

38/15/0300

C&N PROPERTIES LTD

**CHANGE OF USE OF BUILDING FROM OFFICES (USE CLASS B1) TO RESIDENTIAL (USE CLASS C3) AT GARDEN COTTAGE, MIDDLE STREET TAUNTON**

Location: GARDEN COTTAGE, MIDDLE STREET, TAUNTON, TA1 1SH

Grid Reference: 322831.124697

Full Planning Permission

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**RECOMMENDATION AND REASON(S)**

Recommended Decision: Conditional Approval

**RECOMMENDED CONDITION(S) (if applicable)**

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: In accordance with the provisions of Section 91 Town and Country Planning Act 1990 (as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

(A2) DrNo 5030\_P\_11 Rev A Site Layout Plan

(A2) DrNo 5030\_P\_10 Rev A Location Plan

(A2) DrNo 5030\_P\_09 Existing And Proposed Elevations

(A2) DrNo 5030\_P\_08 Rev A Existing and Proposed Floor Plans

Reason: For the avoidance of doubt and in the interests of proper planning.

**Notes to Applicant**

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the applicant and has negotiated amendments to the application to enable the grant of planning permission.
2. You are advised that any boundary provision to the property in the form of walls or fencing would require planning permission and possibly listed building consent.

3. You are advised that a separate Listed Building Consent is required for this proposal before any works commence.

## **PROPOSAL**

The proposal is the conversion of a two storey office building to a residential use which is historically what it would have been.

## **SITE DESCRIPTION AND HISTORY**

The property is a two storey brick structure with a pitched slate roof, hipped on one end, set behind a high brick boundary wall. The building has been in office use and lies in the curtilage of the main building, a grade II\* listed property in office use with associated parking and an outbuilding to the rear in residential use.

The application is before Members as the agent is related to a member of staff.

## **CONSULTATION AND REPRESENTATION RESPONSES**

### **Consultees**

None.

### **Representations**

None

## **PLANNING POLICIES**

NPPF - National Planning Policy Framework,  
CP8 - CP 8 ENVIRONMENT,  
DM1 - TD CORE STRATEGY - GENERAL REQUIREMENTS,  
EN23 - TDBCLP - Areas of High Archaeological Potential,

## **LOCAL FINANCE CONSIDERATIONS**

The application is for residential development in Taunton where the Community Infrastructure Levy (CIL) is £70 per square metre. Based on current rates, the CIL receipt for this development is approximately £3500.00 (index linked).

The development of this site would result in payment to the Council of the New Homes Bonus.

### 1 Year Payment

Taunton Deane Borough Council (Lower Tier Authority)	£1079
Somerset County Council (Upper Tier Authority)	£270

## 6 Year Payment

Taunton Deane Borough Council (Lower Tier Authority)	£6474
Somerset County Council (Upper Tier Authority)	£1619

### **DETERMINING ISSUES AND CONSIDERATIONS**

The main issues are the impact on the character and setting of the listed building and the amenity of the area.

The building is two storey and the internal alterations required would be minimal and subject to separate listed building consent. There are no external alterations proposed to the building and the storage of bins and cycles proposed to the rear of the more modern rear lean to of the building is not considered to significantly harm the setting of the property to warrant a refusal. The application has been considered in accordance with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. This requires that "In considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority...shall have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses".

The building lies to the side of a brick 3 storey office building that is listed and there is no adverse impact on amenity of it as a result. The outbuilding to the rear is already in residential use and has its own amenity space which would not be directly overlooked. While there is a first floor bedroom window at the rear, this is 16m from Stable Cottage and there is not considered to be an adverse harmful impact on amenity. The intervening space is currently used as car parking.

The site is a town centre location where a residential use is considered acceptable. The change of use will not harm the character and amenity of the area, neighbours or setting of the listed building and is recommended for approval.

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

**CONTACT OFFICER: Mr G Clifford Tel: 01823 356398**