

38/2008/111

VENTURE PROPERTIES

ERECTION OF 8 HOUSES AND 1 BUNGALOW IN A CONTROLLED CAR FREE DEVELOPMENT AT 4 WILTON STREET, TAUNTON (REVISED SCHEME)

322269/124020

FULL

PROPOSAL

The site is located in a backland situation to the west of Wilton Street and is served by an existing access from Wilton Street, some 3.0m wide and 45 m long. This is a narrow, unmade track situated between No. 2a Wilton Street and the recently constructed 3 storey block of flats on the former Red Cross site. The main part of the site is roughly rectangular in shape and abuts the rear of properties in Wilton Close to the north west, the rear of properties in Mount Nebo to the west, no 24 Wilton Street to the south, and the rear of properties fronting Wilton Street to the east. The site is currently occupied by a disused bungalow and garage set in a large garden area, although much of the site has been cleared.

The 8 houses (in 4 pairs) and the bungalow are arranged around a turning circle provided for emergency vehicles such as fire appliances. Materials will be mostly red brick and render, with clay tiled roofs.

A similar proposal for the erection of 8 houses and 1 bungalow was refused by Committee in January 2008 for the reason "The proposed scheme is considered an overdevelopment of the site, resulting in difficulty providing a suitable access without detriment to highway safety."

Since the refusal the applicant has been in touch with the Fire and Rescue Services, the Ambulance Service and Somerset Waste Partnership with a view to addressing the concerns. It is felt that a retractable bollard which will be subject to certain safeguards to ensure that the development is genuinely a car free development can be provided.

The possibility of a transponder attached to the vehicles of the various agencies vehicle, which would activate the bollard in a similar way that bus gateways operate has been discussed, but the difficulty there is that in the event of a fire, the Fire and Rescue Service may need to dispatch vehicles from their Wellington base and these are not fitted with transponders and therefore could not guarantee that they could access the site. The solution that was then addressed and the Fire Authority has been consulted on relates to the provision of automatic fire detection and alarm systems in the individual houses. This will work as follows:

1. In the event of a fire the automatic fire detection systems will operate and these fire alarms will sound. The fire alarm will be linked to the bollard such that it drops down to allow emergency vehicles on to the site.

2. In the event of a fire outside the property and therefore in circumstances where the fire alarm cannot be activated automatically, a manual override system is proposed whereby the occupants would break the glass and activate the fire alarm manually.
3. In the event of an ambulance needing to access the site, the last circumstances would also apply namely that the occupant would break the glass, activate the fire alarm and this would then retract the bollard.
4. In order to control this, each of the house deeds will include a clause that in the event of the bollard being activated manually a charge would be applied for resetting it. This charge would be on the property which cannot be sold until such time as the charge is paid. This form of management agreement works perfectly well in respect of the car free development at South Street (built by the applicant).
5. In discussion with the Health Authority, the Ambulance Service, they make reference to the need for people to be picked up on a regular basis. However there is little difference to the situation at South Street where the furthest house is approximately 50 metres from the gateway and street. This site is level and should not pose a difficulty by use of a wheelchair or similar.
6. In respect of waste bins, the proposal is to provide for an enclosed bin store located in the site opposite the bungalow and residents, as is normal practice, would keep the bins at their house and on collection day they would be placed at the collection point. There would be little difference between this and a normal domestic situation. The Waste Partnership have agreed this approach and asked that the bollard be set back some 14 metres from the entrance not 12 metres as originally shown.

LETTERS FROM THE SOUTH WESTERN AMBULANCE SERVICE AND THE SOMERSET WASTE PARTNERSHIP - Have been submitted with the application. Comments are as follows.

South Western Ambulance Service - Proposed Space - Provided that the site meets the requirements of the current building regulations for access by fire appliances this will be adequate for Ambulance Service resources in terms of space. Bollard Control System - Any access control system would need to incorporate a system which residents can override if they need to be attended by Ambulance Service vehicles. For some residents the support of our service may be required on a regular basis if they suffer from an unstable medical condition, which in the context of certain conditions could be a number of times a week, therefore any switch system would need to be easily accessible by a resident or their carer in an emergency situation and incorporate a facility for routine access by our vehicles when discharging patients to their home addresses and for follow up treatment if they have limited ability.

Somerset Waste Partnership - Have looked at the plans with ECT Recycling, the waste and recycling contractor. Due to waste and recycling collections taking place on the same day, there will be a need for a hard standing. This should be of sufficient size to accommodate 9 wheeled bins, 9 food bins and 9 recycling boxes. The Somerset Waste Partnership will provide these on request. To allow the contractor to reverse the collection lorry up to the bollard and have enough space to activate the lifting mechanism on the lorry, would like the collapsible

bollard to be 14 metres from the back of the footpath. The access road should be built to take a gross weight of 23 tonnes. Because of the highway being private, the contractor may request a disclaimer against surface damage by the vehicle.

Devon & Somerset Fire and Rescue Service – No objection to the scheme provided in the event of emergency the following fail safe contingencies are built into the system; the bollard will collapse in the event of a power cut, the bollard will remain collapsed whilst appliances are on site to allow vehicles to withdraw quickly and a manual override is provided. and the management of the system is include in the risk assessment.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY OFFICER - No objection to the principle of residential development in this location. In detail, there are two issues : 1. the fact that the development is, in essence, car free, only having a private delivery and refuse collection access road, and 2. the effect that the lack of car parking will have on the surrounding streets,

In terms of the principle of car-free development, it is clear that the location is reasonably close to the town centre, and similar developments in other parts of Taunton with similar locations in terms of proximity to the town centre have been approved as car-free development. It is my view that, from a transport point of view, it will be difficult to sustain a recommendation of refusal on insufficient parking within the site.

In terms of the effect on the parking on the local streets, the area is covered by residents' parking. I appreciate that parking is at a premium but I do not believe that this development will exacerbate the problem to such an extent that highway safety hazards are created.

It is clear that the development access will not be an adopted highway. If it is not to be adopted as public highway, it must be designed to adoptable standards. The applicant must be aware that it is likely that the internal layout of the site will result in the laying out of a private street and, as such, under Section 219-225 of the Highways Act 1980 , will be subject to advanced payments code (APC). This will require private drainage systems, together with a private power source for lighting.

NATURE CONSERVATION AND WILDLIFE OFFICER - MWA's ecological survey dated October 2007 did not find any signs of badgers, bats or reptiles using the site. Birds do however use the site and may nest there. The following garden birds were recorded during the survey - collared dove, house sparrow, dunnock and blackbird. He suggests that the survey only offers a snapshot of the site at the particular time of survey. There is always the possibility that protected species may be detected at a later date. If permission is granted, suggests conditions re further survey after 1 year and site clearance and note re wildlife.

WESSEX WATER - The development is in a foul sewered area and a point of connection will need to be agreed. A public sewer may cross the site which would require an easement. There should be no increase in flows to the combined sewer. The developer will need to discuss discharge rates with the development engineer and attenuation may be required. A water connection can be agreed at detailed stage. A note should be added to ensure protection of Wessex infrastructure.

DRAINAGE OFFICER - No objections.

3 LETTERS OF OBJECTION - on grounds of overdevelopment, two storey houses overbearing, traffic free development is unrealistic, lack of effective screening, out of character, 2 or 3 bungalows would be more appropriate, safety issue with emergency vehicle access, will exacerbate parking in Wilton Street, risk of damage to adjoining property, impact on rear garden, loss of light

POLICY CONTEXT

Somerset and Exmoor National Park Joint Structure Plan Review - Policies STR2 (Towns), STR4 (Re-use of urban land,) and 49 (Transport Requirements).
Taunton Deane Local Plan - Policies M4 (Parking), S1 (General Requirements) and S2 (Design).

ASSESSMENT

The site is located in an area of no notation on the Taunton Central Area Inset Map, and is just outside the defined Central Area. (The boundary of the Central Area runs down Wilton Street some 40 metres to the east).

The site is currently occupied by a disused bungalow, and residential development, in principle, is acceptable. In detail a car free development on this site is acceptable, subject to the control of the bollard. The main issues are addressed below:

The site lies on the adjacent to the town centre area where policy M4 of the Local plan encourages car free residential development in appropriate locations. The Highway Authority has previously advised that the principle is acceptable and a refusal could not be sustained on this basis.

Local residents have raised concern over problems of on-street parking in the area. However it is not considered that parking on street would exacerbate problems to an extent that would cause safety hazards and this is supported by the Highway Authority. The proposal incorporates cycle parking provision and the development is considered to comply with policy. A similar site in South Road was lost on appeal with costs for refusal on lack of parking grounds.

The density of the site is 54 dwellings/hectare and whilst this is clearly higher than the older development, which abuts the site, there are more recent blocks of flats close to the site. Planning policies at national and local level encourage higher densities and the visual impact of the site on its surroundings is considered an acceptable one. The scheme has been reduced from the original 11 to 9 to address amenity issues in terms of overlooking of adjacent properties. A bungalow is provided to prevent overlooking at Wilton Close and there is adequate distance from windows in other properties of 20m not to create an overlooking issue. While plot 10 is close to the boundary this has a rendered upper wall and an obscure glazed bathroom window and distance to the neighbouring building of 20m which is considered acceptable.

The reason the development was refused was the overdevelopment of the site resulting in difficulty providing a suitable access without detriment to highway safety.

The number of dwellings and density in itself is not considered overdevelopment. The applicant has sought to address the suitability of the access and highway safety by providing a system that is car free and would prevent access to private cars. Thus a highway safety issue of private vehicles using the site would not occur. Access for emergency service vehicles is provided for, as is sufficient access for the refuse and recycling collections. A condition can be imposed to ensure the provision and management of this bollard. A similar development with no on site parking in South Street run by the same developer has been operating without incident to date.

In summary the principle of residential development on this site is acceptable. In detail, a car parking free development is acceptable in this location close to the town centre and residents will be eligible for street parking permits. A condition to address the provision, maintenance and management of the bollard at the entrance can be imposed which would ensure no car access and appropriate use of the site. Provision for cycle parking will be made on site. High density development in appropriate locations is encouraged by national and local policies and no unacceptable overlooking/loss of privacy will occur from the proposal. A contribution to the provision of play and recreation areas and protection of wildlife can be required by condition.

RECOMMENDATION

Subject to no further representations raising new issues by 17th April the Development Control Manager in consultation with the Chair/Vice Chair be authorised to determine and Permission be GRANTED with conditions time limit, estate road details, MWA ecological survey, site clearance, surface water drainage, soakaway, materials, floor levels and finished heights, landscaping, extensions dwellings, ancillary buildings, no further windows, window at first floor level, adequate play and recreation contributions, fixed bollard, cycle and bin storage. Notes for Section 184 Permit, nesting birds, bats, badgers, wildlife legislation, Wessex Water, Chronically Sick and Disabled Person Act 1970, energy conservation, meter boxes, secure by design.

REASON(S) FOR RECOMMENDATION:

It is considered that the proposal represents sustainable development, which will not give rise to any unacceptable visual or neighbour impact, and it is in accordance with Taunton Deane Local Plan policies S1 (General Requirements), S2 (Design) and M4 (Residential Parking Provision).

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

CONTACT OFFICER: 356454 MRS H PULSFORD (MON/TUES/WED)

NOTES: