

14/2004/013

MESSRS WHITE & UNDERHILL

ERECTION OF TWO DWELLINGS, GARAGES AND ACCESS DRIVES AT THE FORMER CROWN INN CAR PARK, CROWN LANE, CREECH HEATHFIELD

27880/27193

FULL PERMISSION

PROPOSAL

Planning permission was granted for the erection of two new dwellings on a site to the far south of the former pub car park at The Crown Inn. These dwellings have now been built. The current site is part of the car park that lies between the former Crown Inn and the two new dwellings. Planning permission was refused in June 2003 for the erection of two dwellings on land to the south of the Crown Inn, Creech Heathfield as the proposal would result in new buildings that were too high and close to the adjacent listed building (The Crown Inn). An amended scheme, that handed the dwellings so that a garage was nearest to the Crown Inn and provided parking for the Crown Inn (when converted to a dwelling) to the rear of the closest dwelling, was subsequently withdrawn by the applicant. In 2003 a further application was submitted. This also revised the layout but deleted the parking spaces provided for the Crown Inn. This was refused as it prohibited the provision of parking, for the listed building, in an acceptable location. It was considered that a lack of parking provision for the Crown Inn at this stage would compromise the provision of parking in an acceptable location and that this would ultimately have a detrimental impact on the setting of the listed building. The possibility of providing parking for the former Crown Inn within its domestic curtilage has now been agreed in principle. The current application is for two dwellings to the south of the Crown Inn (listed building). The layout proposes a drive along the northern boundary with the Crown Inn. The garage for the northern most dwelling is adjacent to the drive to reduce the visual impact on the setting of the listed building. The proposal is for two houses with attached garages that would front the access road that runs to the west of the site. The dwellings would also front onto the side and rear of the bungalows in Heathfield Close. The existing access is combined with a footpath and used by properties to the south of the site, including the two new dwellings located at the south of the former car park.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY views waited. ENVIRONMENT AGENCY views waited. WESSEX WATER views waited.

CONSERVATION OFFICER no objection considering the pre-application discussions. FOOTPATHS OFFICER footpath not marked on the maps. Any surface change to the footpath will require Highway Authority permission. Any change to that surface without such approval may result in the surface being removed at the cost of the developer. The public will not maintain it unless formally adopted.

PARISH COUNCIL object to the proposal, detailed comments awaited.

2 LETTERS OF OBJECTION have been received raising the following points:- the use of the access to the rear of the existing bungalows will result in noise, dust and dirt from vehicles effecting the amenity of the residents (as it already has with the two new dwellings already built adjacent to the site); Crown Lane is a private road and the resurfacing of the lane that is a result of this development should be funded by the developer as a condition of the planning permission; the proposal will result in more traffic using Crown Lane; the proposal would be an over-development of the site and out of keeping with the character of the bungalows in the area; it is illegal to build within 150 m of a listed building; the applicants should not erect a gate across the track as other people have rights of way across the track.

POLICY CONTEXT

Somerset and Exmoor National Park Joint Structure Plan Review the following policies are considered relevant:- Policy STR5 requires development in rural centres and villages should be such as will sustain and enhance their role and will be commensurate with their size and accessibility, and appropriate to their character and physical identity. Policy 9 requires the setting, local distinctiveness and variety of buildings and structures of architectural or historic interest should be maintained and where possible be enhanced. The character or appearance of Conservation Areas should be preserved or enhanced. Policy 49 requires proposals for development to be compatible with the existing transport infrastructure and 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, not derive access directly from a National Primary or County Route; Policy 11 development proposals should take account of identified Areas of High Archaeological Potential or, elsewhere where there is reason to believe that important remains exist, so that appropriate assessment and necessary protection can be afforded to any archaeological remains identified.

Taunton Deane Local Plan Revised Deposit the following policies are considered especially relevant:- S1 Proposals for development should ensure that (D) the appearance and character of any affected landscape, settlement, building or street scene would not be harmed as a result of the development; (E) potential air pollution, water pollution, noise, dust, glare, heat, vibration and other forms of pollution or nuisance which could arise as a result of the development will not harm public health or safety, the amenity of individual dwellings or residential areas or other elements of the local or wider environment; (F) the health, safety or amenity of any occupants or users of the development will not be harmed by any pollution or nuisance arising from an existing or committed use; Policy S2 requires development to be of a good design. Its scale, density, height, massing, layout, landscaping, colour, materials and access arrangements should (A) reinforce the local character and distinctiveness of the area, including the landscape setting of the site and any settlement, street scene and building involved; (F) minimise adverse impact on the environment, and existing land uses likely to be affected; Policy H1 allows housing development within this area of Creech Heathfield (G) small scale schemes in existing residential areas will increase the development density of these areas without individually or cumulatively eroding their character or residential amenity (H) a coherent approach to the overall design is

adopted, including layout, landscaping, building designs, materials, open spaces and circulation routes, to create locally distinctive developments well related to their surroundings; (I) existing and proposed dwellings will enjoy adequate privacy and sunlight. EN17 Development proposals which would harm a listed building, its setting or any features of special or historic interest which it possesses, will not be permitted.; EN24 where a proposal affects a site of archaeological interest or Area of High Potential, or it is suspected the development could affect archaeological remains, developers must provide for satisfactory evaluation of the archaeological value of the site, and the likely effects on it, before planning applications are determined.

ASSESSMENT

The proposed dwellings will front onto the side of 12 Crown Lane and 5 Heathfield Close, Creech Heathfield. The dwellings have been designed in keeping with the new dwellings built to the south of the site and whilst contrasting with the existing bungalows, will reflect the more traditional design of the area. There is approximately 29 m from the front of plot 3 to 5 Heathfield Close and approximately 17 m from the front of plot 4 to the side of 12 Crown Lane and these distances are considered acceptable in this situation. The dwellings have been designed with two bathrooms, a hall and one bedroom window on the first floor and this will further reduce any overlooking between the existing and proposed dwellings. The proposed access has been altered to serve the two new dwellings already built on the site and subject to the views of the Highway Authority, I do not consider that an additional 2 dwellings will have an unacceptable impact on these traffic levels. As Crown Lane is privately owned maintenance of the lane is a private legal matter between those responsible for its upkeep. In consideration of the right of way running along the access I recommend a note to be added to the certificate to inform the applicant of the situation. Proposal considered acceptable.

RECOMMENDATION

Subject to the receipt of the views of the County Highway Authority raising no objection to the proposal the Chief Planning Officer in consultation with the Chair/Vice Chair be authorised to determine and permission be GRANTED subject to conditions of time limit, materials, surface water and foul drainage, archaeological investigation/programme of work, new hedge western boundary, retention and protection of hedge (eastern boundary), bathroom windows obscure glazed, no new windows/dormer windows on the western elevation, parking, garage for parking of domestic vehicles, new access onto Crown Lane must be level. Notes re Wessex Water, Crown Lane is a public right of way, upkeep of Crown Lane is a private matter, energy conservation, disabled persons, meter boxes, private drainage ditches, drainage channel is in private ownership site is close to a known archaeological site.

REASON(S) FOR RECOMMENDATION:- The proposal is for two new dwellings within the settlement limits of Creech St Michael where new development is permitted in accordance with Taunton Deane Local Plan Revised Deposit Policy S7. The proposals are considered to have an acceptable impact on the highway and neighbouring amenity in accordance with Taunton Deane Local Plan Revised Deposit Policies S1, S2, H1 and Somerset and Exmoor National Park Joint Structure Plan Review Policy 49. The

proposal is considered to have an acceptable impact on the character and setting of the adjacent listed building, The Crown Inn, in accordance with the requirements of Somerset and Exmoor National Park Joint Structure Plan Review Policy 9 and Taunton Deane Local Plan Revised Deposit Policy EN17.

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: