

02/2008/001

MR & MRS DENNEHY

ERECTION OF DWELLING (RENEWAL OF PERMISSION 02/2005/001). LAND ADJACENT TO BROOKLANDS, ASH PRIORS.

315218/129181

OUTLINE APPLICATION

PROPOSAL

This permission seeks renewal of outline permission 02/2005/001, which was granted permission on 1 March 2005, for the erection of a dwelling.

The site is presently occupied by a single-storey stable building and falls within the defined settlement limit for Ash Priors.

An illustrative layout accompanies the application and this indicates provision of a two-storey dwelling, with use of an existing vehicular access and two number on-site car parking spaces.

The agents have advised that the site is not served by mains drainage , as originally proposed, and they are consequently proposing that the drainage be dealt with by way of a package treatment plant.

CONSULTATIONS AND REPRESENTATIONS

DRAINAGE OFFICER – Recommends note

COUNTY ARCHAEOLOGIST – No objections

ENVIRONMENTAL HEALTH OFFICER – Recommends Conditions:

Prior to the commencement of development the applicant shall investigate the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses. The applicant shall:- (a) provide a written report to the Local Planning Authority which shall include details of the previous uses of the site and a description of the current condition of the site with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the site. (b) If the report indicates that contamination may be present on or under the site, or if evidence of contamination is found, a more detailed site investigation and risk assessment shall be carried out in line with current guidance. This should determine whether any contamination could pose a risk to future users of the site or the environment. (c) If remedial works are required, details shall be submitted to the Local Planning Authority, and these shall be accepted in writing and thereafter implemented. On completion of any required remedial works the applicant shall provide written confirmation that the works have been completed in accordance with the agreed remediation strategy.

Reason: To ensure that land contamination can be dealt with adequately prior to the use hereby approved by the Local Planning Authority, in accordance with Taunton Deane Local Plan Policy EN32.

NOTE:

Re potential ground contamination. Commercial/agricultural buildings are often used for the storage of material and fuels that could have lead to contamination of the ground in and around the buildings. There is also a potential risk from areas of filled ground (e.g. old ditches/ponds or slurry pits) as the fill could contain hazardous materials, or could generate gasses as any waste breaks down. If a detailed site investigation is required this should be carried out in line with the latest guidance. Sources of such guidance will include, although not exclusively, publications by the Department for Environment, Food and Rural Affairs, the Environment Agency and the British Standards Institute. The Council has produced a Guide to the Assessment and Remediation of Contaminated Land that gives more details on the relevant sources of information available (Contact the Environmental Protection Team on 01823 356339 for a copy or look on the Council's web-site).

COUNTY RIGHTS OF WAY TEAM – No observations

WESSEX WATER – Recommends note

COUNTY HIGHWAYS AUTHORITY – None received. (Previously recommended several Conditions)

PARISH MEETING - The meeting considered this application for renewal of outline permission 02/2005/001 on 4 February 2008. The view expressed by members of the Parish Meeting was that this would be a crowded, inappropriate and unsightly development and would result in even more traffic in the area. The narrow lane would be more likely to see inappropriate parking and increase the risk of preventing emergency vehicles gaining access to the three adjacent properties and indeed to the main village. The application needs to indicate arrangements for foul water drainage since there is no mains drainage in the area and currently no access to existing septic tank drainage. The circumstances of the area have changed since the original outline planning consent was approved, as three large houses have been built immediately adjacent to the plot and are now occupied. Clearly the views of the residents of these properties are significant and should be heeded, since the proposal impacts them and their properties directly.

9 LETTERS OF OBJECTION – Have been received on the following grounds:

- Loss of privacy will result
- Extra traffic would create road safety problems
- No mains sewage is available and the septic tank which is shared between four properties runs at capacity
- The area has now been developed enough
- The proposal constitutes an over-development of the site
- There is contention regarding the wall surrounding Brooklands
- Two-storey would be intrusive and result in loss of light

POLICY CONTEXT

Policies S1 (General requirements) and S2 (Design) of the Taunton Deane Local Plan seek to safeguard, inter alia, visual and residential amenity, and road safety.

ASSESSMENT

This is a renewal application and therefore the principle has already been established. The site is within Ash Priors settlement limit, privacy and light can be safeguarded in any subsequent reserved matters application, lack of main drainage can be resolved by other means, and the query regarding ownership of a party wall is a matter which can only be resolved between the two parties concerned. Most importantly, circumstances have not materially changed since permission was granted in March 2005.

RECOMMENDATION

That permission be granted subject to Conditions of time, materials, landscaping, details of walls/fences, services to be placed underground, removal of permitted development rights, contamination, road safety conditions and drainage details to be submitted.

REASON(S) FOR RECOMMENDATION:-

The proposal for residential development is located within defined settlement limits where new housing is encouraged. The proposal would not adversely affect visual and residential amenity or road safety. The proposal therefore does not conflict with Taunton Dean Local Plan Policies S1 (General Requirements) and S2 (Design).

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: