

36/2004/011

G S BOLTON

REMOVAL OF CONDITION 04 (36/2002/030) RESTRICTING THE USE OF GARAGE ANCILLARY TO THE FARM HOUSE AT LOVELLS FARM, STOKE ST GREGORY.

35348/27674

REMOVAL OF ONEROUS CONDITIONS

PROPOSAL

In January 2003 planning permission was granted for the erection of a detached double garage with a workshop in the roof structure for use by the owner of Lovells Farmhouse. The garage was situated within the barn complex lying to the north of Lovells Farm. In order to ensure the garage parking was retained for the use of the farmhouse a planning condition was attached "the garage hereby approved shall at all times be used in connection with, and ancillary to, the existing dwelling known as Lovells Farm".

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY raise no objection to the proposal.

PARISH COUNCIL do not consider that the separation will benefit the village in any way and could lead to a subsequent application for residential use.

19 LETTERS OF SUPPORT raising the following points:- there is no reason to link the garage with Lovells Farmhouse and it is considered to be an infringement of the applicants human rights.

POLICY CONTEXT

Somerset and Exmoor National Park Structure Plan Policy 49 requires proposals for development to be compatible with the existing transport infrastructure, or, if not, provision should be made for improvements to infrastructure to enable development to proceed. In particular development should: provide access for pedestrians, people with disabilities, cyclists and public transport; provide safe access to roads of adequate standard within the route hierarchy and, unless the special need for and benefit of a particular development would warrant an exception and not derive access directly from a National Primary or County Route. Taunton Deane Local Plan Revised Deposit policy M3a requires the provision of a maximum (average) of 1.5 spaces per dwelling

The application sites has provided a range of uses with in the farm buildings including an office/studio (now a unit of holiday accommodation) As the site is located within a rural area it is important to ensure that there is adequate parking for all uses. In this case details submitted with the application indicate sufficient parking for all of the uses.

ASSESSMENT

The application for the garage indicated that the additional parking and studio accommodation were needed due to the personal needs of the occupant of Lovells Farmhouse. Within a rural area such as this it was felt important to ensure that sufficient off street parking is available for the site and as a consequence the restrictive condition was applied. Circumstances have now changed and the applicant wishes to separate the use of the garage from the farmhouse. Plans have been submitted showing adequate parking in buildings to the south of the new garage for use by Lovells Farmhouse, in compliance with Local Plan policy M3a and I do not consider it reasonable to continue to tie the use to the Farmhouse. The garage is located in the open countryside where the local Planning Authority would wish to ensure that any alternative, non-domestic use did not constitute a highway danger and I consider it important that the garage continues to be used for domestic purposes only.

RECOMMENDATION

Permission be GRANTED subject to a replacement condition for the garage/studio to be used for domestic use only.

REASON(S) FOR RECOMMENDATION:- The proposal is considered to be in accordance with the Taunton Deane Local Plan Revised Deposit Policies M2 and M3a.

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

CONTACT OFFICER: 356467 MRS J MOORE

NOTES: