

42/2006/037

MR & MRS D COLEMAN

**ERECTION OF TWO STOREY EXTENSION TO FORM GRANNY ANNEXE AND GARAGE AT FARTHING COTTAGE, COMEYTROWE LANE, TRULL**

320081/122520

FULL

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**PROPOSAL**

The proposal comprises the erection of a two storey side extension to form a granny annexe with integral double garage. The extension would be built on an area of the curtilage which is currently used to provide off-street parking facilities for this rendered semi-detached cottage.

**CONSULTATIONS AND REPRESENTATIONS**

COUNTY HIGHWAY AUTHORITY it is proposed to erect the extension/structure, on a public right of way, clearly this is not possible without the right of way being officially diverted. I assume that the District Council have consulted with the County Council's Rights of Way Team on this matter, who I presume, will comment and make a recommendation of refusal. Vehicles entering and exiting the garage will have to cross land that is neither highway or appears to be within the control/ownership of the applicant. I have enclosed an extract of map clearly showing the extent of the highway for information purposes. If the applicant does not have a right of way over this land it could result in issues of access and rendering the garage unusable, which will result effectively in a loss of parking and could lead to vehicles parking on the public highway. Given that the existing point of access is quite wide, open and away from the corner of the building, I believe that by extending the dwelling in the easterly direction, visibility for vehicles emerging from the proposed garage will be made worse. I would therefore recommend that the extension is get back 2m from the edge of the highway to ensure that a level of visibility is achieved for vehicles exiting the garage. RIGHTS OF WAY TEAM recommends notes.

DRAINAGE OFFICER recommends note.

**POLICY CONTEXT**

Taunton Deane Local Plan Policies S2, S2 and H17 seek to safeguard, inter alia, visual and residential amenity, the character of the buildings and road safety.

**ASSESSMENT**

The adjoining property would not be adversely affected in terms of loss of light or privacy. In addition, the extension would be subservient to the existing building and the pair of semis would not accordingly be imbalanced.

The contentious issue concerns road safety implications. The Rights of Way Officer has confirmed that vehicular access to and from the integral garage would not impose on the adjacent right of way. The County Highway Authority also confirm that the access would not be directly onto the public highway. Given therefore that the access would be onto land which is neither public highway, public highway and beyond the applicants control, the garage would consequently be unusable, and this would result in vehicles being parked on the public highway to the detriment of road safety. In addition, visibility for vehicles leaving the site would be worsened. Accordingly the proposal is considered unacceptable.

## **RECOMMENDATION**

Permission be REFUSED for the reasons that (1) vehicles entering and exiting the proposed garage will have to cross land which is not within the control/ownership of the applicant. This would result in the garage being unusable, which would result in loss of on-site parking and vehicles parking on the public highway to the detriment of road safety. Accordingly the proposal is contrary to Taunton Deane Local Plan Policies S1 and H17 and Somerset and Exmoor National Park Joint Structure Plan Review Policy 49. (2) Visibility for vehicles emerging from the proposed garage would be worsened to the detriment of road safety and the proposal would accordingly conflict with Taunton Deane Local Plan Policies S1 and H17 and Somerset and Exmoor National Park Joint Structure Plan Review Policy 49.

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

**CONTACT OFFICER: 356465 MR J GRANT**

NOTES: