

**OFFICER: Lee Walton (01935) 462324**

**APPL.NO: 07/02326/FUL APPLICATION TYPE: Full Application**

**PARISH: Puckington WARD: BURROW HILL**

**DESCRIPTION: The erection of a detached house with integral garage (GR 337501/117995)**

**LOCATION: Land and Buildings at Puckington Road, Puckington, Ilminster TA19 9JD**

**APPLICANT: Mr J Raw**

**AGENT: Smith Planning & Design Limited, Wayside, Fivehead, Taunton TA3 6PQ**

**DATE ACCEPTED: 17 May 2007**

### Reason for Referral

The Ward Member requests that Area Committee Members give further consideration to the refusal that rests solely on a subterranean garage and attendant drive considered as insufficient reason given that all other criteria have been met.

### Site Description And Proposal

Designated a settlement within the countryside the settlement is also designated with a conservation area.

The current application is for full planning permission. The principle of a dwelling in this location has been established under 04/02492/OUT. A full application is now considered because the outline permission required a full height two storey dwelling and the reserved matters application therefore invalidated by the addition of a basement and dormers at roof level. The current proposal seeks dormers to the rear elevation and a basement level to provide for garaging.



## History

07/00401/REM - Erection of a detached house with integral garage. Withdrawn.

05/02139/OUT - Demolition of existing buildings and erection of two dwellings with garages, construction of access and parking area and erection of garaging for existing cottages. Refused.

04/02492/OUT- Replacement of existing buildings with two storey buildings with two storey dwelling with garage. Approved.

## Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S54A of the Town and Country Planning Act 1990 and requires that decision must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise,

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires - (1) In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Relevant Development Plan Documents:

Regional Spatial Strategy

VIS1 - Expressing the Vision

EN4 - Quality of the Built Environment

EH3 - The Historic Built Environment

Somerset and Exmoor National Park Joint Structure Plan 2000

STR1 - Sustainable Development

STR6 - Development Outside Towns, Rural centres and villages

9 - Historic Built Environment

South Somerset Local Plan 2006

ST3 - Development Outside...

ST5 - Principle of Development

ST6 - Quality of Development

EH1 - Conservation Areas

## Consultations

### Parish Council

No objection, noting that the bathroom window overlooking Briar Cottage should be obscure glazed and top hung.

### County Highway

Proposed conditions: consolidated surface first 4.5metres, gates opening inwards, surface water disposal, parking and turning, no obstruction to visibility.

### County Archaeologist

No objection

## Area Engineer

No comment

## Historic conservation

I have met the agent on site to discuss the proposal made under the previous proposal that was withdrawn. The proposal has gone some way to addressing the concerns I listed at that time, but has not addressed them to the point where I am satisfied that permission should be granted. Many of my concerns stem around the arrangement for the basement garage. In itself this is not in the local vernacular and is totally unacceptable in a conservation area. As such, this forces the building to appear to be higher than perhaps it really is above the street level and it does have a negative effect on the building. The placing of the garage underneath also pushes the building back within the site, which I still remain to be convinced is entirely appropriate. In summary, I remain of the view that the proposal is contrary to policy EH1.

## **Representations**

A site notice was posted (conservation area) and four neighbour notification letters issued. There was one response received concerned with possible overlooking and site boundary alignment.

## **Considerations**

Members may recall that the previous application was for outline permission and that this was granted consent with a condition that restricted the design to a full height two storey dwelling. The subsequent reserved matters application ignored this aspect with dormers at roof level and a basement garage resulting in a dwelling in appearance three storeys (front elevation) resulting in the application being altered to a full application now before Members.

Members should also be aware that outline permission was granted, notwithstanding that the village is located in countryside without the benefit of a development area due to the site's accepted brownfield status in addition to the site's potential as an appropriate infill site that could not be easily replicated elsewhere within the built form of the settlement. That permission sought a high quality vernacular design with the intention that it should enhance the appearance of the conservation area in accordance with policy objectives.

The starting point in considering the application is Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 that places a duty on the decision maker that requires special attention shall be paid in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area. The desirability of preserving or enhancing the area should also, in the Secretary of State's view, be a material consideration in the planning authority's handling of development proposals that are outside the conservation area but would affect its setting, or views into or out of the area (PPG 15).

Policy EH1 is also central to the application and effectively repeats the national heritage advice. Policy requires all development in a conservation area to preserve or enhance the character or appearance of the area by conforming with the historic pattern of development, and providing buildings which make a positive contribution to the character, setting and appearance of the area.

Our historic conservation advice stresses that the proposal is harmful to the character and appearance of the conservation area by virtue of the four storey structure and with particular

emphasis drawn to the basement garage that tends to extend the structure's visual scale and mass providing for a particularly non-traditional garage door that compounds the visual difficulties arising, associated also with the screening proposal combined with the change in levels - the creation of an embankment to the road frontage - these are matters that together fail to preserve or enhance the character or appearance of the conservation area.

## **RECOMMENDATION**

### **REFUSE**

01. The proposed development; by reason of its design - mass and scale are considered detrimental to and harmful of the character and appearance of the Puckington conservation area contrary to policy 9 of the Somerset and Exmoor National Park Joint Structure Plan and policies ST5, ST6 and EH1 of the South Somerset Local Plan 2006.
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