

36/2007/022

MR & MRS RUCKLIDGE

FORMATION OF NEW RAISED ROOF STRUCTURE OVER CAR PORT AND ENLARGEMENT OF ACCESS GATE OPENING AT WALNUT ARBOUR, CURLOAD, STOKE ST GREGORY, TAUNTON

333987/127838

FULL

PROPOSAL

The site comprises a one and a half dwelling which was converted from a former agricultural barn. The property consists of two barns forming a T shape. The long top section forms the dwelling. The adjoining section provides an open fronted linhay, car port and store. The neighbouring property has a garage which adjoins the car port and store. The application consists of two elements.

- Formation of new roof structure over car port and store
- Enlargement of access to 4m wide

CONSULTATIONS AND REPRESENTATIONS

PARISH COUNCIL – Object on grounds of

- The close proximity of neighbours party wall
- Loss of light to neighbours property
- Presence of bats on the property
- No valid reason for raising roof structure over car port
- No valid reason for a house of this size to widen access for normal use.

COUNTY HIGHWAYS AUTHORITY – The increase of the access to 4m will improve the visibility from the existing access. No objection.

SEVEN LETTERS OF OBJECTION – Have been received, objecting to noise from swimming pool; smell and damp from swimming pool and use of hazardous chemicals; reduction of light to window in adjoining property; disturbance to roosting and hibernating bats; change of use to commercial property; regular dangerous and obstructive parking from potential holiday makers; work begun without planning permission; inappropriate massing impact on mature walnut tree, increased use of site increasing traffic movements on and off the site; poor visibility; development will have a cramped and unacceptable development; poor outlook and relationship with adjoining properties; design will not respect local building styles or materials; change of use will have adverse impact on residential amenities of adjoining occupiers; Environmental Impact Assessment should be carried out; overloading of sewerage system; impact on human rights; loss of parking; failure of applicant to disclose that the property is to be used for holiday accommodation; application form not filled in correctly; use as a holiday unit is unsympathetic to character of existing barn conversion and surrounding area; insufficient water pressure/flow to accommodate

needs of up to fourteen people; insufficient parking on site; counter productive to turn a permanent residence into holiday accommodation.

Following notification and explanation of amended description eight letters of objection were submitted on the grounds of: overstretching of water and sewage systems; insufficient parking and poor road access; noise pollution from swimming pool; uncontrolled parking on road and dangerous bend; need to comply with Party Wall Act; increase in width of access would endanger exit from and access to adjoining garage; application port of larger venture to create holiday accommodation; increased traffic will pose dangers to pedestrians and other uses; impact on Walnut Tree; increased roof height will damage historic setting of barn and have overbearing impact and reduce light to adjoining property; disturbance to bats; contrary to Taunton Deane Local Plan Policies S2, H17, S5, H2, H5, H17, H19, EC6, EN1, EN2, EN3, EN4, EN30, EN34, EN5, EN6, EN10; destroys lines of traditional Somerset building.

POLICY CONTEXT

Taunton Deane Local Plan.

S1 – General requirements

S2 – Design

EN4 – Proposals relating to buildings utilised by bats for breeding and roosting shall be controlled to minimise impact upon the bats.

EN6 – Protection of trees

SENPJSPR Policy 48

ASSESSMENT

The application initially submitted included internal alterations. Following investigation into the history of the site, it is evident that the property retains its 'Permitted Development Rights'. As such planning permission is not required for internal alterations the filling in of the lincay and the installation of a swimming pool.

It has come to the attention of the neighbours that the owners of the site intend to use the property as a holiday let. Planning permission is not required to let out the property as a dwelling for holiday purposes. In the event that the property was subdivided into smaller units and let out accordingly then planning permission would be required. This is not the case at this property. This application doesn't seek a change of use to a holiday use and does not relate to a commercial venture. The only aspects to be considered by this application are the formation of a new roof structure over the existing car port and store and to enlarge the existing access to 4m wide.

The main considerations of the proposal are the impacts upon: surrounding residential amenities, visual amenity, highways, damage to the Walnut tree and disturbance to bats.

RESIDENTIAL AMENITY: The adjoining property, Old Barbers, has a garage attached to the car port and store and shares a party wall. There is a walkway between the garage and Old Barbers and there is a kitchen window in the side

elevation of Old Barbers. The roof over the garage and store will be raised by 1m and the ridge moved 2m north accordingly. There is no significant change in the pitch of the roof and it is considered that the adjoining property will not be overshadowed by the proposal.

VISUAL AMENITY: Materials of the walls and roof will match the existing. The formation of the new roof structure and the widening of the access will not detract from the character and appearance of the buildings or the surrounding area.

HIGHWAYS: The Highway Authority are of the opinion that the widened access will improve the visibility of the access, increasing the safety of the highway. The proposal does not indicate any increase in traffic or parking requirements. There is sufficient room within the site to accommodate parking facilities as required in SENPJSPR Policy 48.

WALNUT TREE: A Tree Protection Order (ref TD1041) has been served on the Walnut Tree to ensure that it is protected and preserved. The plans do not show removal of the tree. A note may be added to the decision notice to ensure the applicants awareness of the Tree Protection Order.

BATS: The agent has submitted as Bat Survey which showed that there was no evidence of regular roosting or breeding. However the survey does recommend workmen remain particularly vigilant and cautious when stripping the roof so as to avoid injury to any unseen bats. Conditions can be used to ensure any bats are protected.

In summary the proposed new formation of roof over the garage and store and the widening of the access do not result in any adverse impact upon the visual and residential amenities of the area and do not adversely affect highway safety.

RECOMMENDATION

Permission be GRANTED subject to conditional time limit, materials, materials for drive, protection of trees, wildlife survey, gates

REASON(S) FOR RECOMMENDATION:-

The proposal is considered not to have a detrimental impact upon visual or residential amenity and is therefore considered acceptable and, accordingly, does not conflict with Taunton Deane 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:

