

43/15/0001

MR & MRS R DICKINSON

ERECTION OF 5 No THREE BEDROOM TERRACE HOUSES AND 1 No TWO BEDROOM MAISONETTE WITH ASSOCIATED ACCESS TO REAR PARKING AND TURNING AREAS ON GARDEN LAND TO THE SOUTH OF FOXDOWN LODGE, FOXDOWN HILL, WELLINGTON

Location: FOXDOWN LODGE, FOXDOWN HILL, WELLINGTON, TA21 9NH

Grid Reference: 313394.119704

Full Planning Permission

RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval

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:

(A4) DrNo 1429/10/4 Location Plan

(A2) DrNo 1429/10/2 Elevations

(A1) DrNo 1429/10/3A Plans and Elevations

(A1) DrNo 1429/10/1A Site Layout Plan (Revised 01 May 2015)

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

3. Prior to their installation 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 ensure that the proposed development does not harm the character and appearance of the area in accordance with Policy DM1 of the Taunton Deane Core Strategy.

4. Prior to the commencement of the development hereby permitted full details of the proposed means for the disposal of surface water shall be submitted to approved in writing by the Local Planning Authority. The agreed details shall have regard to the drainage information submitted with the application and shall be implemented prior to the occupation of the dwelling to which it relates and shall thereafter be retained as such.

Reason: To reduce the risk of off-site flooding in accordance with Section 10 of the National Planning Policy Framework.

5. The area allocated for parking on the submitted plan Drwg No. 1429/10/1A shall be provided prior to the occupation of the dwelling to which it relates and shall thereafter be kept clear of obstruction at all times and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety in accordance with Policy DM1 of the Taunton Deane Core Strategy.

6. Lockable cycle and bin storage shall be provided on site prior to the dwellings hereby approved being occupied in accordance with details to be agreed, and shall thereafter be retained for those purposes, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that adequate facilities exist for the future residents of the site, in accordance with policies DM1 of the Taunton Deane Core Strategy and Saved Policy M5 of the Taunton Deane Local Plan.

7. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting the 2015 Order with or without modification), no addition or extension to the dwelling shall be carried out without the further grant of planning permission.

Reason: To prevent over development and to ensure that the proposed development does not harm the amenity of the area in accordance with Policy DM1 of the Taunton Deane Core Strategy.

8. The window to the staircase at first and second floor level at the rear shall be obscure glazed with a limited opening in accordance with details that shall previously have been submitted to and approved by the Local Planning Authority. The approved details shall be installed before the dwelling is used or occupied and shall remain in place at all times thereafter.

Reason: To ensure privacy and to protect residential amenity in accordance with policy DM1 of the adopted Taunton Deane Core Strategy.

9. No development shall commence until details of the construction of the new

section of highway have been submitted to and agreed in writing with the Local Planning Authority. The approved section of highway shall be constructed in accordance with the agreed details prior to the commencement of any other works on site and then after retained as such.

Reason: In the interests of highway safety in accordance with Policy DM1 of the Taunton Deane Core Strategy.

Notes to Applicant

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the applicant and has negotiated amendments to the application to enable the grant of planning permission.
2. You are advised that agreement must be made with the Highway Authority regarding the enlargement of the highway.

PROPOSAL

The proposal comprises the erection of a row of terrace properties, comprising five three storey dwellings, including accommodation within the roofspace, and a maisonette. The dwellings have a central entrance (under the maisonette) to a rear parking area with 11 parking spaces.

Each of the dwellings would have a rear garden area.

The properties have been designed with a pitched roof, with some small two storey projections to the front and dormer windows at the rear. The dwellings would be finished in brick and render with a tiled roof.

A low brick wall is proposed as the front boundary and the garden of the dwellings would be enclosed by a 1,8m timber fence.

SITE DESCRIPTION AND HISTORY

The site is currently used as part of a garden to Foxdown Lodge, which is located on the edge of Wellington. The rear of the site is bound by agricultural land whilst to the side there is an existing row of terrace properties; opposite the site the rear of a modern housing estate is visible. There are hedgerows bounding the site and some small trees.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

SCC - TRANSPORT DEVELOPMENT GROUP -

It is a matter for TDBC as LPA to determine if the principle of residential

development in this location is acceptable, however I am happy to comment on the detail (or lack thereof) provided.

It would appear that there is a proposal to widen the existing highway and alter the alignment of the carriageway, although insufficient detail has been provided for the full assessment of this at this stage. This will need to be secured by appropriate legal agreement should consent be granted and I would request that this is either included within any s106 agreement or that a suitable Grampian condition is attached to any consent.

There is however concern at the adjacent access (north of the site) that serves a garage. This currently benefits from turning within the site, which will no longer be available if the scheme is progressed as per the submitted plans. The highway is unclassified, so this may be less of a concern if visibility is improved for this access. It is noted however that this is beyond the red line area.

A further concern is that the visibility splays as shown on the submitted plan (1429/10/1'A) are shown across land that is not within the red line, or within the adopted highway limits. This is not acceptable and should be resolved as a matter of highway safety.

Given the above therefore, it may be necessary to recommend the refusal of this application on highway safety grounds, although it may be possible to overcome this with amendments to take in the comments provided.

WELLINGTON TOWN COUNCIL - Recommend permission be refused

- The proposal would not be in keeping with the surrounding area
- The proposal would result in overdevelopment of the area.
- There is a lack of supporting infrastructure in the area
- There are concerns for drainage and flooding on this site.

WESSEX WATER -

Water Supply and Waste Connections

New water supply and waste water connections will be required from Wessex water to serve this proposed development. Application forms and guidance information is available from the Developer Services web-pages at our website www.wessexwater.co.uk.

Please note that DEFRA intend to implement new regulations that will require the adoption of all new private sewers. All connections subject to these new regulations will require a signed adoption agreement with Wessex Water before any drainage works commence.

Further information can be obtained from our New Connections Team by telephoning 01225 526222 for Water Supply and 01225 526333 for Waste Water.

S105a Public Sewers

On 1st October 2011, in accordance with the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011, Wessex Water became responsible for the ownership and maintenance of thousands of kilometres of formerly private sewers and lateral drains (section 105a sewers).

At the date of transfer many of these sewers are unrecorded on public sewer maps. These sewers can be located within property boundaries at the rear or side of any premises in addition to the existing public sewers shown on our record plans. They will commonly be affected by development proposals and we normally advise applicants to survey and plot these sewers on plans submitted for Planning or Building Regulations purposes.

More information relating to this transfer can be found on our website. It is important to undertake a full survey of the site and surrounding land to determine the local drainage arrangements and to contact our sewer protection team on 01225 526333 at an early stage if you suspect that a section 105a sewer may be affected.

DRAINAGE ENGINEER -

No details of discharge to the watercourse.

Permeable paving, Have porosity tests been carried out to see if underlying strata is porous

HOUSING ENABLING -

25% of the new housing should be in the form of affordable homes, which would equate to 1.5 units. I would consider the commuted sum an appropriate alternative for this site, which is stated to be the applicant's preference. The commuted sum in lieu of affordable housing on site for the scheme proposed is £57,135. This will be ring fenced for the provision of affordable housing within Taunton Deane Borough.

COMMUNITY INFRASTRUCTURE LEVY (CIL) OFFICER - Development within Wellington zero charging zone so CIL liability is zero.

COUNTY ARCHAEOLOGIST - No objection: -

Limited or no archaeological implications to this proposal.

Representations

LETTER OF SUPPORT from WARD COUNCILLOR

- Sits well within site, sympathetic to the surrounding houses without impact on street adjacent (Cox Road) as much lower ridge height than could have been.
- Well designed with space for parking.

FOUR LETTERS OF SUPPORT

- In keeping with Farthings Pitts properties.
- Good use of brownfield site
- Additional vehicles using lane would not have problem as lane being made wider.
- Off road parking will not impact on parking issues.
- Need more housing.

15 LETTERS OF OBJECTION

- Disruption during development from noise and lane unsuitable for HGV's, and no parking facilities.

- Narrow lane, unsuitable visibility, increased parking on the road.
- No passing place in lane or tuing point.
- Highway safety for road users and pedestrians.
- Design not in keeping with Farthings Pitt - Ridge higher, three storey and not two storey.
- Prominent, too large.
- Overlooking and loss of privacy from rooflights.
- Flooding, already a lot of surface water.
- Precedent for future development
- Lighting pollution.

PLANNING POLICIES

DM1 - TD CORE STRATEGY - GENERAL REQUIREMENTS,
 CP8 - CP 8 ENVIRONMENT,
 NPPF - National Planning Policy Framework,

LOCAL FINANCE CONSIDERATIONS

Development within Wellington zero charging zone so CIL liability is zero.

The development of this site would result in payment to the Council of the New Homes Bonus.

1 Year Payment

Taunton Deane Borough Council (Lower Tier Authority)	£6474
Somerset County Council (Upper Tier Authority)	£1619

6 Year Payment

Taunton Deane Borough Council (Lower Tier Authority)	£38846
Somerset County Council (Upper Tier Authority)	£9712

DETERMINING ISSUES AND CONSIDERATIONS

Principle

The proposed dwellings are currently sited within the curtilage of Foxdown Lodge, though this additional area of curtilage falls outside of the settlement limits of Wellington. A proposed site that falls outside of the settlement is normally considered to be within open countryside where policies would not allow the creation of a new dwelling. In this particular case, the site is found adjoining the settlement, within an existing garden and is not isolated. Furthermore, the site has been included as a proposed extension to the settlement boundary of Wellington and is a material consideration that is of sufficient weight to make the development acceptable in principle.

Design

The row of properties reflects the existing terrace within Foxdown Lane (Farthings Pitts), albeit with some variations. The introduction of roof lights and gables are considered acceptable, as are the proposed small front gardens, enclosed by a small boundary wall. The design is considered acceptable within the street scene and in keeping with the area.

The fact that the ridge height is higher by 750mm than the existing row of terrace properties, does not make the scheme unacceptable.

Amenity

There are no properties to the rear of the site, and to one side is Foxdown Lodge, which is within the same ownership. Opposite the site is Foxdown Cottage, given the proposed dwellings are set back 17m from this property, on the opposite side of the road, there is not considered to be any detrimental overlooking or loss of privacy.

The proposal would be in-line with the side of the existing terrace of Farthing Pitts and is set away from the boundary by 3.6m. Furthermore the two windows within the side elevation serve the staircase and are proposed with obscure glazing and a limited opening. Whilst the introduction of the properties may introduce some overlooking from bedroom windows, this is no different than the current situation for the properties at Farthings Pitts, and in this case the closest property would be set away from 1 Farthings Pitts. Overall there would not be detrimental overlooking beyond that is current at Farthings Pitts.

Affordable Housing

In line with Policy CP4 of the Taunton Deane Core Strategy, the Housing Enabling Lead suggests that the development should provide 25% affordable housing. However, recent changes to the National Planning Practice Guidance indicate that affordable housing contributions should not be sought on schemes of 10 or less in urban areas such as Wellington. Therefore, it is not recommended that any affordable housing contribution is sought in this case.

Highways

The concerns of the Highway Authority have been met; the application has been amended to include the visibility splays as part of the application and a new turning area has been provided for the existing garage at Foxdown Lodge.

The proposal is considered to provide sufficient car parking for the dwellings and there is sufficient space for cycle storage. There is also a turning area within the parking area, allowing vehicles to leave in a forward gear.

There is adequate visibility for vehicles leaving the site, and the road, at this point, is also proposed to be made wider.

Flooding

The site is not within a Flood zone. Concerns have been raised over surface water flooding and these are considered to be resolved; the applicant has provided details of surface water and has undertaken some works to show that water can be discharged to the existing mains of Wessex Water after being stored in an underground tank. The discharge of water would be at a discharge flow rate agreed by Wessex Water. As such, the concerns raised by the Drainage Officer have been overcome as surface water is no longer proposed to be discharged to a watercourse and a solution regarding the surface water from the car park has been proposed. Given the solutions available, the development is not considered to be a future cause of any localised flooding from surface water.

Conclusion

The proposed site is within a suitable and sustainable location that can accommodate new residential development without harm to the amenity of the area and highway safety. The design of the proposal is acceptable, incorporating elements of the existing properties at Fathings Pitt and retaining a suitable street scene for this location. The proposal is therefore considered acceptable and recommended for approval.

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

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