

23/2008/017

R WYNNE ESQ

ERECTION OF BUNGALOW ON LAND ADJACENT TO QUEENSMEAD, SILVER STREET, MILVERTON

312443/125819

FULL

PROPOSAL

The proposal comprises the erection of a two-bedroom bungalow on a site that is situated within the defined settlement limits of Milverton, and also within the Milverton Conservation Area. The site currently accommodates six lock-up garages that have Conservation Area consent to be demolished. The site is accessed via a private drive, which currently serves a bungalow adjacent to the site, which is also owned by the applicant. The application includes provision of car parking with one of the existing garages to be retained for the bungalow and an additional parking space between the retained garage and proposed bungalow. A turning area has also been incorporated in the proposed scheme. The materials proposed for the bungalow are block work and rendered walls and a natural slate roof. The design of the bungalow has a simple pitched roof with a pitched roof gable coming off the north/front elevation.

This application is the resubmission of a previous proposal that was initially withdrawn, and then refused. The previous refused application was for a two storey dwelling and did not incorporate parking/turning facilities included in this proposal.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY – The proposed site is located within the defined settlement limit for Milverton and derives access from the B3187, Silver Street which is classified as a County Route in the Somerset and Exmoor National Park Joint Structure Review Plan. It is proposed to demolish five of the six lock-up garages, which are owned by the applicant/owner of Queensmead and rented out to various individuals within the village. The proposed development would utilise an existing private access from/onto the B3187, Silver Street. Visibility at the point of access onto Silver Street is restricted to the confines of the access and there is no pedestrian visibility. The Highway Authority, would not support proposals in this location that would result in an increase in traffic movements over and above the existing use, however it is likely that the substitution of the garages with a single dwelling may result in comparable traffic movements and on this basis it may be unreasonable to raise a highway objection. I am aware that this application has raised some concern amongst neighbouring properties regarding the loss of parking and turning available to other residents of the village. The development is located on private land and from my understanding the landowner could decide to remove the garages or the use of the garages, by third parties, without requiring planning permission. There is a public car park situated within the village approximately 150m

from the proposed site that could be used to accommodate displaced parking. In the event of there being a legal right of way to protect the access, this will be a legal/private matter. The parking spaces are clear of any rights of access to adjoining properties and on this basis I would not wish to raise an objection. There is sufficient turning within the site to ensure that vehicles can enter and exit the site in a forward gear. Recommended conditions included.

CONSERVATION OFFICER – Fortunately, the proposed bungalow will not be visible at all from the Silver Street end of the access lane, unlike Queensmead. The affect that the proposal will have to the neighbouring historic building Deans Cottage will be very minimal since adequate screening and boundary segregation is provided by the existing hawthorn tree and old stonewall. The proposal is somewhat of an improvement to what is currently occupying the site (6 lock-up garages) and the choice of covering materials is acceptable (Natural slate and render), therefore I have no objection to this application.

LANDSCAPE OFFICER – Subject to retention of the existing Hawthorn tree it should be possible to integrate the proposals into the local area. The tree should be protected during construction with no services within its canopy spread.

DRAINAGE OFFICER – I note that surface water is to be discharged to soakaways. These should be constructed in accordance with Building Research Digest 365 (September 1991) and made a condition of any approval.

PARISH COUNCIL – Objects to the proposal because it is considered the development to be too big for the site. However, if the Planning Committee disagreed with this viewpoint and agreed to grant planning permission, the Parish Council asked that the following conditions be applied.

- That permitted development rights be removed so that any future extension or development into the roof space would be subject to planning permission.
- That sufficient turning space be protected in front of the bungalow to allow neighbouring private access rights (for Dens Cottage and Queens Walk) to be safely exercised.

WESSEX WATER – Standard response regarding foul flows and water supply, that points of connection to Wessex Water infrastructure must be agreed prior to the commencement of any works on site.

FIVE LETTERS OF OBJECTION – Have been received, raising concerns over the following: size and situation of the site is unsuitable for a dwelling; density is inappropriate; a bungalow will loom over the adjacent property; Queens Walk and Deans Cottage have a right of access to the private drive and should be able to have an off road turning space; Deans Cottage has a right of way to the gate in the east wall (by the garage to be retained); it is absurd that six garages in the centre of the village should be lost when there is such a terrible parking/garage situation in Milverton; small bungalow is of no architectural merit; will be squeezed onto a small site with little garden, surrounded by 1.8m high fences or walls with no aspect/view from the property; will blight the outlook from Queensmead; six garages house six vehicles which would otherwise be parked on the street or competing in overcrowded car parks; occupants of Queens Walk and Deans Cottage should not be required to

back out onto the road; no permission has been sought from the applicant or agent to obtain access to view the other side of the southern boundary wall, as it is currently obscured by the garages; the southern boundary wall has fallen down in places; can a condition be imposed to ensure the applicant rebuilds this section of wall in stone; no dimensions, sections or site plan showing rights of way or drainage plans have been submitted; would like to know how the proposed soakaways will impact on the boundary walls of the adjoining owners; bungalow is not suitable for the site that is partially within the Conservation Area; bungalow is of bad design and does not reinforce the local character or distinctiveness of the area; bungalow erodes character and residential amenity; bungalow will not preserve or enhance the appearance or character of Milverton; can conditions be imposed to ensure no further openings are made to the elevations and no future roof space development takes place; plot is too small to accommodate the proposed dwelling and turning arrangements; roof of bungalow will overshadow and cause loss of light to adjacent properties; vehicular access will be impaired; retaining wall behind garages will not be able to hold building with drainage undermining the structure of the wall; building trucks will not be able to deliver materials down the narrow lane; existing bungalow drain runs into neighbouring property's drain which causes problems and the occupiers do not intend to let a second drain use the system.

TWO LETTERS OF REPRESENTATION – Has been received, stating there is no objection to a bungalow as it would be in keeping with the existing surrounding properties and neither reduce the privacy of the other gardens or bungalows, however, restrictions should be put in place to prevent an increase in height or inclusion of any dormer style roof windows as this would reduce privacy, and it is important the residents are able to turn a car around on the site.

POLICY CONTEXT

PPS1 – Delivering Sustainable Development, PPS3 – Housing Policies STR1 (Sustainable Development), STR3 (Development in Rural Centres and Villages), 9 (The Built Historic Environment), 33 (Provision of Housing) & 49 (Transport Requirements of New Development) of the Somerset & Exmoor National Park Joint Structure Plan Review.

Taunton Deane Local Plan Policies S1 (General Requirements), S2 (Design), EN14 (Conservation Areas) and M4 (Residential Parking Provision).

ASSESSMENT

The site is located within the defined settlement limits of Milverton where the principle of new residential development is deemed acceptable. Only a small part of the site comes within the Conservation Area, including just the access and two of the garages to be demolished. The surrounding properties to the north and east are bungalows, and therefore it is considered the proposal of a bungalow is in keeping with the character of the surrounding properties and will not erode on the character of Milverton in this location, as the bungalow would not be seen from Silver Street. A previous application for this site that came to the Planning Committee refused a cottage style dwelling on the site. Due to the nature of a bungalow being only single

storey, it will not 'loom', overbear or cause a loss of light to adjacent properties. The site is of adequate size to accommodate the bungalow, parking and turning areas. The right of way into and across the site is a legal matter, not a planning one – however the proposed bungalow and garage do not obstruct any right of way within the site. A turning space is also provided within the site. The area in front of the garage would be conditioned to prevent any obstruction. The loss of car parking has already been addressed under conservation area consent 23/2006/029CA. The garages are privately owned and planning approval is not required to stop the use of the garages. There is no planning control for the garages to be continued to be used. Foul flows from the bungalow will be connected to Wessex Water infrastructure and the surface water will be disposed of via soakaways, which the Drainage Officer has stated must be built to a certain specification and this can be conditioned. Therefore the drainage will not be added to any private systems and it will not undermine boundary walls. It is not known whether the southern boundary wall belongs to the applicant or neighbour, and therefore it would be unreasonable to attach a condition requiring the parts of the collapsed wall to be rebuilt by the applicant. However, a condition would be imposed requiring details of the boundary treatment to be submitted. Conditions can be imposed to restrict future permitted development of the dwelling and a note can be attached to advise that care should be taken during construction with building materials and equipment accessing the site. There is insufficient headroom within the roof space to accommodate living accommodation.

RECOMMENDATION

Permission be granted subject to conditions of time limit, materials, boundary treatment, retention of existing tree, no obstruction to parking/turning area, garage use only, surface water disposal, removal of GDO for extensions/other structures/fences. Notes re Wessex Water infrastructure, during construction works, soakaways and rights of way.

REASON(S) FOR RECOMMENDATION:-

The proposal, for residential development, is located within defined settlement limits where new housing is encouraged. The proposed access would be satisfactory and the development would not have a detrimental impact on the amenity of surrounding residential properties or the Conservation Area in accordance with Somerset and Exmoor National Park Joint Structure Plan Review Policies STR4, 9 and 49 and Taunton Deane Local Plan Policies S1, S2, EN14 and M4.

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:

