

38/2007/523

VENTURE PROPERTIES

**ERECTION OF 8 TWO BEDROOMED HOUSES AND 1 BUNGALOW AT 4 WILTON STREET, TAUNTON AS AMENDED BY DRAWINGS NO.S 07020-01A, 02A, 03A, 04A, 05A, 06A AND 07A RECEIVED 9TH JANUARY 2008**

322269/123998

FULL

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**PROPOSAL**

The proposal as originally submitted was for 10 x two-bedroom, two-storey houses on 0.184 of a hectare. The application was subsequently amended by the omission of houses on plots 1 and 2 and a proposed bungalow on these plots.

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 45m 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.

Pre-application consultation was undertaken by the applicants with both the public and the Planning Officer. A letter was sent to all the properties in the neighbouring streets enclosing a questionnaire about the development, a questionnaire regarding car free housing, and the initial drawings. 30 local residents responded and in summary the main concerns were overdevelopment, viability of a sustainable car free development, overlooking issues pertaining to the 3 storey properties, out of keeping with the character of the area, rooms and garden sizes too small, refuse collection provisions, boundary treatments and treatment of gable end of unit 10. There were also several comments in support. The Planning Officer's concerns were with the relationship between units 1, 2, 3 and 4 and the rear of properties in Wilton Close. The scheme was amended following the pre-application consultations. This will be a car free development with the 4 pairs of houses and the bungalow arranged around a turning circle provided for fire appliances and refuse lorries. The application was submitted with a Planning Statement, a Design and Access Statement which incorporates the results of the community consultation exercise undertaken in September and a Parking Survey of the area, and an Ecological Survey.

Bins and Cycles - Wheelie bins will be in the rear garden of each property and individual owners will be responsible for moving the bin adjacent to the turning circle on collection days. Each property will be provided with a small shed for cycles.

Access to the site will be restricted to emergency vehicles, refuse lorries and delivery/removal vehicles. Non-permitted vehicles will be excluded by a collapsible, lockable bollard located in the driveway. A vehicle track analysis has been carried out to ensure that the access, driveway and turning circle are satisfactory. It is intended that although the access road will not be adopted, it will be constructed to adoptable standards.

Materials - will be mostly red brick and render, with clay tiled roofs.

## **CONSULTATIONS AND REPRESENTATIONS**

LANDSCAPE OFFICER - There are no trees on the site although the site survey appears to show fruit trees which may have had wildlife value. Given that the access road is very prominent with little scope for planting it is important that rear gardens are landscaped with larger growing trees where appropriate.

NATURE CONSERVATION OFFICER - Although the ecological survey did not find any signs of badgers, bats or reptiles using the site there is always the possibility that protected species may be detected at a later date. Suggests conditions and Notes to Applicant re. Wildlife.

LEISURE DEVELOPMENT TEAM - In accordance with Policy C4 provision for play and active recreation must be made. A contribution of £1,023.00 for each dwelling should be made towards the provision of facilities for active outdoor recreation and a contribution of £1,785.00 for each 2 bed plus dwelling should be made towards children's play provision. The contributions should be index linked and would be spent in locations accessible to the occupants of the dwellings.

DRAINAGE OFFICER - Note that surface water is to discharge to rainwater butts. These should have an overflow connecting to a soakaway constructed in accordance with Building Research Digest 365 and conditioned.

WESSEX WATER - Foul sewerage available. No existing public/separate surface water sewers in the vicinity. Developer should investigate alternative methods. Water mains are in the area.

PARKING AND CIVIL CONTINGENCIES MANAGER - The development site lies completely within the E09 Residents' Parking Zone. The Council's present parking policies do not extend to excluding any new development within a Zone, other than the Town Centre Zone, from the residents' parking provision. All ten new properties would be entitled to the current maximum provision of 2 Residents' and 2 Visitors' Permits. If the development proceeds as planned all residents' vehicles and those belonging to anything other than very short term visitors will be required to park on the public highway either within the existing areas designated for residents' use or in such unrestricted areas as may be found. This will increase the pressure on the existing arrangements.

In this context the proposed development is, in itself "car free". However, neither the developer nor the Council can prevent residents actually owning and using cars. The proposed Management Board will have to closely monitor the presence of

vehicles in order to preserve the intended “car free” environment. I presume the bollard control will be operated by individual residents in response to casual visitors, including deliveries.

COUNTY HIGHWAY OFFICER - No objection to the principle of residential development in this location. In detail, there are 2 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 affect 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 car parking within the site.

In terms of the affect 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 the advanced payments code (APC). This will require private drainage systems, together with a private power source for lighting.

WARD MEMBER - 1. This application seeks to meet many of the objectives of the Regional Strategy and Local Plan with regard to affordable homes, car parking and density. The applicant clearly also has had regard to the valid observations of the local residents.

By concentrating on the availability of parking locally however, the applicant appears to have accepted that this will not be a car free development merely a “parking free” development. The applicant seems to assume that Resident Parking permits will be available to new residents. This should be verified with TDBC parking manager, as I understand parking permits already exceed the number of available spaces and issuing more defeats the objectives of a car free environment. Alternative parking facilities on and off road are some distance walk away and where on street parking exists it is unlikely to be retained as the Highways Authority intend to implement restrictions after the opening of the East Taunton P & R. Problems of parking on street already exist in the area and exacerbation should be avoided. Some amount of parking, perhaps 4 communal spaces is necessary, if only for the inevitable use of visitors and trades people. Density - at a density of 55 dwellings to the hectare the proposal is at the upper limit of the RSS recommendations but is out of keeping with the nature of existing dwellings. This density has consequences for the impact and overlooking on neighbouring properties and is of considerable concern to adjacent residents. Believe a development of eight semi-detached houses would allow many

of these difficulties to be avoided. Welcome a development at this site but suggest a reduction in density is appropriate.

WARD MEMBER 2 - Associate very much with the other Ward Member. His expression of a "parking free" development exposes its essential weakness. There just has to be at least four car parking spaces on the site, which would cut out two houses reducing it to eight.

WILTON AND SHERFORD COMMUNITY ASSOCIATION - Car free development is unrealistic in an already over subscribed area of residential and commuter parking. There will undoubtedly be cars owned by new residents, which will be forced onto already oversubscribed and full streets. The site is small with a very narrow access which will cause difficulty for emergency vehicles trying to access the site. All vehicles will be traversing a public footpath and pavement causing concern to existing residents. This is overdevelopment of a very small backland site, endeavouring to put as many units as possible on site by omitting any parking for residents, visitors etc. Whilst we appreciate the Deane's policy of sustainable car free development within Taunton Town Centre, this would be seen more applicable to blocks of 2 bedroom flats with central location addressing demographic social requirements.

20 LETTERS OF OBJECTION relate to the following points:

1. Layout - The principle of developing this site to produce more accommodation is entirely acceptable, but applicants have gone beyond what is reasonable, by seeking to place 10 small houses on an area, which would comfortably take 5 or 6. This would reduce the density to a scale more in keeping with the neighbourhood and allow for car parking. One objector considers that 2 or 3 houses on the site would be acceptable.
2. Car Free Zone - this indicates a further strain on the already congested Wilton Street and parking area EO9, to accommodate a further possible 10-20 residents cars. Car ownership is continuing to grow and if no parking is provided cars will be parked across the pavements and verges. This would be likely to bring disputes between neighbours, and bring down the whole appearance and atmosphere of the cul-de-sac. How effectively can a car free area be enforced? Bollards can be removed.
3. Lack of parking provision will adversely affect workmen and visitors to the site.
4. Access - the access road to the site is very long, narrow and with a severe bend. Appears inadequate for emergency and maintenance vehicles etc. for 10 dwellings.
5. Need for cycle park available for residents? Also a refuse bin park as there is no garaging?
6. Density is too high and there are overlooking issues with plot 10 being built too close to neighbouring boundaries. No 10 will be across the whole width of the back garden and means that no light, sun or outlook which will have a devastating effect on house and property.
7. Boundary treatment with Wilton Street not identified.
8. Error on the plans misrepresents the overlooking problem and implies that existing trees will reduce any overlooking.

9. Site was cleared prior to an ecological survey being carried out. Developer has not stated plans for the remaining boundary hedges or their replacement.

## **POLICY CONTEXT**

Somerset and Exmoor National Park Joint Structure Plan Review - Policies STR2 (Towns), STR4 (Re-use of urban land), 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. The main issues which are of concern to local people are as follows:

**Car Free Development** - Whilst not being within the boundary which identifies the Town Centre, the site is very close to it and Policy M4 of the Taunton Deane Local Plan encourages car-free residential developments in appropriate locations such as within or adjoining town centres. The County Highway Officer has confirmed that it would be difficult to sustain a refusal reason on this basis.

**Parking on Adjacent Streets** - Whilst there are no proposals to incorporate parking provision within the site this does not mean that residents will not own cars, and the proposal could result in a demand for parking on streets in the area. The Highway Officer does not believe that this would exacerbate the problem to such an extent that safety hazards are created and the Parking and Civil Contingencies Manager has confirmed that future residents would be entitled to apply for residents and visitors parking permits. The development incorporates provision for cycle parking which is in accordance with Policy M4 of the Taunton Deane Local Plan.

**Density** - Some of the objectors are concerned that the proposal is overdevelopment and the density is too high. The density is 54 dwellings/hectare and whilst the density 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 development on the area will be low as the site cannot be seen from the roads. When the public consultation on the proposals first began, the scheme was for 11 dwellings. This has now been reduced to 9.

**Relationships with existing dwellings/overlooking** - The layout is tight with minimal amenity spaces around the dwellings. However, the dwellings have been designed so that there is no overlooking in close proximity between properties on the site and those around. On the original submission, plot 2 had a first floor bedroom window which overlooked the rear garden of 11, Wilton Close. However, the pair of houses

on Plots 1 and 2 have been replaced with a bungalow, which will not overlook or dominate. This has also enabled the amenity areas for plots 3 and 4 to be increased slightly. Plots 3 - 10 will not overlook existing dwellings to the rear as there is a 4 metres high wall along the western boundary of the site and a high conifer hedge along the southern boundary ( the hedge is owned by the adjacent house). Whilst front windows of plots 3 -6 will face towards the rear gardens of dwellings which front Wilton Street, this will be at a distance of some 20 metres. Plot 10 is close to the boundary at the rear of dwellings fronting Wilton Street, but will only have a bathroom window in the side elevation, and this can be obscure glazed. Building to building distance will be some 20 metres, which is considered to be acceptable, and the top half of the side wall will be in light render in response to the public consultation exercise, where the agent states that the adjacent residents specifically requested a "light" wall.

Conclusion - In principle, 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. 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 there being no new issues raised as a result of the publicity given to the amended plans the Development Manager in consultation with the Chair/Vice Chair be authorised to determine and permission be GRANTED subject to conditions of time limits, estate road details, MWA ecological survey, protection for nesting birds , 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, lockable 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 Policies S1, S2 and M4 of the Taunton Deane Local Plan.

**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/TUE/WED)**

NOTES: