

06/2008/058

A & J RAUCKI

**ERECTION OF DETACHED DWELLING WITH GARAGE, 26 CHURCH STREET,  
BISHOPS LYDEARD.**

316872/129673

FULL

---

**PROPOSAL**

The proposed development comprises the erection of a detached 4-bedroomed dwelling with attached single garage, within the rear garden of no. 26 Church Street. An existing vehicular access would be used, and a single-storey DIY shop and materials storage building would be demolished to enable construction of a driveway.

Planning permission was refused in May this year, reference 06/2008/029, for the erection of 2 no. detached houses. An appeal against this decision is pending.

Outline planning permission was granted for a single-storey dwelling in March 1987, reference 061/86/028.

The site is within the settlement limit, within the designated Conservation Area, and the property adjoining no. 26 Church Street is listed Grade II.

**CONSULTATIONS AND REPRESENTATIONS**

COUNTY HIGHWAY AUTHORITY – The proposal is located within the development limit and in the centre of Bishops Lydeard deriving access from/onto Church Street, which is one of the main routes through the village. I am fully aware that parking is a contentious issue in this area as there is no public car park and on-street parking is well utilised and more often than not at a premium.

Therefore it is essential that careful consideration is given as to whether this proposal would significantly exacerbate these existing problems or lead to a significant increase in traffic over and above that which currently occurs on this stretch of highway.

There is an existing shop and storage building that will be demolished in order that access to the site can be achieved and it is considered that the two dwellings would generate less traffic than the use of this shop. In addition I have noted during several visits to the village that the access, parking area in front of the shop is particularly congested making turning within the site practically impossible. It is therefore considered that a residential use would not only result in less traffic, but it would also ensure that this area would improve manoeuvrability for and of vehicles utilising both the remaining and proposed uses within the site.

Sufficient onsite parking and turning is being provided to serve the dwellings.

Given the points raised above it may be considered unreasonable to raise a highway objection to the proposal particularly as it is considered that the removal of the builders/DIY shop would result in a decrease in traffic utilising this access. If the Local Planning Authority is minded to grant consent, it is recommended the following conditions are imposed.

- 1 The area allocated for parking/turning 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.
- 2 Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order) the uses of the garages hereby permitted shall be limited to the parking of domestic vehicles only and shall not be used for further ancillary residential accommodation or other purpose whatsoever.
- 3 There shall be no obstruction to visibility greater than 900mm above adjoining road level within the area of land shown coloured green on the attached plan. Such visibility shall be fully provided before works commence on the erection of the dwellings hereby permitted and shall thereafter be maintained at all times.

WESSEX WATER - The development is located within a foul sewer area. It will be necessary for the developer to agree a point of connection onto the system for the satisfactory disposal of foul flows generated by the proposal. This can be agreed at the detailed design stage. It should be noted that a number of non-return valves have been fitted in the vicinity of the site, suggesting previous operational problems with Wessex Water assets. The developer has not disclosed on how they proposed to dispose of surface water flow. As there are no existing public/separate surface water sewers in the vicinity of the site, it is advised that the developer investigate alternative methods for the satisfactory disposal of surface water from site (e.g. soakaways). Surface water should not be discharged to the foul sewer.

With respect to water supply, there are water mains within the vicinity of the proposal. Again, connection can be agreed at the design stage. It is recommended that the developer should agree with Wessex Water, prior to the commencement of any works on site, a connection onto Wessex Water infrastructure. The developer should also be aware of the importance of checking with Wessex Water to ascertain whether there may be any uncharted sewers or water mains within (or very near to) the site. If any such apparatus exists, applicants should plot the exact position on the design site layout to assess the implications. Please note that the grant of planning permission does not, where apparatus will be affected, change Wessex Water's ability to see agreement as to the carrying out of diversionary and/or conditioned protection works at the applicant's expense or, in default of such agreement, the right to prevent the carrying out of any such development proposals as may affect its apparatus.

DRAINAGE OFFICER – No details provided as to how surface water flows are to be treated. Details should be provided before approval before any approval is given.

CONSERVATION OFFICER – The revised proposal for a single dwelling and garage at the rear of the plot behind 26 Church Street Bishops Lydeard is much improved. It addresses the points of main concern, namely it is a far less cramped development of the site, the development is much further away from the Grade II Listed 25 Church Street and the effect of the development on the street scene of the Conservation Area is minimised as well as somewhat screened with some proposed planting. No objection to this application

PARISH COUNCIL – The Council does not object to the application and has the following comments to make:

- the Council accepts that there should be development on the site.
- the Council has concerns over the proximity of the window of the property 26A to the proposed development
- given that there are already reported flooding problems to the rear of Radlett
- and Church Lane, this should be investigated before any approval is given.

SEVEN LETTERS OF OBJECTION have been received on the grounds that: loss of light and privacy will result; traffic problems would be expected; future occupiers would suffer from noise pollution from the applicants yard; the setting of a listed building would be adversely affected. Noise problems would be generated, loss of outlook will result; the drawings are not scaled; the proposal constitutes a cramped form of over-development; since outline permission was granted in 1987, the surrounding area has changed dramatically; the Conservation Area would be adversely affected; the proposed house is out of character; flash floods occur regularly and this would be exacerbated by the building of a new house.

## **POLICY CONTEXT**

Policies S1 and S2 of the Taunton Deane Local Plan seek to safeguard, inter alia, visual and residential amenity, and road safety. Policy EN14 seeks to safeguard the character and appearance of designated Conservation Areas. Policy 9 of the Somerset and Exmoor National Park Joint Structure Review and PPG15 seek to safeguard the setting of listed buildings.

## **ASSESSMENT**

The site is within the settlement limit of Bishops Lydeard, the County Highway Authority have raised no objection in respect of road safety, it is not considered that residential amenity would be unduly affected in terms of light or privacy, and the site is clearly large enough to accommodate a single dwelling. The contention concerns the impact on the Conservation Area and the setting of the adjacent listed building (no. 25), and it is considered that the reduction from 2 dwellings to 1 address the previous concern of the development being cramped. Furthermore, the 1 dwelling is further away from the listed building and has less impact on the street scene of the Conservation Area.

The proposed development is considered acceptable.

## **RECOMMENDATION**

That permission be GRANTED subject to conditions of time, materials, landscaping, drainage details, fencing, removal of Permitted Development Rights, highway safety conditions.

## **REASON(S) FOR RECOMMENDATION:**

The proposed development would not adversely affect visual and residential amenity, nor road safety, nor the character and appearance of the designated Conservation Area, nor the selling of the adjacent listed building. Accordingly, the proposal does not conflict with Taunton Deane Local Plan policies S1 (General Requirements), S2 (Design) and EN14 (Conservation Areas), Somerset and Exmoor National Park Joint Structure Plan Review policy 9 and PPG15.

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

**CONTACT OFFICER: 356465 MR J GRANT**

NOTES: