

49/2004/074

MRS MARGARET PRIOR

ERECTION OF DWELLING AT LAND WEST OF ABBOTSFIELD COTTAGES, WEST ROAD, WIVELISCOMBE AS AMENDED BY DRAWINGS RECEIVED ...

07705/27804

FULL PERMISSION

PROPOSAL

The proposal comprises the erection of a dwelling in the garden area west of 1 Abbotsfield Cottages. This two storey dwelling is proposed to measure 10.2 m x 6.5 m and 8 m high to the ridge. Access is proposed at an existing point with Farmers Cleeve Lane with parking and turning to be provided within the site.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY no objections subject to conditions.

CONSERVATION OFFICER there is no detrimental impact of the proposed building to the setting any Listed Buildings and the character of the Conservation Area. Advise to remove the balcony as this will be an alien feature and can impact on the appearance/views of the Conservation Area. WILDLIFE SPECIES CO-ORDINATOR comments awaited. DRAINAGE OFFICER no objections. Recommend an advisory note re surface water discharge to soakaways.

PARISH COUNCIL support the principle of the application.

SEVEN LETTERS OF OBJECTION have been received raising the issues:- object to the principle of a dwelling on the site; the proposed dwelling is too large for the plot, thus out of character with the area; loss of views and light; no contribution to the enhancement and preservation of visual amenity/conservation area especially given the elevation of the site; access detrimental effect to the narrow lane - Farmers Cleeve, increase in traffic and will cross a pavement; there is no existing access as marked on the submitted drawings but just a gap where a wall has been knocked down with no dropped curb, this gap should not be made any wider; permission was refused for a dwelling on the site in 1991; construction may cause damage to the garage and wall abutting the site and danger to pedestrians; if allowed it should be conditioned that any damage caused during construction should be repaired; the dwelling should be finished in a neutral colour; query over landownership as previous attempts to trace the owners were unfruitful; the dwelling is close to a working garage which could lead to future problems with noise; the property would be overlooked and overlook other properties to a very large degree; invasion of privacy as adjacent to a drive way; the proposed wall should be no higher than the existing wall; the proposal will devalue adjacent properties; it is thought that no new buildings are allowed within Conservation Areas; the site should be checked for slow worms as they are found in neighbouring gardens; due to the sloping site, surface water drainage may be a problem; a shared access path

located between the site and 1 Abbotsfield Cottages should not be made available to the future occupiers of the dwelling and conditioned as such.

POLICY CONTEXT

Taunton Deane Local Plan Policies S1 and S2, (safeguard visual and residential amenity), Policy H1 (housing), Policy M3a (access and parking standards) and Policy EN15 (Conservation Areas).

Planning Policy Guidance Note 3.

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 also located within the Wiveliscombe Conservation Area where development must preserve or enhance its character and appearance. In the opinion of the Conservation Officer the proposed development would not result in a detrimental affect to the character of the Conservation Area. The design of the proposed two storey, modestly proportioned and traditional style, 3 bedroom dwelling is therefore considered acceptable.

The Conservation Officer has raised concerns however over the proposed balcony to the north elevation of the dwelling as it is considered not to be a vernacular feature of the Conservation Area. Given the limited viewpoints of the balcony from the surrounds however this issue is not considered strong enough to warrant refusal of the proposal. From a planning point of view the balcony is not large enough to form a seating area and would not offer any unacceptable overlooking views.

The overall area of the existing garden to be assigned as residential curtilage for the new dwelling is 400 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.

Furthermore, it is considered that a dwelling could be accommodated on the site that would not cause a detrimental loss of amenity to the neighbouring properties. There are no windows in the proposed east and west gable ends and a condition is recommended to maintain this feature. The properties at Abbotsfield Cottages are at an oblique angle to the proposed windows in the south elevation of the dwelling and are located sufficient distance away (18 m+) not to cause an overlooking concern. Properties to the north of the site are also at an oblique angle to the proposed windows in the north elevation of the dwelling and also located sufficient distance away (19 m+) not to cause an overlooking concern. A dwelling on the site could be positioned so as not to form an overbearing relationship with the neighbouring properties given the sufficient distances between the proposed and existing neighbouring properties.

A number of the objections received make the point that in August 1991, application 49/1991/022 for a dwelling on this same site was refused due to the insufficient size of

the site that would result in a cramped form of development to the detriment of the visual amenities of the area. This decision was made prior to the issue of PPG 3 in March 2000 that encourages a higher density of housing concentrating development within settlement limits. PPG 3 encourages a minimum density of 30 dwellings per hectare, whilst taking into account the built form and character of the area. As the site area measures 0.04 hectares, this equates to the equivalent of 1.2 dwellings on the site. In light of this central government advice issued after the 1991 refusal, the principle of a dwelling on the site is now considered acceptable.

Discussions with the Highway Authority show that the proposed turning and parking area is insufficient in size, however the site could accommodate the required space. The turning space shown on the drawings is sufficient in size so that a vehicle can turn within the site however if this area is parked on the provision would be prohibited. By extending the southern turning head to provide two parking spaces an unobstructed turning space could be achieved. Appropriately amended drawings are therefore awaited. The Highway Authority has raised no objections to the principle of deriving access from Farmers Cleeve Lane.

Representation has been received regarding potential future problems with noise from the working garage to the south boundary of the site. The owner of the garage is concerned that the future occupiers may complain about noise levels however the garage is located nearer to existing dwellings (Abbotsfield Cottages) than that proposed. A formal response from the Environmental Health officer regarding this issue is awaited. The garage in question does however have permission to be demolished and a dwelling built in its place (outline application 49/2004/001) and both this and the proposed application are considered to be compatible.

Objections have been received on the grounds of potential for damage caused during construction and subsequent repair, the devaluation of adjacent properties and pedestrian right of way over the site. The latter issues however are not considered to be relevant planning considerations, as they are civil issues. Regarding the ownership issues, the agent has signed Certificate A confirming that the applicant is the sole owner of the site.

The Wildlife Species Co-ordinator has been consulted regarding the possibility of slow worms existing on the site and those comments are awaited.

RECOMMENDATION

Subject to the receipt of satisfactory amended drawings and no adverse comments from the Environmental Health Officer and Wildlife Species Co-ordinator, the Development Control Manager in consultation with the Chair/Vice Chair be authorised to determine and permission be GRANTED subject to conditions of time limit, materials, timber windows, landscaping, boundary treatments, rainwater goods, services located underground, parking, turning space, gradient of access, consolidation of access, prevention of surface water to highway, no further extensions, no further windows and any further conditions recommended by the Wildlife Species Co-ordinator and

Environmental Health Officer. Notes re soakaways, requirement for a Road Opening Notice, improved parking /turning area, energy and water conservation.

REASON(S) FOR RECOMMENDATION:- The proposal, for residential development, is located within defined settlement limits where new housing is encouraged. The proposed access would be satisfactory and the development would not have a detrimental impact upon visual amenity, residential amenity or the character and appearance of the Conservation Area and is therefore considered acceptable. Therefore, the scheme accords with Taunton Deane Local Plan Policies S1, S2, H1, EN15 and M3a.

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: