

KNIGHTSTONE HOUSING ASSOCIATION LTD

**ERECTION OF 18 AFFORDABLE APARTMENTS TOGETHER WITH ASSOCIATED ACCESS WORKS, PARKING AND LANDSCAPING ON LAND AT 49 WORDSWORTH DRIVE, TAUNTON AS AMENDED BY LETTER DATED 15 DECEMBER 2009 AND PLANS 2845/ 001F, 004G, 005H,006H, 007I & 008H**

323977.124451

Full Planning Permission

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## **PROPOSAL**

The proposal is a revised scheme to demolish the existing dwelling on the site and replace with a block of flats and provide parking on an enlarged site of 0.16ha. The development on behalf of Knightstone Housing Association proposes 18 affordable units built over 3 floors in a modern contemporary design. There will be 6 one bed units, 10, two bed and 2 disabled units. The building height is lower than the ridge of the previously approved scheme by 0.5m, however the footprint of the building is larger and includes a disused play area to the north, thus allowing an enlarged building and associated parking for 18 spaces.

The proposed flats are two and three storeys high, with the two storey elements forming the end of the western, northern and eastern wings. These lower wings also incorporate banks of solar panels on their flat roofs. The block will extend to within 3m of the western boundary, 2.5m to the north and 0.5m to the east at the closest points. The building will be a similar distance of 7-8m off the southern boundary and the conifer tree screen, other than at the eastern end where the two storey wing projects to within 1.5m of the boundary. The two storey sections are 7m high while the main three storey central section is 9m high and the roof at the centre projects to 10.2m. The materials will be coloured cladding, render and timber cladding in a colour finish to be agreed.

There will be 18 parking spaces, 1 per unit in front of the building and a cycle and bin store set to the north of the site. The northern and eastern boundaries will consist of a 1.8m close boarded fence with the 9m conifer hedge retained to the south.

The scheme has been amended to relocate a window to the north elevation and obscure other windows in plots 10 and 13 to avoid overlooking issues.

## **SITE DESCRIPTION AND HISTORY**

The site abuts the eastern side of Wordsworth Drive and is currently occupied by a 2-storey house set in a large curtilage. The house is set back some 30 metres from the road with a rear garden of some 20 metres. Around the site is residential development in various forms, with semi-detached pairs of 2-storey dwellings fronting Wordsworth Drive to the west, and 2-storey blocks of flats to the north (Ruskin Close) and south (Parmin Close). There is a factory car park to the east and a small children's play space immediately north of the site which is accessed by a footpath running along the northern boundary to the site and is disused. Part of this

play area forms part of the enlarged current application site.

Previously permission was granted for 11 flats over 3 storeys and associated parking following demolition of the existing house. This permission is still extant.

## **CONSULTATION AND REPRESENTATION RESPONSES**

### **Consultees**

*SCC - TRANSPORT DEVELOPMENT GROUP* - The proposal is located in the development limits of Taunton which is a designated town under Structure Plan policy STR2. The proposal will be in close proximity to public transport, whilst also offering access for cyclists. The proposal will provide for safe access to the highway as it will provide acceptable visibility in both directions from the entrance to the site. Therefore the proposal accords with Structure Plan policy 49 (Transport Requirements of New Development). The previous proposals were for 11 and 12 apartments respectively; this development will see an increase to 18 units. This would see an increase of 6 vehicles. However the proposal is located on Wordsworth Drive which is designated as a Local Distributor road. As such the increase in movements associated with the proposal will not have a significant effect on the adopted highway. In terms of parking the proposal will offer 18 spaces this equates to one space per residential unit. This is in accordance with the Local Transport Plan's parking strategy. I do not raise any objection to the above proposal and if you were minded to grant permission I would recommend the following conditions re parking, cycle parking, access, surface water and visibility and note re licenses.

*HOUSING ENABLING MANAGER* - The Housing Enabling Manager fully supports this application for 18 affordable apartments. These apartments will go some way to address the Need in the area. It will also help facilitate the proposed scheme at Ruskin Close as phase one, it will help with rehousing tenants from the proposed new scheme causing least disruption for them. The HEM's views in no way reflect any planning decision as to the suitability of the site.

*LEISURE DEVELOPMENT MANAGER* - The development will mean the loss of play space. Despite the space was unsatisfactory, indeed unsafe, due to its location and access it is important that adequate play space is provided in this neighbourhood. Contributions are required to compensate for the loss. Based on recent playground building projects the sum of £45,000 should be paid. Policy C4 requires us to cater for the new residents for play and outdoor sport. A contribution of £1023 for each dwelling should be made towards the provision of facilities for active outdoor recreation and a contribution of £1785 for each 2bed+ dwelling should be made towards childrens play provision. Contributions should be index linked.

*HERITAGE AND LANDSCAPE OFFICER* - No significant landscape impact over and above that already approved.

*WESSEX WATER* - The development is located in a foul sewerred area and it is assumed the surrounding properties are served by a private system and this will continue to be the arrangement. It will be necessary to agree a point of connection onto the the system for the satisfactory disposal of foul flows generated by the proposal. The developer has proposed to dispose of surface water to the mains

sewer. Surface water should not be discharged to the foul sewer. Your Council should be satisfied with suitable arrangement for the disposal of surface water. It will be necessary, if required for the developer to connect to our systems for the satisfactory disposal of foul flows and surface water flows generated by the proposal. With respect to water supply there are water mains in the vicinity. The developer should be aware of the the importance of checking with Wessex Water to ascertain whether there are any uncharted sewers or mains within or near the site. If such exist applicants should plot the exact position to assess the implications. The grant of permission does not change Wessex Water's ability to seek agreement for a diversion or protection works at the applicant's expense, or the right to prevent the carrying out of any development as may affect its apparatus.

*NATURE CONSERVATION & RESERVES OFFICERS* - The site contains a single dwelling surrounded by ornamental gardens with evergreen trees and shrubs. Ambios Ecology previously surveyed the site in October 2007. This report found no signs of bats on site and concluded that the site was of low conservation value. Due to the presence of mature vegetation it was considered likely that birds may nest on site. Aardvark EM Ltd surveyed the site in November 2009, although an internal inspection of the building was not possible. The assessment made also concluded that there were no significant impacts likely to arise as a result of the development. It is an offence to damage or destroy the nest of any wild bird and to disturb birds whilst nesting. I therefore suggest the following condition C1111 between 1st March and 31st July and further survey if commencement not within a year. Notes to applicant re nesting birds and bats.

*DRAINAGE OFFICER* - It is recommended that a sustainable drainage system be implemented here, in line with PPS25. The developer should investigate and specify appropriate SUDS for surface water disposal from the site in order to reduce the run off and reduce pollution risks. This should be made a condition of any approval.

## **Representations**

1 letter of objection on behalf of residents of Parmin Close on grounds of size of building being 3 storey and larger than surroundings so is out of context with buildings in the area, the facade nearest Parmin Close has windows 16, 17.5 and 12m from Parmin Close properties and the tree screen does not extend the full length of the building and does not prevent loss of privacy in two flats. The conifer hedge would affect light to south facing windows and if removed would infringe the normal 20m minimum distance between facing windows and result in further privacy loss to the Parmin Close dwellings. 16 parking spaces are provided but there is no provision for visitors and a parking nuisance on Wordswoth Drive can be anticipated.

## **PLANNING POLICIES**

PPS1 - Delivering Sustainable Development,  
PPS 1 SUPP - Planning and Climate Change,  
PPS3 - Housing,  
PPG13 - Transport,  
PPS22 - Renewable Energy,  
RPG10 - Regional Planning Guidance for the South West,  
STR1 - Sustainable Development,  
STR4 - Development in Towns,  
S&ENPP35 - S&ENP - Affordable Housing,

S&ENPP49 - S&ENP - Transport Requirements of New Development,  
S1 - TDBCLP - General Requirements,  
S2 - TDBCLP - Design,  
C4 - TDBCLP - Standards of Provision of Recreational Open Space,  
M4 - TDBCLP - Residential Parking Provision,  
EN4 - TDBCLP -Wildlife in Buildings to be Converted or Demolished,

## **DETERMINING ISSUES AND CONSIDERATIONS**

The site is located in an area where residential development, in principle would be acceptable. The main issues are the design and the relationship between the proposed block of flats and the existing development adjacent to the site.

There are existing 2-storey blocks of flats to both the north and south of the rear part of the site (Ruskin Close and Parmin Close respectively) and 2-storey semi-detached dwellings to the front (west) of the site fronting Wordsworth Drive. The flats have communal open space around them rather than individual gardens and the distance to the flats to the north is around 22 metres (building to building). Windows on the north elevation of the proposed building at first floor level are to 2 living rooms, a bedroom and a kitchen with a similar layout on the second floor. The impact of this scheme compared with that previously approved is considered similar and acceptable.

With regard to the block of flats to the south, there is a distance of 16 metres between the existing and the proposed, and along part of the southern boundary there is a row of 9m high conifer trees along three quarters of the boundary which will provide satisfactory screening. The main block is a similar distance to the boundary to the approved scheme with a 16m separation distance. At the eastern end of this boundary for some 10 metres, there are low shrubs between the blocks and it is here where the two storey wing approaches closer to the boundary with only an 11m separation distance. However the window in the proposed block 2m from the boundary at first floor level here will be fixed and obscure glazed. Other windows in the second floor of the southern elevation will be obscure glazed serving a corridor and high level serving bedrooms other than 1 window at a height of 7m serving a living room. This is considered an improvement over the previously approved scheme.

The building is a modern contemporary design and while this differs from the variety of two storey flats and semi-detached and terraced houses nearby the site is set back from the road and its development would not read as part of the street scene. The scheme has been developed with a mind to the future redevelopment of the land to the north and to ensure a sustainable use of a brownfield site with a development of appropriate density, to a high design standard and providing an element of renewable energy. There are solar panels provided behind parapet walls on the lower two storey wings of the building. The building will be timber framed and the external materials will include render, cedar cladding and a coloured cladding system in colour to be agreed. The scheme is considered to comply with PPS1, PPS3 and PPS22.

Parking provision is shown at one space per flat and the plans show the parking area set between the side boundaries of 47 and 51, Wordsworth Drive. Cycle and bin store provision is shown in the area to the rear of 45 Wordsworth Drive in the area of the disused play site and the area will be bounded in a timber enclosure. The level of

provision and the access proposed to serve the site are considered acceptable by the Highway Authority and a number of conditions are recommended.

The size of the development requires the provision of adequate provision for leisure and recreation under policy C4 of the Local Plan. This needs to be sought through a Section 106 agreement to secure the appropriate contributions for off-site provision for the new units created. In addition the Leisure Development Manager is requesting compensation for the loss of the disused play area. This land is owned by the Council and it is considered that compensation for this loss should be sought separately through the land sale. Clearly provision of play area space cannot be provided through the current development but should be a consideration if any adjacent Council owned land is developed in the future.

The scheme is considered to provide affordable housing in a sustainable location and to respect the amenity of surrounding properties while providing adequate access and parking. The scheme is considered to comply with Local Plan policy and government guidance and is therefore recommended for approval.

### **RECOMMENDATION AND REASON(S)**

Recommended Decision: Conditional Approval

Subject to a Section 106 Agreement to secure play and recreation contributions permission be GRANTED subject to conditions concerning time limit, materials, landscaping, tree retention to southern boundary, drainage, wildlife, parking, obscure glazing, cycle parking, bin storage, access and visibility and notes re wildlife and highway license.

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 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. Before the commencement of works hereby permitted, details or samples of the materials to be used for all the external surfaces of the building shall be submitted to and be approved in writing by the Local Planning Authority, shall be carried out as agreed and no other materials shall be used without the written consent of the Local Planning Authority.

Reason: To protect the character and appearance of the area in accordance with Taunton Deane Local Plan policy S2.

3. No site clearance works or development shall take place between 1<sup>st</sup> March and 31<sup>st</sup> July without the prior written approval of the Local Planning Authority.

Reason: To ensure wild birds nesting are protected and the Authority will require evidence that no breeding birds would be adversely affected before giving approval under this condition bearing in mind the protection under Section 1 of the Wildlife and Countryside Act 1981 (as amended).

4. If the period of time between the Aardvark EM Ltd's survey, dated November 2009, and the commencement of the development extends to more than one year beyond the date of the permission, then a further survey must be commissioned and submitted to and agreed in writing by the Local Planning Authority to ascertain changes in use by protected species.

Reason: To ensure the use of the site by protected species is monitored, bearing in mind the results of the existing survey may change and in accordance with Taunton Deane Local Plan policy EN4.

5. (i) The landscaping/planting scheme shown on the drawing 2845/001F shall be completely carried out within the first available planting season from the date of commencement of the development.

(ii) For a period of five years after the completion of the 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 other 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 existing trees and hedge along the southern boundary of the site shall be retained and shall not be lopped, topped or removed without the agreement in writing of the Local Planning Authority.

Reason: To ensure the development makes a satisfactory contribution to the preservation of the local character and distinctiveness of area and to safeguard amenity in accordance with Taunton Deane Local Plan policy S2.

7. The area allocated for parking on the submitted plan shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

Reason: To ensure adequate space within the site for the parking of

vehicles clear of the highway in accordance with Taunton Deane Local Plan policy M4

8. The development hereby approved shall not be occupied until the covered cycle store facility illustrated on the submitted plan has been provided with a capacity for at least 18 cycles.

Reason: To accord with the Council aims to attempt to reduce the need for vehicular traffic movements in accordance with Taunton Deane Local Plan policy M5.

9. Before the flats hereby permitted are first occupied a properly consolidated and surfaced access shall be constructed, not loose stone or gravel, and details of which shall be submitted to and approved in writing by the Local Planning Authority.

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

10. At the proposed access there shall be no obstruction to visibility greater than 600mm above the adjoining road level within splays based on minimum co-ordinates of 2m x 31m in either direction. Such visibility shall be fully provided before works commence on the erection of the flats hereby permitted and shall thereafter be maintained at all times.

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

11. Before the flats hereby permitted are occupied details of the means of surface water disposal to prevent increased discharge to the sewer system and discharge onto the highway shall be submitted to and approved in writing by the Local Planning Authority and thereafter carried out as agreed.

Reason: In the interests of reducing flood risk and in the interests of highway safety.

12. The windows in the first floor west elevation of units 8 and 10, the first floor south elevation of unit 13 and the second floor corridor of the south elevation serving units 17 and 18 shall be fixed and glazed with obscure glass of a level to be agreed in writing and this shall thereafter be retained. There shall be no alteration or additional windows in the elevations without the further grant of planning permission.

Reason: To ensure the privacy of adjoining occupiers in accordance with Taunton Deane Local Plan policy S1.

13. The bin store area illustrated on the approved plan shall be provided prior to the occupation of any flat and shall thereafter be maintained.

Reason: In the interests of the amenity of the area in accordance with Taunton Deane Local Plan policy S2.

14. The development hereby permitted shall be carried out in accordance with

the following approved plans: 2845/001F, 002D, 003F, 004G, 005H, 006H, 007I, 008H, 011A & 012

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

#### Notes for compliance

1. 1. All nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended) and if discovered should not be disturbed. It should be noted that the protection afforded to wildlife under UK and EU legislation is irrespective of the planning system and the applicant should ensure that any activity undertaken on the application site (regardless of the need for planning consent) must comply with the appropriate wildlife legislation.  
  
2. As a few bats may be found within any building at any time of year, all contractors should be made aware in writing that bats may be found in door lintels, within wall cavities, under roof tiles/slates and cladding etc. If bats are found during building work all work in the proximity of the bats should stop immediately. Further advice should be sought from Natural England via Batline 0845 1300 228. Bats should not be handled but should be left in situ, gently covered until advice is obtained. In emergency situations bats should only be handled with gloves.
2. The alteration of the access will involve construction works within the existing highway limits. These works must be agreed in advance with the Highway Services Manager at Somerset Highways Burton Place, Taunton (08453459155). He will be able to advise upon and issue/provide the relevant licenses necessary under the Highway Act 1980 (Section 184).

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

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