49/2004/022

DR J L REES

ERECTION OF DWELLING AND GARAGE WITH ALTERATIONS TO DRIVE, LAND AT HARTSWELL HOUSE, WIVELISCOMBE.

08123/27296   OUTLINE APPLICATION

PROPOSAL

This outline proposal comprises the erection of a dwelling on land to the east of Hartswell House, a Grade II Listed Building. All matters are reserved for future consideration although alterations are shown to existing access.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY No objection, subject to conditions relating to visibility. WESSEX WATER No objections subject to informative notes relating to surface water.CONSERVATION OFFICER The setting of Hartswell House has already been compromised by the dwelling Orchard House, to the east. This substantial dwelling, allowed in 1988, occupies a former orchard (as the name suggests) and is of contemporary design. Whilst the application site is well screened from public views and the approach drive, any dwelling here would be viewed in the immediate foreground of the approach to Hartswell House itself. In addition, the site forms part of the historic walled kitchen garden to the main house, the character of which would disappear if developed for a dwelling. Objection raised due to detrimental impact on setting of Hartswell House, a Grade II LB. PARISH COUNCIL Approval. Concern raised with regard to the access. ONE LETTER OF OBJECTION has been received raising the following objections. No improvement to the access and increased danger due to the access being used by an additional dwelling. Overlooking.The proposal would devalue my property.

POLICY CONTEXT

Policy 9 (listed buildings) of the Somerset and Exmoor National Park Joint Structure Plan Review.

Policies WD/HO/3 (housing) and WD/EC/18 of the West Deane Local Plan

Taunton Deane Local Plan Revised Deposit Policies S1 and S2, (safeguard visual and residential amenity), Policy H1 (housing), Policy M3a (access and parking standards), Policy EN17 (listed buildings).

ASSESSMENT

The site is located within the defined settlement limits of Wiveliscombe and therefore there is a presumption in favour of development unless material considerations indicate otherwise. The site is located in the garden of and east of Hartswell House, the west

boundary of which is 23 m from the rear of Hartswell House and the east boundary is located 17 m away from a modern dwelling known as Orchard House. The overall area of the existing garden to be assigned as residential curtilage for the new dwelling is 600 metres square. In planning terms it is considered that a dwelling could be comfortably accommodated on the site, affording an appropriate area of amenity/garden area for any future occupants and subject to positioning of windows, causing no loss of aminity to neighbouring properties. However objections have been raised from the Conservation Officer on the grounds that the setting of the listed building would be detrimentally affected and the proposal is therefore contrary to policy EN17 of the Taunton Deane Local Plan Revised Deposit. Policy EN17 states: 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. The letter of objection received makes reference to the potential affect to the value of the objector property, however this is not considered to be a relevant planning consideration. The improved highway access is considered acceptable to the Highway Authority.

RECOMMENDATION

Permission be REFUSED for reason that the development of this site, as proposed would adversely affect the setting of the adjacent property which is a Grade II Listed Building by reason of its siting and as such is contrary to Policy EN17 of the Taunton Deane Local Plan Revised Deposit, Policy WD/EC/18 of the West Deane Local Plan and Policy 9 of the Somerset and Exmoor National Park Joint Structure Plan Review.

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: