

WHIMPLE 05/1118 14.06.05
(Ward) (FUL)

Applicant: Mr G Moores

Location: Lees Farm, Talaton
(Grid Ref: 306590 / 99669)

Proposal: Erection of detached garage and formation of vehicular access
(revised proposal)

Consultations

County Highway Authority

Recommends that the following conditions shall be incorporated into any grant of planning permission:-

- The provision of a frontage footpath is, I understand, a requirement on the adjacent property yet to be built. It is essential that the frontage remains open and unobstructed until such time as the footpath is built in order to preserve access visibility.
- The proposed access will prove narrow when turning from the narrow carriageway and it is suggested that if it is intended to hang a gate the access should be recessed and splayed or at least widened to 4 metres.

Environment Agency
No comments

South West Water
No comments

Planning History

App. No.	Year	Proposal	Date and Decision
P1719	2003	New dwelling with new vehicular/ Pedestrian access	Approved 26.08.03
P1748	2003	Erection of detached garage with new vehicular access	Approved 29.10.03

Parish Council

5th May 2005 - The Parish Council is still concerned regarding the safety of access, but assumes that this was cleared by Highways when the original permission was granted. We would again ask that consideration be given to replacing the proposed post and rail fencing with walling, which was an original feature to be retained. This being an extremely dangerous area for pedestrians the footpath should be continued from Lees Meadow across the front of this property. Otherwise we have no objections.

1st June 2005 – The amended plans now correctly reflect the building as it stands, showing correct measurements and the Parish Councils comments remain the same. The Parish Council would emphasise its concerns re the footpath down to Lees Meadow and the reinstatement of what was originally a boundary wall rather than a fence.

Ward Member

Recommends refusal – would recommend a site inspection because of the size increase and design in respect of listed building next door. Both points are very important because of location but of course there is building permission for a house the other side of the listed house and this should be borne in mind.

Location

The site refers to a grade II listed farmhouse located to the western edge, and within the built-up area boundary, of Talaton. Lees Farmhouse is a 17th Century house of cob and brick construction with thatched roof, which has undergone substantial extensions to the rear and east elevations. The building is located prominently in the surrounding streetscape and is flanked by dwellings to the east and west. The application proposal relates to the detached garage located to the west, and stepped forward, of the farmhouse. Whilst this garage is located against a belt of vegetation to the west, the open nature of the site frontage together with the scale and siting of the garage makes this building readily apparent in the surrounding area.

Planning Background

Planning permission (03/P1748) and listed building consent (03/P1749) was granted on 29th October 2003 for the erection of a detached garage, incorporating alterations to the vehicular and pedestrian access. The garage was not constructed in accordance with the approved plans and therefore permission is sought to rectify this breach of planning.

The Proposed Development

Planning Permission is sought for the erection of detached garage and formation of vehicular access (revised proposal), incorporating demolition and replacement of boundary wall.

The garage, as constructed, is a much bulkier structure and is located closer to the listed building and therefore has a greater impact on its setting.

The garage is now 0.5metres higher than that approved, taking the ridge height from 4.2metres to 4.7metres. This has increased the extent of timber boarding above the garage door and there is now no overhang in relation to the eaves. Similarly, the footprint has been increased in width by 0.5metres from 6.5metres to 7metres, reducing the gap between the structure and the listed farmhouse. The floor space has also been reconfigured to reduce the area of the carport bay and increase the width of the garage from 3.9metres to 5.1metres. A window has been inserted in the east elevation of the garage.

The proposed vehicular and pedestrian access arrangements show no change from the approved plans. However the plans now indicate that the front boundary is to be defined by a brick wall to tie in with conditions attached to the former permission.

Planning Policy

- PPS1 Sustainable Communities
- PPG15 The Historic Environment

Devon Structure Plan 2001-2016

- C06 (Quality of New Development)
- C07 (Historic Settlements and Buildings)
- TR10 (Strategic Road Network)

Emerging East Devon Local Plan (Revised Deposit) September 2003

- D1 (Design and Local Distinctiveness)
- H7 (Residential Extensions)

- EN13 (Extension, Alteration or Change of Use of Buildings of Special Architectural and Historic Interest)
- TA6 (Adequacy of Road Network and Site Access)

Observations

The principal issue in the determination of the application is the impact of the garage on the setting of the listed building. The new vehicular access, incorporating alterations to front boundary treatment, does not alter the scheme from that formally approved and as there has been no significant material change or alteration to planning policy considerations, no objection is raised to this aspect of the development.

Listed Buildings and their settings are an important part of East Devon's character and planning policy seeks to preserve and enhance the setting of buildings of special architectural and historic interest.

The garage, as approved, assumes a simple and traditional form of modest proportions and does not appear overtly dominating or detract from the setting of the listed building.

The garage, as constructed and the subject of this application, presents a very different relationship with the listed farmhouse than that previously approved. The structure is much bulkier, incorporating a higher roofline and wider footprint, and is located in closer proximity to the farmhouse. The roofline is now level with the eaves height of the farmhouse and this, together with the revised siting, presents an awkward relationship with this listed building. The area of enclosed 'garage' space has also been increased substantially and the car port area reduced to a narrow void to the east elevation which offsets the proportions of the structure. The quality of the design and external appearance of the building has also been diminished by the loss of the traditional eaves overhang. These changes cumulatively upset the relationship presented with the listed building, resulting in a bulky structure of poor design quality that detracts from the setting of Lees Farmhouse.

Conclusion/Summary

The proposed structure is of poor quality design and presents an uneasy relationship with the listed building, failing to preserve or enhance its setting. Therefore the proposal is contrary to the provisions of planning policy and is recommended for refusal accordingly.

It is also proposed that the Chief Executive be authorised to take such legal action as is considered necessary to remedy the alleged breach of planning control (either through demolition or amending the structure as built). It being expedient to do so because the structure detracts from the setting of the listed building.

Recommendation REFUSE for the following reason

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1. The proposed garage, by reason of its bulk, height and design, detracts from the setting of the listed building. Therefore the proposal is contrary to the provisions of policies C06 (Quality of New Development) and C07 (Historic Buildings and Settlements) of the Devon Structure Plan 2001-2016, policies D1 (Design and Local Distinctiveness), H7 (Residential Extensions) and EN13 (Extension, Alteration or Change of Use of Buildings of Special Architectural and Historic Interest) of the emerging East Devon Local Plan (Revised Deposit) September 2003 and to guidance set out in PPS1 and PPG15.

## **FURTHER RECOMMENDATION**

- (1) That the Chief Executive be authorised to take such legal action as is considered necessary to remedy the alleged breach of planning control in respect of the garage. It being expedient to do so because the structure detracts from the setting of the Listed Building.

### **Compliance period 2 months**

#### List of Background Papers

The file containing all letters, consultations, and documents referred to in the report.