plan recognises the importance of retaining open spaces and green wedges and states that trees and open spaces will be protected; in addition to the two trees which need to be felled, many others will be damaged due to the proximity of the house, the extensive leveling and construction machinery working within this confined site; PPG17 recognises green spaces between houses as amenity green spaces and taking the relevant criteria into account there can be no justification for allowing this open space to be developed; the proposed development will detrimentally affect the character and appearance of the Conservation Area, as the proposal will result in the loss of trees and amenity greenspace and result in an increase in vehicular traffic and on-street parking; the absence of any off-road parking is contrary to Taunton Deane Local Plan Policy M3a which requires that all residential developments provide at least one parking space for each three bedroom house and the on road parking that will arise as a result will create road safety problems; the car parking spaces at the nearby Cridlands parking area are either allocated to properties or are already full to capacity in the evenings and weekends; residents will therefore park their cars on the Causeway, thereby exacerbating the hazard that already exists due to cars being parked on the approach to the blind bend in the road; the site is not served by utility services necessary for the proposed development; septic tank drainage not possible and the sewage system serving Cridlands may not have the capacity and

developer would need to reach agreement; proposed development unacceptably close to septic tank of adjacent property; the development would obstruct a public right of way, there is evidence to show that this right of way has been exercised openly by the public at large for in excess of 20 years, thereby establishing a public right of way; Taunton Deane Local Plan Policy C7 states that a proposal which would require the diversion or closure of a public right of way will not be permitted unless a suitable alternative route is proposed which would not reduce the amenity or unduly inconvenience users - the development would completely obstruct the right of way and there is no suitable alternative route that would not reduce the amenity or unduly inconvenience users; the development site is located within an area of high archaeological potential and a satisfactory evaluation of the archaeological value of the site should be provided before the application is determined.

POLICY CONTEXT

Policy STR1 of the County Structure Plan contains criteria for sustainable development, including ones that (a) development should develop a pattern of land use and transport which minimises the length of journeys and the need to travel and maximises the potential for the use of public transport, cycling and walking; and (b) give priority to the continued use of previously developed land and buildings. Policy STR5 of the same plan states that development in rural centres and villages should be such as will sustain and enhance their role and will be commensurate with their size and accessibility, and appropriate to their character and physical identity. Policy 49 covers transport requirements of new developments and in particular requires that developments should provide safe access to roads of adequate standard within the route hierarchy.

Policy S1 of the Taunton Deane Local Plan includes general requirements for new developments. Policy S2 of the same plan provides guidelines for the design of new developments. Policy S7 states that development in villages will be limited to small scale proposals which support their social and economic viability, maintain or enhance their environmental quality and are unlikely to lead to a significant increase in car travel. Policy H1 states that housing development will be permitted within defined limits of settlements provided certain criteria are met. It is considered that these criteria are met with the current proposal. Policy M3a indicates residential parking requirements of 1-2 spaces for cars. Policy EN15 of the same plan states that development within or affecting a Conservation Area will only be permitted where it would preserve or enhance the appearance or character of the Conservation Area. I consider that the proposal will meet with these criteria.

ASSESSMENT

The site is located within the settlement limits of Lydeard St Lawrence, which has a range of local facilities - shop, school and village hall. The applicant accepts that there is no mains drainage in the village and that drainage will need to be dealt with on site, possibly by a treatment package system. The details for this issue are covered by a recommended condition. The County Highway Authority does not raise objection to the principle of the development. Although no off road parking is provided, most of the other properties in the general area do not have such facilities and in view of this, the County Highway Authority does not have any objection to the lack of parking or the fact that residents' vehicles will be parked on the village street.

Whilst there will be some adverse impact on the neighbouring residential properties, I do not consider that this would be serious enough to justify refusal of the application. The Conservation Officer does not raise any objection to the proposal and I consider that the proposed dwelling is acceptable in the street scene at this point and will not adversely affect the character and appearance of the Conservation Area. Details of drainage from the site are to be covered by condition. I am not aware that there is any formal public right of way across the site. The County Archaeologist does not raise any objection to the proposal.

RECOMMENDATION

Permission be GRANTED subject to conditions of time limit, foul and surface water drainage, materials, rainwater goods, landscaping, retention and protection of trees, no felling, no service trenches beneath canopy spread of trees, levels, means of enclosure, disposal of surface water to prevent its discharge onto the highway, no overhanging or obstruction of adjoining footway, meter boxes, no bell casts, timber doors and windows, underground services, removal of GPDO rights for extensions and windows and fixed and obscure glazing to certain side windows. Notes re disabled access, energy and water conservation, meter boxes and CDM Regulations.

REASON(S) FOR RECOMMENDATION:- Proposal satisfactorily respects the form, character and setting of the settlement and the integrity of the street scene and has no material effect on neighbouring properties. The proposal is, therefore, in compliance with the requirements contained in Taunton Deane Local Plan Policies S1, S2, H1 and EN15. The lack of off road parking is not considered to be likely to materially affect highway safety.

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

CONTACT OFFICER: 356461 MR J HAMER

NOTES: