

10/2005/020

MISS S NEWMAN

CHANGE OF USE AND CONVERSION OF BARN TO DWELLING ADJACENT TO CHURCHINFORD POST OFFICE, CHURCHINFORD AS AMENDED BY LETTER DATED 20TH DECEMBER, 2005 WITH ATTACHED DRAWING NO. 1605/2B

21269/12595

FULL

PROPOSAL

The barn lies to the rear of the Post Office within the village settlement limit and the proposal is to convert barn on roadside to dwelling.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY In detail, the proposal is for a change of use of an existing barn to a dwelling to include an integral garage/parking space. The site derives access from Red Lane, which is a classified unnumbered highway. Visibility when emerging from the garage is extremely restricted, due to the building abutting the highway. In addition to vehicular movements, pedestrians emerging from the dwelling will be stepping directly onto the carriageway. This will not only cause a hazard to themselves but could cause on-coming vehicles to swerve and manoeuvre around them. This is an extremely hazardous site in terms of highway safety and it is likely there will be an increase in vehicular and pedestrian movements therefore I would recommend that the application is refused for the following reason:- The increased use of the existing substandard access which does not incorporate the necessary visibility splays, such as would result from the proposed development would be prejudicial to road safety. As a consequence, the proposed development would be contrary to Policy 49 of the Somerset and Exmoor Park Joint Structure Plan Review, Adopted Policies 2000. The proposed development is likely to generate an increase in pedestrian traffic stepping out directly onto the carriageway, with consequent additional hazards to all users of the road. Notwithstanding the aforementioned comments, it must be a matter for the Local Planning Authority to decide whether the retention of the building for re-use and/or any other overriding planning need, outweighs the highway safety concerns raised. If the Local Planning Authority, decide that the retention of the building for re-use and/or any other overriding planning need, outweighs the highway safety concerns raised and are minded to grant permission I would recommend that the following conditions are imposed:- 1. No doors or windows at ground floor level should open out onto or over the public highway. 2. The proposed garage door should be of a sliding or roll-over type and be operated by remote control, as to ensure vehicles can pull clear of the highway quickly and avoid stopping/parking on the highway for longer than necessary. SOUTH WEST WATER has no objections provided foul drainage only is connected to the public foul or combined sewer. Should no separate storm system be available, details of the means of disposal must be submitted for prior approval. The use of soakaways will require satisfactory percolation test to have been undertaken. ENGLISH NATURE swallows have nested on site and are now a species of conservation concern. Swallows found to remain faithful to nesting sites and return to

the same vicinity in following years. Development must avoid building or operations likely to affect swallow nest sites between 1st April and 3rd September in any year. Evidence of 2 species of bat were found and a mitigation scheme, including provision of an alternative bat roost, timing of works, need for caution during construction and maintenance of favourable conservation status for bats in the vicinity. RIGHTS OF WAY OFFICER no observations.

WILDLIFE OFFICER further survey work next spring would inform mitigation proposal. The need for further information needs to be discussed with English Nature. ENVIRONMENTAL HEALTH OFFICER a contaminated land condition and note should be imposed.

PARISH COUNCIL whilst my Council didn't have any objection to the proposals in principle, it did feel that it should strongly recognise the concerns expressed by neighbours (Rowans, Clematis Cottage and Majors Farm) regarding invasion of privacy and exclusion of light by the proximity of the proposed building and the number/ location of windows. It is felt that some of the problems can be overcome by appropriate glazing e.g. obscure glass, but that other problem areas will require a more detailed approach. Concern was also expressed regarding the age of the Majors Farm buildings and the need for great care to be exercised before any excavation works are carried out in their vicinity. As stated above, my Council does not have any objections to the principle of the application but in view of the close contiguity of these properties, it is felt that the clarification of these points is of paramount importance.

3 LETTERS OF CONCERN have been received raising the following issues:- drainage, window on north at front will cause a loss of amenity and privacy; bathroom windows to east be obscure glazed to protect amenity; access not safe; will lead to on-street parking; rear windows will cause overlooking and loss of privacy; loss of value; foundations may impact on house; difference in height between site and neighbours garden; need for retaining wall and sound insulation; material details disruption to garden and privacy during building works; loss of light and privacy.

POLICY CONTEXT

Somerset and Exmoor National Park Joint Structure Plan Review Policies STR1 - Sustainable Development; STR5 - Development in Rural Centres and Villages; Policy 1 - Nature Conservation; Policy 3 - Areas of Outstanding Natural Beauty, Policy 49 - Transport Requirements.

Taunton Deane Local Plan Policies S1 - General Requirements, S2 - Design, S5 - Villages, H2 - Housing in Settlements, M4 - Parking, EN4 - Wildlife in Buildings to be Converted, EN5 - Protected Species, EN10 - Areas of Outstanding Natural Beauty.

ASSESSMENT

The proposal is to convert a barn within the settlement limit to a dwelling with an extension at the rear to replace an old corrugated workshop building. Access will be off the existing lane where there is an existing access door for parking. The main issues for consideration are privacy, amenity and highway safety.

The building is of traditional stone construction set within the village settlement limits where the provision of dwellings are acceptable in principle. The proposed conversion makes use of the existing openings and includes a new first floor opening on the front and two new openings on the rear. Concern has been raised in terms of privacy and overlooking from these new first floor windows. The front window is set diagonally across the road from the objector and the distance and angle is not considered to be so detrimental to warrant refusal of the proposal. On the rear the two windows serve a shower room and a bedroom. The shower room window will be obscure glazed and conditioned as such. The other window serves a bedroom and although approximately 5.5 m away from the boundary this is at an acute angle. Given this angle and nature of the room it is not considered that the impact of this window is sufficient grounds in terms of amenity and privacy impact to warrant a refusal.

There is an existing cottage to the rear of the site which is set into the ground level in relation to the existing garden level and the windows currently look directly out onto this private area with no screening. The proposal shows the boundary of the new plot to be 4-5m off the existing rear wall of the cottage. A fence or wall along this line would address the issue of overlooking from the windows or garden of the new plot and the distance is not considered so close to significantly adversely affect the outlook and light to warrant refusal.

The building already has an access used by vehicles and it is considered unreasonable to object to the use of the existing access for garaging of a car. The conditions suggested by the Highway Authority however are considered appropriate.

Evidence of bats has been found in the building and the specialist advice recommends a condition to ensure adequate provision for alternative bat habitat is provided on site. Thus a condition is included to this affect as well as one to address the means of surface water disposal.

The design and impact of the building conversion is considered acceptable and to comply with the policies S1, S2 and H2 of the Local Plan and the application is recommended for approval.

RECOMMENDATION

Permission be GRANTED subject to conditions of time limit, materials, guttering details, boundary treatment, surface water disposal, bat mitigation measures, no opening windows over highway, garage door details, timber windows, obscure glazing to bathroom windows, contamination, no extensions. Notes re contamination, encroachment and bats.

REASON(S) FOR RECOMMENDATION:- The proposed development is considered to accord with Taunton Deane Local Plan Policies S1, S2 and H2 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.

CONTACT OFFICER: 2456 MR G CLIFFORD

NOTES: