

38/10/0149

HAYWARDS BUILDING CONTRACTORS

**ERECTION OF DWELLING ON LAND ADJACENT TO 61 FARM VIEW, TAUNTON  
(AMENDED SCHEME 38/10/0012)**

Grid Reference: 323268.127049

Full Planning Permission

---

**RECOMMENDATION AND REASON(S)**

Recommended Decision: Permission be granted subject to receipt of additional details regarding the proposed parking space and pedestrian access to rear of 61 Farm View.

The proposal, for residential development, is located within defined settlement limits where the principle of new housing is considered acceptable. The proposed access would be satisfactory and the development would not have a detrimental impact on the amenity of surrounding residential properties or the character of the area in accordance with Somerset and Exmoor National Park Joint Structure Plan Review Policies STR4 and 49 and Taunton Deane Local Plan Policies S1 (General Requirements), S2 (Design), and M4 (Residential Parking Provision).

**RECOMMENDED CONDITION(S) (if applicable)**

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: In accordance with the provisions of Section 91 Town and Country Planning Act 1990 (as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

(A1) DrNo 15A Proposed plans and elevations  
(A2) DrNo 13 Existing site plan  
(A2) DrNo 14 Rev A Proposed site plan  
(A4) DrNo 02 Block plan  
(A4) DrNo 01 Rev A Location Plan

Reason: For the avoidance of doubt and in the interests of proper planning.

3. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out and thereafter

retained as such, in accordance with the approved details as above, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the character and appearance of the existing building in accordance with Policy S2 of the Taunton Deane Local Plan.

4. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The agreed boundary treatment shall be completed before the dwelling is occupied and thereafter maintained as such, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed development makes a satisfactory contribution to the local character and distinctiveness of the area in accordance with Taunton Deane Local Plan Policy S2.

5.
  - (i) Before any part of the permitted development is commenced, a landscaping scheme, which shall include details of the species, siting and numbers to be planted, shall be submitted to and approved in writing by the Local Planning Authority.
  - (ii) The scheme shall be completely carried out within the first available planting season from the date of commencement of the development, or as otherwise extended with the agreement in writing of the Local Planning Authority.
  - (iii) For a period of five years after the completion of each landscaping scheme, the trees and shrubs shall be protected and maintained in a healthy weed free condition and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of similar size and species, or the appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development makes a satisfactory contribution to the preservation and enhancement of the local character and distinctiveness of the area in accordance with Taunton Deane Local Plan Policy S2.

6. The area allocated for parking on the submitted plan shall be properly consolidated, surfaced and drained before the building is occupied and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

Reason: To ensure that there is adequate space within the site for the parking of vehicles clear of the highway in accordance with Taunton Deane Local Plan Policy M4.

7. Before the dwelling hereby permitted is first occupied a properly consolidated and surfaced access shall be constructed (not loose stone or gravel), details of which shall be submitted to and approved in writing by the Local Planning Authority and thereafter carried out as agreed prior to

occupation.

Reason: In the interests of highway safety in accordance with Somerset and Exmoor National Park Joint Structure Plan Review Policy 49.

8. Details of the means of foul and surface water disposal in respect of the new dwelling shall be submitted to and approved in writing by the Local Planning Authority and thereafter carried out as agreed prior to occupation of the dwelling.

Reason: To prevent pollution and flooding in accordance with PPS25.

#### Notes for compliance

1. The alteration to the access will involve construction works within the highway limits. These works must be agreed in advance with the Highway Service Manager at the Taunton Deane Area Highways Office, Burton Place, Taunton Tel. No. 0845 3459155. He will be able to advise upon and provide relevant licenses necessary under the Highways Act 1980.

## PROPOSAL

The proposal comprises the erection of a dwelling, attached to the end of row of terrace dwellings, within the side garden of 61 Farm View. The proposed two storey, 3 bed dwelling, will have a front and rear garden. The dwelling would be constructed in brick with concrete tiles to match the existing dwellings.

Two parking spaces would be retained for the existing dwelling and one space provided for the new dwelling.

This is an amended proposal to a detached dwelling that was recently refused.

## SITE DESCRIPTION AND HISTORY

The proposed site forms a corner garden of an end of terrace property (61 Farm View) and is sited on the edge of Taunton.

### Planning history

38/10/0012 - Erection of two storey dwelling on land adjacent to 61 Farm View. This application was refused on 9th March 2010 for the following reason:

*The proposed dwelling, by reason of its design and siting, as a detached dwelling, is considered out of character with the established layout of the terraced properties and surrounding dwellings. Furthermore, the orientation of the proposed dwelling, opposite to the existing terrace further detracts from the visual amenity of the area. The proposal is therefore contrary to policies S1 and S2 of the Taunton Deane Local Plan and PPS1 and PPS3.*

38/02/0020 - Erection of a single storey extension to side and rear to provide a

garage/study and sunroom. The proposal was granted conditional approval by the planning committee on 23 May 2002, the proposal has not been implemented in full but a rear extension has been added which could be considered as partial implementation of that approval.

## **CONSULTATION AND REPRESENTATION RESPONSES**

### **Consultees**

#### *SCC - TRANSPORT DEVELOPMENT GROUP -*

- Existing property to retain garage and parking space, in accordance with Local Transport Plan (LTP).
- Proposed single parking space below requirements of LTP, however site is located within 200m of regular bus service to centre of Taunton; 700m to local services, 300m further than guidelines of LTP, though route is along lit pedestrian footways.
- No objection subject to conditions: consolidated and surfaced access; disposal of surface water; parking only for new dwelling. Note: works to be agreed and relevant licence obtained.

#### *WESSEX WATER - comment*

- Private foul sewer area and private sewer crossing site.
- Developer to dispose of surface water to mains, a private surface water sewer.
- Points of connection for water mains to be agreed.

#### *DRAINAGE ENGINEER - No observations.*

### **Representations**

ONE LETTER OF OBJECTION FROM WARD COUNCILLOR: - object due to condition of foul sewer and use for surface water disposal; sewer in poor condition and prone to blockages unlikely to cope with surface water; note that surface water drain runs through site, will this remain functional? New gate to 61 Farm View will allow access across new parking space, this will require some sort of right to access.

1 LETTERS OF SUPPORT: - will enhance look of the area; will discourage youths from fouling piece of land; vehicles parked on road would have the effect of calming traffic.

12 LETTERS OF OBJECTION: -

Highways - concerns re more vehicles parking on road and additional hazards contrary to Policy 49 of Somerset and Exmoor National park Joint Structure Plan Review; already a problem; the road is driven at excessive speed; 3 bed property could lead to additional 1-4 vehicles; adversely affect road visibility; visual obstructions for drivers, pedestrians and children in the area; only 1 parking space proposed, less than Local Transport Plan requirement of 2; would prevent cars parking in lay-by used by residents of 4,6 and 8 Glen Drive.

Character - built as 'open plan' would ruin layout and view of road, detrimental to visual amenity as only 2m from highway; boundary fence would be out of keeping; would lead to precedent for other corner plots; out of line with properties of Glen Drive.

Design – not in keeping with estate, not on building line and will not integrate.

Sewer - new dwelling immediately above main sewer serving 35 houses; concerns as previous serious problems with sewerage system; foul sewer runs under gardens and roadway for maintenance and repairs.

Amenity – where will shed/washing line/refuge be placed; area overpopulated and new development will affect this; loss of green area; two windows in gable directly opposite my kitchen and bedroom windows, impact on views.

Covenant - covenant on site, has permission been sought? proposal in breach of covenant.

Brownfield - site is not brownfield; would set precedent for other land; misleading; previously farm land, never been previously developed land; 'garden grabbing' inappropriate development that Communities Minister wishes to stop. A site visit should be arranged.

## **PLANNING POLICIES**

PPS1 - Delivering Sustainable Development,  
PPS 1 SUPP - Planning and Climate Change,  
PPS3 - Housing,  
STR1 - Sustainable Development,  
STR4 - Development in Towns,  
S&ENPP48 - S&ENP - Access and Parking,  
S&ENPP49 - S&ENP - Transport Requirements of New Development,  
S1 - TDBCLP - General Requirements,  
S2 - TDBCLP - Design,  
M4 - TDBCLP - Residential Parking Provision,

## **DETERMINING ISSUES AND CONSIDERATIONS**

The main considerations with the proposal are the impact on the character of the area, its design, parking and access, drainage and amenity.

### Design and setting

The dwelling has been designed to continue the row of terrace properties rather than the previously refused proposed detached dwelling. The ridge height of the dwelling is identical to the existing properties. The proposal differs in only that the width of the dwelling is slightly wider than the existing properties, this difference is not considered to harm the street scene nor harm the character and appearance of the adjoining dwellings.

The dwelling is proposed to be built within the side garden of 61 Farm View, within an housing estate that is characterised by an 'open plan' layout consisting of rows of terraced properties. The building of a dwelling in this position is not considered to

harm the open plan nature of the estate nor erode its character. The proposed dwelling will retain a front and rear garden and will be set back from the footpath fronting Glen Drive. The existing hedgerow will be retained.

### Parking/Highways

The existing property (61 Farm View) will retain the existing garage and a parking space. The proposed dwelling will be provided with one parking space in accordance with Taunton Deane Local Plan Policy that requires a maximum of 1.5 spaces. The requirements of the Local Transport Plan are a guide and two parking spaces are not a requirement.

The Highway Authority raises no objection to the proposal given the regular bus services and access to services by lit pedestrian footways. There has been no objection or concerns regarding visibility at the junction of Farm View and Glen Drive.

Additional details have been requested to ensure there is no conflict between the proposed parking space and pedestrian access to the garden of 61 Farm View.

### Drainage

The proposed dwelling will be built over, and connected to, a private sewer. Details have been requested to see whether surface water can be disposed to soakaways rather than the sewer. Whether these details are received or not, a condition will be attached to this development requesting details of foul and surface water disposal. Building over the private sewer is not a reason to refuse this application and the Drainage Officer has no observations to make.

### Amenity

The proposed dwelling is not considered to cause any undue overlooking or loss of light to any residential properties. The front of the dwelling will overlook the road junction and the rear will overlook the parking area and layby. The side of the dwelling has no first floor windows and the two ground floor windows will serve a kitchen and lounge (secondary window). The side of the dwelling is 20m from the front of the properties on Glen Drive, given the windows are at ground floor and the distance between the properties there is not considered to be any overlooking or loss of light. Furthermore, the dwelling would not be overbearing. A condition could be attached to prevent any further first floor windows within this elevation if thought necessary.

### Other

The covenant on the site is a separate issue to the granted of planning permission.

The proposal is considered to retain the character of the area without eroding the open plan layout or harming the amenity of nearby residential properties. The site is within the built up area of Taunton and although PPS3 has redefined garden areas not to be brownfield this doesn't preclude their development if in a suitable location and of an appropriate design. This is considered to be the case in this instance and the proposal is therefore supported.

**In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1988.**

**CONTACT OFFICER: Mr D Addicott Tel: 01823 356463**