

07/2008/013

MR & MRS WEBSTER

VARIATION OF CONDITION 7 RELATING TO PLANNING APPLICATION 07/2005/012 TO ALLOW THE ACCOMMODATION TO BE USED IN CONNECTION WITH THE USE OF THE EXISTING HOUSE AS A SINGLE FAMILY DWELLING OR RENTED ACCOMMODATION AT THE OLD GRANARY HELE BRADFORD ON TONE

318513/124238

FULL

PROPOSAL

The site is in Hele, being a converted/extended former garage to the Old Granary. The proposal is the retention of the outbuilding being used as residential accommodation separately from the Old Granary, now known as Poppy Cottage. The conversion/extension of the garage was approved in July 2005 as ancillary accommodation for the mother of one of the applicants, with provision for a live-in carer should the need arise. The ancillary accommodation was conditioned as such 'The accommodation hereby permitted shall be used solely in connection with the use of the existing house as a single family dwelling and shall not at any time be used as a separate unit of accommodation', the reason being 'The creation of a new separate dwelling would be contrary to Taunton Deane Local Plan Policy H8'. It has come to light that this building is being let out to occupiers who are not family members, as a separate unit of accommodation. The agent advises that it is the intention of the applicants to retain control and ownership, and the unit will be let, that there is no alternative other than leave the unit vacant. The agent also makes reference to the permission granted in July for 9 units at a barn conversion at Hele Manor and the Highways objection to such a proposal.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAYS AUTHORITY - The proposed development site is remote from any urban area and therefore distant from adequate services and facilities, such as, education, employment, health, retail and leisure. In addition, public transport services are infrequent. As a consequence, occupiers of the new development are likely to be dependant on private vehicles for most of their daily needs. Such fostering of growth in the need to travel would be contrary to government advice given in PPG13 and RPG10, and to the provisions of policies STR1 and STR6 of the Somerset and Exmoor National Park Joint Structure Plan Review (Adopted: April 2000).

For the purpose of this application, I feel it is relevant and important to reiterate the view of the Highway Authority, during the consultation period of 07/2005/012, under which the annexe was granted consent.

"The application is for proposed ancillary accommodation to the main dwelling along with relocation of the existing driveway. I can therefore advise you that there is no objection in principle to provide ancillary accommodation at this location from a

highway point of view. However, if this were a new dwelling it would warrant a recommendation of refusal as it is within an unsustainable transport location and outside any development limits and therefore distant from adequate services etc. objection in principle to provide ancillary accommodation at this location from a highway point of view.

Therefore, I would recommend an appropriate condition to ensure that this proposal remains ancillary to the main dwelling. In addition, I would expect to see adequate access, visibility, parking and turning within the confines of the site”.

Planning application no. 07/2005/012 was for an extension and change of use of the existing garage to an annexe. The Highway Authority takes a view that annexe accommodation is used ancillary to an existing dwelling to be occupied only by members of the same household/family, and is not be treated as a separate unit of residential accommodation. Due to the ancillary nature it is considered that there will be no increase in traffic over and above the existing use as a single dwelling as there will be a number of shared trip patterns with the main dwelling. The removal of the annex condition and effective conversion to an independent dwelling/residential use, to be occupied by person or persons not related or associated with the Applicant, would therefore result in an increase in vehicle movements. Whilst the Local Planning Authority may view the proposal as the conversion of an existing building, the Highway Authority would take the view that the building has always been used ancillary to the main house and the traffic movements would be that associated with a single residential unit.

No plans have been submitted showing a parking and turning layout to serve the existing dwelling and the change of use of the annexe for a separate residential use, therefore further plans/information is required. The maximum parking standard should be applied given the unsustainable location. I would recommend refusal of the application on sustainability grounds and lack of detail.

PARISH COUNCIL – no objection/supports.

SEVEN LETTERS OF SUPPORT - should make full use of this property; appreciate the need to have planning policy to restrict new separate dwellings outside settlements; unlikely to be any problems from this use; unit has been well designed; and will provide a modest home for rent; one day will provide a home for an elderly parent.

POLICY CONTEXT

PPS3 Housing, PPG13 Transport, RPG10. Somerset and Exmoor National Park Joint Structure Plan Review Policy STR1 Sustainable Development, STR6 - Development outside towns, rural centres and villages. Taunton Deane Local Plan Policies - S1 General Requirements, S7 Outside Settlements, H18 Ancillary Accommodation.

ASSESSMENT

There was no issue in respect to the original need for ancillary accommodation for the elderly mother of the applicant. The garage was enlarged and converted, and new garage constructed for the original dwelling. The current situation is such that the building is used as an independent dwelling rented out by the owners of The Old

Granary. This is contrary to the condition and Policy basis which seeks to control new buildings in open Countryside. Whilst it is appreciated that once a dwelling has an Annexe, the need for which has gone due to changed circumstance, there is an issue of what to do with the building. These buildings could be used for teenagers /young adults as well as elderly parents, as provided there are family ties, the need to travel is reduced, which is the reason for the exception in the first instance. There is no need for surplus annexes to be available to the general rented market. The County Highways Authority comments, that it was the applicant's choice to site the annexe away from the main house and the fact that it may remain empty or unused and to do so does not make economic sense, it not sufficient justification to allow what is tantamount to a new dwelling in the open countryside.

RECOMMENDATION

A) That permission be REFUSED on the basis:-

1) The application site is remote from any urban area and therefore distant from adequate services and facilities, such as, education, employment, health, retail and leisure, in addition, public transport services are infrequent. As a consequence, the occupiers of the application site – the former annexe accommodation development are likely to be dependant on private vehicles for most of their daily needs. Such fostering of growth in the need to travel would be contrary to government advice given in PPG13 and RPG10, and to the provisions of policies STR1 and STR6 of the Somerset and Exmoor National Park Joint Structure Plan Review (Adopted: April 2000). The retention of the annexe as an additional unit of accommodation does not meet the Somerset and Exmoor National Park Joint Structure Plan Review Policy STR1 and STR6 and Taunton Deane Local Plan Policy S7.

2) This application shows no details of parking and turning for the existing property the Old Granary, contrary to Somerset and Exmoor National Park Joint Structure Plan Review Policy 49 and Taunton Deane Local Plan Policy M4 Residential Parking Requirements.

B) That Enforcement Action be authorised to such that the use of the annex is a separate unit of accommodation shall cease within 1 month from the date of this refusal and thereafter shall only be used as ancillary accommodation to the existing dwelling as identified on the attached plan.

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:

