

31/2007/020

MR & MRS C POWELL

CHANGE OF USE AND CONVERSION OF OUTBUILDINGS TO FORM TWO HOLIDAY COTTAGES AND DOMESTIC OFFICE/STUDY AT TOAD HALL, LOWER HENLADE

327021/123583

FULL

PROPOSAL

This is an application for planning permission for change of use of an existing single storey outbuilding to form two holiday cottages with domestic office/study. The proposed cottages will each contain two bedrooms, living room, kitchen and bathroom. The office/study has a small kitchenette at WC attached to it.

The existing out buildings, which are to be converted comprise single-story buildings forming an L-shaped building adjoining the south and west boundary which is shared with Chestnut House.

The southern end of the outbuilding, which has rough cast painted rendered walls under a slate roof already has permission for use as a holiday unit (Reference 31/1987/013 approved in September 1987). This conversion utilises substantially the that building as already converted. The northern portion of the outbuilding has a brick plinth with timber cladding above under a sheet roof and is currently used as domestic garage and workshop. New window are proposed in the north and west elevation with the garage door replaced with a window and the surroundings rendered to match the existing.

The application is accompanied by a Design & Access Statement, a Business Plan detailing costs involved in the conversion and projected income. a Flood Risk Assessment and Structural Report on the building is also provided.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY No objection to the proposal, but conditions are recommended regarding the provision and retention of parking and turning and sightline requirements at the site's entrance.

ENVIRONMENTAL HEALTH OFFICER conditions are suggested for contaminated land investigation and restoration works should any contamination be found. ECONOMIC DEVELOPMENT AND REGENERATION OFFICER has looked at the applicant business case and feels that lower than the regional letting average will be achieved. This lengths the "payback" period to five rather than 3 years. A small-scale proposal that in economic terms would prove manageable, No objections provided that safeguards were in place to prevent their conversion to full residential approval within 10 years

PARISH COUNCIL object to this application for the following reasons:- Traffic - (i) concern with road width of Greenway lane especially with the traffic that uses it at peak times; (ii) impact on traffic, both in Greenway Lane, which does not have a footpath and at the junction of Stoke Road with the A358; (iii) existing entrance opposite footpath; (iv) access of emergency vehicles, especially with the adjacent thatched cottages and the danger of fire from Bar B Qs etc. Drainage and Flood - (i) drainage and flooding, the site and the lane are know to flood; (i) sewerage reference capacity of existing pumping station; (iii) suggest Flood Assessment required; Environment - (i) noise nuisance to neighbours; (ii) too near to existing properties; (iii) overlooking Chestnut Cottage; Structure and Design - (i) concern with existing structure and the work it could entail e.g. new walls and footings; (ii) the existing south wall is of a non structural nature built on a boundary wall whose ownership could be a matter of dispute with a neighbour; (iii) a structural report should be obtained from the applicant; (iv) no amenity space provided; (v) car parking. Policy - (i) from the Business Plan it is understood that the applicant is looking to have holiday lets available for 52 weeks a year which is unacceptable, should be subject to the same restrictions imposed on other applicants in the Parish; (ii) Deane already well served by holiday lets; (iii) would question change of use on part of the development.

32 LETTERS OF OBJECTION have been received raising the following issues:- already enough holiday accommodation in the area so no more needed; increased traffic from proposed use; approach roads are narrow and used by speeding vehicles; no public footpath to the site making it difficult to get to shops, post office or pub; junction of Greenway Lane and Stroke Road is dangerous; A358 junction is dangerous and additional traffic will exacerbate this problem; flooding problems on the public highway near the site access; potential flooding of forecourt and buildings from runoff from adjacent field; area suffers from sewage problems because existing pumping station is at maximum capacity; increased on-site car parking will generate noise disturbance and air pollution to the detriment of neighbouring properties; holiday use, with possible barbecues in the small courtyard area adjacent to the neighbouring thatched property, will cause a fire risk; adverse impact on neighbouring properties from noise associated with holiday use due to close proximity of holiday cottages to boundary; overlooked from window on the south elevation.

POLICY CONTEXT

PPS1, PPS7, Good Practise Guide on Planning for Tourism.

Somerset and Exmoor National Park Joint Structure Plan Review Polices STR1, STR6, Policy 5, Policy 23 and Policy 49.

Taunton Deane Local Plan Policies S1, S2, S7, EC6, EC21 and M4.

ASSESSMENT

The application site consists of the property at Toad Hall, originally granted planning permission as a barn conversion in October 1986 (Reference 31/1986/009),

domestic double garage and associated outbuildings. Access is via a surfaced drive from Greenway Lane. Adjacent to the site and within the same ownership is a field

The site lies beyond the settlement limit of Henlade on the northern side of Greenway Lane around 100 m from the junction with Stoke Road, which in turn is approximately 400 m from the junction with the A358.

An application for the conversion of outbuilding to three holiday lets and a domestic office submitted earlier this year was subsequently withdrawn . Planning permission for change of use to form touring caravan and camping site, erection of facilities building and access improvements on the adjacent field has been refused and is the subject of an appeal (Reference 31/2007/011). Another application for the erection of a bungalow was refused earlier this year (Reference 31/2007/011). In addition to this application a current application to convert the double garage adjacent to the house into a ancillary residential accommodation (Reference 31/2007/022) is also up for consideration on this agenda

The Structural Survey indicated the buildings are generally in a good state of repair and no major works of rebuilding or extension will be necessary to effect the conversion.

The Flood Risk Assessment indicates the site to lie in a Zone 1 Flood Risk Area which does not preclude such development

The Business Plan envisages payback of development costs within 3 years. However comments on this aspect of the proposal are set out in the Economic Development and Regeneration Officer's comments above.

The Design & Access Statement indicates the works to necessary to carry out the conversion and that materials use will all be to match existing buildings.

Policy S7 sets parameters for development outside settlements, with EC6 relating to conversion of rural buildings and EC21 relates to tourist and recreation development.

With regard to the strategic consideration of this proposal it complies with Policy S7(B) by virtue of tourism policy EC21. With regard to EC21 as a scheme for one new holiday cottage and refurbishment of a holiday cottage with previous permission this is considered to be small scale, it has raised no objection from the Economic Development and Regeneration Officer and therefore complies with this policy.

It is considered that on the information provided and on inspection of the buildings they comply with the requirements of EC6(A) (i), (ii) & (iii). It is also considered that the application meets the requirements of EC6(B) (i), (ii) & (iv). Comments in respect of EC6(B)(iii) are set out below.

A variety of highway concerns associated with the location of the site, suitability of approach roads and junctions to accommodate addition traffic have been raised. On highway issues no objection has been raised by County Highway who consider the scheme acceptable subject to conditions.

The issue of existing highway flooding and surface water runoff from fields has been raised. However this proposal will not add to those existing problems and cannot be expected to find solutions to them. Similarly with the drainage issue one additional unit proposed is not considered to impact on the mains drainage situation.

Specific concerns about the direct impact of the proposal on the amenity of the neighbouring property have been raised. It must be accepted firstly that buildings lie within a residential curtilage and could be used for a variety of ancillary residential uses. This comment similarly applies to the small courtyard to the south of one of the units. That unit nearest to the adjacent dwelling already benefits from holiday use permission. There is natural screening between properties that would preclude an unacceptable level of overlooking.

Whilst a holiday use will inevitably generate more vehicular movement and activity it is not considered that the scale of this increase would be of a sufficient magnitude to warrant refusal of planning permission. Other legislation exists to deal with unsocial activities and inappropriate noise generation either from the existing residential use or future holiday use.

It is considered that the application accords with the relevant planning policies and is at a scale to not impact unacceptably on neighbouring amenities.

RECOMMENDATION

Permission be GRANTED subject to conditions of time limit, holiday use only, provision and retention of car parking, provision of visibility splays, contamination investigation & remediation

REASON(S) FOR RECOMMENDATION:- The proposed use is considered appropriate for the outbuildings and it is thought that the scheme will not harm the integrity of the outbuilding or the character, visual and residential amenity of the area and, therefore does not conflict with Taunton Deane Local Plan Policies S1, S2 and EC6.

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: