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BARRATT & CANIFORD LTD

CONVERSION AND EXTENSION OF FORMER SHOP AND ACCOMMODATION TO FORM TWO FLATS, DEMOLITION OF OUTBUILDINGS AND ERECTION OF ATTACHED DWELLING AT 44 - 46 STAPLEGROVE ROAD, TAUNTON AS AMENDED BY REVISED FLOOR PLAN (DRAWING 13A) RECEIVED 1ST AUGUST 2008

322395/125090

FULL

PROPOSAL

44-46 Staplegrove Road is a former shop with residential accommodation above. The existing property is a white painted brick and slate terraced property, with an element of hardstanding to the front, used for the parking of two vehicles. To the north and west of the site is Avongrove Court, which provides accommodation for the elderly. The site lies within the Conservation Area, an Area of High Archaeological Potential and Flood Zone 3 – a High Risk Area.

This application seeks permission for the conversion and extension of the former shop and accommodation to form two flats, demolition of outbuildings and erection of an attached dwelling to the rear. Bicycle storage is provided for each property and bin stores are proposed to the front within the parking area.

Permission was granted in November 2005 for extensions, change of use and conversion of this property into four flats. This application is the resubmission of two previous applications, which were refused in May 2007 and March 2008 on the grounds of lack of bicycle storage; and the adverse impact on the Conservation Area and occupiers of adjacent premises.

Following concerns raised by the Conservation Officer regarding the adverse impact of the bin stores on the Conservation Area (see comments in full below), the applicant was requested to reconsider the potential alternatives for bin storage within the site. Amended plans have now been submitted, removing the two bin stores and repositioning them within the entrance hall of the flats.

CONSULTATIONS AND REPRESENTATIONS

CONSERVATION OFFICER – Conversion and extension proposals generally in accordance with pre-application discussions. Reservations were expressed about the principle of bin stores on Staplegrove Road, at our meeting on 8th April, advising that we would need to have further information to enable an adequate assessment. The submitted details do not allay my potential concerns. They do however now enable me to offer the opinion that positioning of bin stores, as proposed, would have a detrimental impact on the character of the Conservation Area. In addition, should such be permitted, a precedent could be set whereby it would be difficult to

resist applications of a similar nature, thus further eroding the character of the Conservation Area.

Further comments on amended plans – Fine if sufficient for proposed units and will be used.

HISTORIC ENVIRONMENT SERVICE – No objections

COUNTY HIGHWAYS AUTHORITY – I have no objection in principle to this proposal, as the development will utilise the existing parking facilities and will not see an increase in traffic movements. The dwelling located to the rear of the property is located within the town centre therefore car free development is considered acceptable. Suggests condition regarding cycle storage.

WESSEX WATER – The development is located within a foul sewered area and there are water mains within the vicinity of the proposal. It will be necessary for the developer to agree a point of connection onto the system for water supply and for the satisfactory disposal of foul flows generated.

The developer has not disclosed on how they propose to dispose of surface water flow. As there are no existing public/separate surface water sewers in the vicinity of the site, it is advised that the developer investigate alternative methods for the satisfactory disposal of surface water from the site (e.g. soakaways). Surface water should not be discharged to the foul sewer.

Although not shown on the public sewer record drawing, we understand there may be a sewer crossing the site that, by virtue of its age, could be deemed a public sewer under the former Section 24 provision of the Public Health Act 1936. Public sewerage apparatus is covered by statutory easement and no new building or similar works will normally be allowed within a minimum of three-metre of this apparatus.

With respect to water supply, according to our records, there is a public water main near the site. Wessex Water normally requires a minimum, three-metre, easement width on either side of its apparatus, for the purpose of maintenance and repair. Diversion or protection works may need to be agreed. It is further recommended that a condition or informative is placed on any consent to require the developer to protect the integrity of Wessex systems and agree prior to the commencement of works on site, any arrangements for the protection of infrastructure crossing the site. The developer should also be aware of the importance of checking with Wessex Water to ascertain whether there may be any uncharted sewers or water mains within (or very near to) the site.

ENVIRONMENT AGENCY – No objection provided Local Planning Authority is satisfied that the Sequential Test has been applied and passed. Suggest conditions regarding provision of surface water drainage works, internal ground floor levels, scheme for flood resilience and informative regarding surface water drainage system of surrounding land.

A PETITION OF 34 NAMES AND 6 LETTERS RECEIVED – objecting on grounds of:

- Potential encroachment on adjacent property.
- Concerns regarding parking as permission will not be given on privately owned road at rear.
- Private road is dangerous for mobility scooter users, due to parked cars. Car parking is a problem and emergency vehicles sometimes find access difficult. Proposal will exacerbate problem.
- Existing car parking at front, if retained, sets a precedent for others to do the same in the Conservation Area.
- Other non-planning issues raised including concerns that the right of way between Avongrove Court and Staplegrove Road could be blocked; removable access panel could be made into a gate for everyday access and passes bedroom window of occupier of adjacent property; rights of way has been blocked and submitted maps do not show this; car parking, ramp and bin stores to front will restrict access to archway from Staplegrove Road for Avongrove Court residents; where contractors will park and work from as permission will not be given on privately owned road at rear

POLICY CONTEXT

PPG15 – Planning and the Historic Environment

S&ENPJSR – P9 (The Built Historic Environment)

TDLP – S1 (General Requirements), S2 (Design), EN14 (Conservation Areas) and M4 (Residential Parking Provision)

ASSESSMENT

The proposed alterations to the front elevation will be an improvement to the existing shop front, which will have a positive impact on the street scene.

To the rear, over the boundary at no.48 is an obscure window at first floor level with a window below. However, the existing wall already has an impact on this ground floor window. The proposed extension is not therefore considered to have a significant increased loss of light beyond the current situation and the only window facing no.48 is a rooflight above eye level so there are no overlooking concerns.

The new dwelling to the rear has low eaves, which are not significantly higher than the existing boundaries so is not considered to increase overshadowing and the dwelling will be adjacent to the rear part of the garden and the adjacent parking space, rather than the main amenity space. In addition, the windows face front and rear, they do not overlook the adjacent properties. Over the boundary to the east is part of Avongrove Court, there are no windows in the side of this property to be affected. As such, the dwelling will have no significant impact upon the residential amenities of adjacent properties.

Whilst the dwelling is quite cramped, the surrounding development is generally quite small plots.

In terms of flooding, whilst the site is within a high risk area, where the sequential test would not be passed as there are other sites within the Taunton Town Centre that could accommodate additional residential units, permission has already been

granted for four flats on this site, which is a material consideration. As this proposal is now for three units, there is less risk in terms of flooding.

The Conservation Officer initially raised concerns regarding the bin stores to the front of the property, and their consequent impact on the Conservation Area. The agent has now submitted amended plans relocating these stores within the building, which overcomes the concerns regarding the adverse impact on the Conservation Area.

A number of issues raised by objectors referred to the use of/parking on the private road to the rear, blocking rights of way and the access panel in the side boundary. These are civil matters, which would need to be agreed between the parties involved. They are not planning matters and therefore no weight can be attached to these concerns in processing the application. Any grant of planning permission does not automatically grant such permissions/consents, these would still need to be sought from the relevant parties. If these necessary consents could not be obtained, this may prevent the scheme from actually being implemented.

RECOMMENDATION

Permission be GRANT subject to conditions of time limit, samples of slate/ridge tiles, sample panel of brickwork, timber doors/windows/fascias/soffits only, flush fitting rooflights, bin and cycle stores, provision of surface water drainage works, internal ground floor levels, scheme for flood resilience and remove permitted development rights.

Note re: Wessex Water (point of connection, surface water disposal, public sewer under site, easement, checking for uncharted sewers or water mains), works within highway limits, surface water drainage system of surrounding land and requirement to gain other necessary consents from relevant parties.

REASON(S) FOR RECOMMENDATION

The proposed flats and new dwelling are considered appropriate in this location and the level of car parking provided is acceptable due to its close proximity to the town centre facilities. Cycle storage will be provided to encourage sustainable transport methods. The proposed extensions and new dwelling will not result in detriment to the amenities of the occupiers of neighbouring properties or the character and appearance of the Conservation Area. As such, the proposal is in accordance with policies S1 (General Requirements), S2 (Design) and M4 (Residential Parking Provision) 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.

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