

PLANNING COMMITTEE - 16 JUNE 2004

Report of the Chief Solicitor

MISCELLANEOUS ITEM

30/1981/001 - Conversion at Kibbear House, Trull
Variation of Section 52 (S.52) Agreement

In 1981, the Council gave permission for the conversion of stabling at Kibbear House, Trull to form what was described as "Granny flat accommodation". The accommodation proposed was in fact a substantial two bedroomed unit with a garage and was originally recommended for refusal.

However, permission was granted subject to a S.52 Agreement requiring the owner's mother to occupy the property. She has since died and permission was granted for occupation of the property by another elderly relative. However, the property is no longer required either for occupation by an elderly relative, nor by other members of the family.

A request has now been received from the owner for a variation of the S.52 Agreement to allow the unit to be occupied as a separate unit of accommodation.

The Planning Officer has visited the site and is satisfied that the unit can be satisfactorily occupied as a separate unit provided an adequate curtilage and parking area is provided. The owner has submitted a plan showing how this can be achieved.

In view of this, and the fact that the original objective of re-integrating the unit into the main house was probably unrealistic, the Planning Officer is of the view that the S.52 Agreement should be varied as requested.

RECOMMENDATION

It is therefore RECOMMENDED that the S.52 Agreement of the 23 July 1981 made between Michael James Foden and the Council relating to the conversion at Kibbear House, Trull be amended to allow the unrestricted occupation of the conversion permitted under planning permission 30/1981/001, subject to a satisfactory curtilage and parking space being provided for occupation with the converted unit.

Chief Solicitor

Contact officer : Judith Jackson 01823 356409 or e mail
j.jackson@tauntondeane.gov.uk

