

38/2005/360

MR & MRS J MERIGAN

ERECTION OF DWELLING AND RETENTION OF ACCESS ON LAND TO THE REAR OF 188 KINGSTON ROAD, TAUNTON

22318/26600

OUTLINE APPLICATION

PROPOSAL

Application is for outline consent for a detached dwelling in the rear garden of an existing dwelling which fronts the eastern side of Kingston Road. The access is to be dealt with as part of the current submission. The main part of the plot is roughly square in shape, scaling 16 m x 19 m with a 45 m long x 7 m wide access drive to Kingston Road. There is an existing conifer hedge around much of the site which is some 6 - 7 m high.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY observations awaited. WESSEX WATER detailed comments relating to drainage.

LANDSCAPE OFFICER concerned with regard to an adverse impact of access and associated highway visibility on the rural character of the road boundary.

8 LETTERS OF OBJECTION have been received raising the following issues:- building in the rear garden would be out of keeping with the area, detrimental to privacy and amenity of surrounding properties and to existing wildlife and general bio-diversity; it may encourage similar proposals for backland development which would further detract from the character and amenity of the area and constitute over-development; the access gradient is extremely steep onto a busy, narrow road with narrow pavement; access will cause noise, vibration, fumes and lights; permission has been refused for other residents to form accesses to Kingston Road; permission has been refused twice for a dwelling on the site; speculative development; view will be blocked; security will be undermined by access from Kingston Road.

9 LETTERS RAISING NO OBJECTION have been received:- consider that the Council should encourage infilling when so many green field sites on agricultural land are being developed; support local business and local people; dwelling would not be overlooked. One person who has no objection expresses concern about the access which should be carefully considered.

POLICY CONTEXT

Taunton Deane Local Plan Policy S1 advised that: road improvements should not lead to environmental degradation by visual impact; the appearance and character of any affected landscape, settlement, building or street scene should not be harmed as a result of development. Policy S2 requires development to reinforce the local character

and distinctiveness of the area, including the landscape setting of the site and any settlement, street scene and building involved. Policy H2 for housing within classified settlements requires that new housing, inter alia, should increase development density of area without individually or cumulatively eroding their character or residential amenity and that existing and proposed dwellings will enjoy adequate privacy and sunlight.

ASSESSMENT

The proposal would result in a tandem form of backland development on a site which is landlocked behind 188 Kingston Road and several properties facing Holford Road. In comparison with most of the other sites, especially those fronting Kingston Road, the site is very small and the dwelling indicated on the applicant's plan scales 7 m x 5 m which is unrealistically small, even for a 2 storey dwelling, and out of keeping with other properties in the area. The addition of another dwelling in the garden, together with the loss of much of the garden to 188 Kingston Road, would result in a cramped form of development which is out of keeping with, and harmful to, the character of the area.

As backland development in close proximity to several other dwellings, the proposed dwelling would result in increased activity, causing noise and disturbance to the occupants of both 188 Kingston Road, which has several windows in the north elevation alongside the proposed access drive, and to the properties in Holford Road whose rear gardens adjoin the site. This would be detrimental to residential amenity. It is also likely that a 2 storey dwelling on this plot would result in mutual overlooking and loss of privacy to both existing and the proposed dwelling. The existing property, No. 188, has been converted from a bungalow to 2-storey accommodation, and a main first floor bedroom window overlooks the plot.

Any approval for a backland plot on this rear garden would set a precedent for similar proposals to the rear of properties along Kingston Road and the cumulative effect would further detract from the local character and distinctiveness of the area.

Two previous applications for a dwelling within the curtilage of 188 Kingston Road have been refused in recent years. The previous owner applied for a new dwelling alongside 188 Kingston Road. This was refused in 2003 on the basis of inadequate visibility splays, cramped form of development out of keeping with the area and the loss of hedgerow/trees caused by the formation of the access. A proposal for a dwelling to the rear of 188 Kingston Road (similar to the present application) was refused in 2004 as it was considered to be out of keeping, it would set a precedent and adequate visibility splays to the north could not be achieved. With regard to the last reason for refusal, the applicant has approached the Housing Service (Taunton Deane Borough Council - the landowner) seeking consent to cut back some small trees at the bottom of the bank on Kingston Road. The Housing Asset Manager has advised that, if necessary, it is likely that an easement would be granted. However, it is considered that the highway requirements in creating a safe access (as required in the comments on the previous application) would lead to a detrimental impact on the landscape and the rural character of that part of Kingston Road.

RECOMMENDATION

Permission be REFUSED for the following reasons:- (1) A proposed dwelling in the rear garden of this property, and the resultant loss of garden to the existing dwelling, No. 188 Kingston Road, would be out of keeping with the general layout, scale, form and character of existing development in the locality and would be detrimental to the visual amenity of the area. The proposal is, therefore, contrary to Taunton Deane Local Plan Policies S1, S2 and H2. (2) The proposal will result in a tandem form of development in a backland location, in close proximity to existing dwellings. The increased activities, noise and disturbance will be detrimental to the residential amenity of the occupants of nearby dwellings. Furthermore, the proposal will result in mutual overlooking and loss of privacy to residents and the proposal is contrary to Taunton Deane Local Plan Policy H2. (3) The proposed development, if permitted, is likely to encourage similar proposals in respect of other land in the vicinity which might then be difficult to resist, the cumulative effect of which, if permitted, would further detract from the character and amenities of the area. Accordingly, the proposal is contrary to Taunton Deane Local Plan Policies S1, S2 and H2.

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

CONTACT OFFICER: 356468 MRS H PULSFORD (MON/TUES/WED)

NOTES: