

38/10/0050

KNIGHTSTONE HOUSING ASSOCIATION LTD

**DEMOLITION OF 37 DWELLINGS AND REDEVELOPMENT WITH ERECTION OF 46 DWELLINGS AND PROVISION OF PARKING, LANDSCAPING AND ASSOCIATED INFRASTRUCTURE INCLUDING ALTERATIONS TO PARKING AND BOUNDARY TREATMENT AT NOS 5-8 BURNS ROAD, AT RUSKIN CLOSE, TAUNTON AS AMENDED BY PLANS 2889/PL01/E, PL08/A, PL04/A, PL11/A AND PL21 RECEIVED 7 APRIL 2010.**

323998.124502

Full Planning Permission

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## **PROPOSAL**

The proposal involves the demolition of the existing two storey flats and replacement with a mix of 46 flats and housing, including:

2 x 1-bed units,  
2 x disabled units,  
22 x 2-bed flats,  
3 x 2-bed houses,  
15 x 3-bed houses and  
2 x 4-bed houses.

All dwellings except one will be affordable. The dwellings will be 2 and 2.5 storey and the apartment blocks 3 storey. The design approach reflects that of the phase 1 flats off Wordsworth Drive. The application is accompanied by a Design and Access Statement, a Flood Risk Assessment, a Planning Statement, a Tree Report and an Ecological Survey.

## **SITE DESCRIPTION AND HISTORY**

The site consists of 36 one-bed flats and one two-bed house set within 5 two storey buildings arranged around a cul-de-sac with parking. All units bar one are social rented within the ownership of the Council. Access to the site is off Burns Road and the site is therefore set away from the main road of Wordsworth Drive serving the area. The buildings are a mix of brick and render and are of little architectural merit, are expensive to maintain and are considered at the end of their useful life. The site is located on the eastern fringe of the town centre where traditional Victorian designs cease and later suburban built forms begin to dominate.

## **CONSULTATION AND REPRESENTATION RESPONSES**

### **Consultees**

*SCC - TRANSPORT DEVELOPMENT GROUP* - Comment:

- The proposed development would see extensive works carried out on Burns Road to satisfy the Highway Authority.

- Burns Road itself shall be constructed to a minimum width of 5.0m throughout its length with a 2m wide footway.
- The works associated with the widening of Burns Road would need to be secured under a Section 278 legal agreement with the Highway Authority
- In regards to parking the site provides spaces on a ratio of 1:20 spaces per dwelling. This is below the standards of 2 spaces per unit set by the Highway Authority's Local Transport Plan and the average of 1.5 spaces set in policy M4 of the Local Plan.
- In terms of vehicle movements the site has the potential to generate an additional 11 vehicle movements over and above the existing. However the proposed improvement works to the junction of Burns Road and Wordsworth Drive will help improve its capacity to accommodate these additional vehicles.

Therefore the County highways Authority raise no objection to this proposal and if planning permission were to be granted would require conditions to be attached

*WESSEX WATER* - Foul Drainage - Connection to mains is acceptable. Existing sewers within the site are private and may need to be replaced to suit any new housing layout. Flows from the adjacent estate need to be maintained. Storm Water - No connection to mains drainage and the provision of some form of sustainable drainage arrangement is proposed which is acceptable and we would ask that the site is conditioned accordingly to prevent a subsequent switch to connection to the foul sewer if ground conditions prove unsuitable. In this case storage and attenuated connection to watercourse should be required. Water Supply - Acceptable although existing wwater mains into and through the existing development will need to be re-laid and size increased to cater for the additional load.

*HOUSING ENABLING MANAGER* - The Housing Enabling Manager supports this application for all affordable homes. The scheme represents phase 1 of several regeneration schemes in the area. These new homes will provide a pleasant mixed community with housing provision across the board. The family homes and 2 bed apartments will replace a development of small one bed flats. This development will achieve Code 4 for sustainable homes and provide a safe warm home for the new tenants. These new homes will go some way towards satisfying the housing need in Taunton.

*HERITAGE AND LANDSCAPE OFFICER* - My main concerns are there are a significant number of trees that will be lost due to the development but limited space provided for new tree planting. Boundary treatment is poor given the extent of the development. The retained tree, T1, between spaces 37 & 40 has not been given enough space for its RPA of 2.52. I recommend those spaces be found elsewhere on site. No landscape details and I recommend appointing a landscape architect, given the size of the development.

*DRAINAGE ENGINEER* - I refer to the submitted FRA by Aardvark accompanying this application. I note that in Section 6.2 Drainage Strategy there is a note that " no soakaway tests have been undertaken as the geology is assumed to be 100% impermeable". A requirement of a development of this size is that use of SuDS systems are investigated and this includes the use of soakaways. Therefore percolation tests should be carried out to prove impermeability before any works commence on site. If porosity tests fail then the proposals outlined in the FRA are acceptable, which include 1) maximum outfall run off rate of 6.2l/s 2) minimum on

site storage of 150m<sup>3</sup> 3) Design store to be 1 in 100year + 30% for climate change. The following information should also be provided and agreed before any works commence on site and are to be made conditions of any approval given

1) Details of flow path(exceedance) should be shown for when the capacity of the drainage system is exceeded.

2) A full operation and maintenance strategy should be submitted and agreed and this should include a) details of how financial provision is to be made for the attenuation works, ensuring that this is provided for the lifetime of the development, b) identify who will be responsible for maintenance etc.

*LEISURE DEVELOPMENT MANAGER* - In accordance with Policy C4 provision for play and active recreation must be made. A contribution of £1100 for each additional dwelling should be made towards the provision of facilities for active outdoor recreation and a contribution of £2200 for each 2+bed dwelling should be made towards children's play provision. The contributions should be index linked. Any additional phase 2 development will require an on-site kindergarten to which play contributions from this development may be added.

## **Representations**

None received

## **PLANNING POLICIES**

PPS1 - Delivering Sustainable Development,  
PPS 1 SUPP - Planning and Climate Change,  
PPS4 - Planning for Sustainable Economic Growth,  
PPS25 - Development and Flood Risk,  
RPG10 - Regional Planning Guidance for the South West,  
RPG10 EN1 - RPG10 Policy EN 1: Landscape and Biodiversity,  
RPG10 EN4 - RPG10 Policy EN 4: Quality in the Built Environment,  
STR1 - Sustainable Development,  
STR4 - Development in Towns,  
S&ENPP1 - S&ENP - Nature Conservation,  
S&ENPP48 - S&ENP - Access and Parking,  
S&ENPP49 - S&ENP - Transport Requirements of New Development,  
S&ENPP60 - S&ENP - Floodplain Protection,  
S1 - TDBCLP - General Requirements,  
S2 - TDBCLP - Design,  
M1 - TDBCLP - Non-residential Developments,  
M3 - TDBCLP - Non-residential Development & Transport Provision,  
EN1 - Landscape and Biodiversity,  
EN25 - TDBCLP - The Water Environment,  
EN28 - TDBCLP - Development and Flood Risk,  
EN34 - TDBCLP - Control of External Lighting,

## **DETERMINING ISSUES AND CONSIDERATIONS**

The main considerations of the proposal are the design and impact on the character of the area, the parking provision, play and recreation provision and drainage.

The submission has been amended in layout terms to meet the comments of the Landscape Officer and Highway Authority. The properties facing Burns Road have been provided with a front boundary wall to give defensible space and the parking has been amended to allow for adequate protection to the retained plane tree, T1, as well as additional tree planting through the site and shrub planting in front of the blocks of flats. The design of the buildings are contemporary and reflect the character of the proposed new flats off Wordsworth Drive. The materials intended to be used include a mix of brick, render and cladding. The layout is designed to link with the flats and so ensure a successful comprehensive development. This is considered to give a distinctive character to the area and comply with advice in PPS1 and policy S2 of the Taunton Deane Local Plan. The flats and dwellings have roof space for renewable solar technology to enable the units to meet Code 4 for Sustainable Homes.

The amended site layout provides for 53 spaces, in excess of one per dwelling and allows for limited visitor parking. This is considered to comply with the requirements of policy M4 of the Taunton Deane Local Plan with its 1.5 space per dwelling maximum. The layout also accommodates the Highway Authority request that Burns Road be widened to 5m and appropriate radii on the corner with Ruskin Close. The Highway Authority raise concern over preventing surface water draining to the highway and recommend a condition to address this issue. The number of units on the site is 9 more than the existing situation, however in terms of vehicle movements it is considered the improvements to Burns Road will help improve capacity and the Highway Authority raise no objection to the proposal and suggest conditions to also address the provision of the access and contractors parking/compound, estate road details, provision of a road and footway to base course level before occupation, 1.8m footway to Burns Road before occupation and re-surfacing of Burns Road.

The Leisure Manager requires contribution for play and active recreation to comply with policy C4 of the Local Plan. This would provide for 9 additional units. In addition the layout incorporates part of a disused play area and compensation for the loss of this area is requested to the sum of £45,000 for the provision of replacement facilities in the local area as this was not provided for in the current layout or the previous scheme on the adjacent site for flats. This requirement will need to part of a S106 Agreement.

The site lies outside a flood risk area and the submitted FRA includes means of surface water drainage and attenuation. The Drainage Officer is satisfied with principle of the submission and requires further details to be agreed through condition prior to commencement.

In summary the development is an appropriate redevelopment of an existing residential site in a sustainable location that is a high standard of design that addresses residential amenity and parking provision and complies with the development plan and government guidance and is recommended for approval.

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

Recommended Decision: Conditional Approval subject to no representations raising new issues and a Section 106 Agreement/Unilateral undertaking in respect of play and recreation contributions for the following reason:

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).

should the S106/unilateral undertaking not be completed by 12 May 2010 then the application be refused contrary to policy C4

### **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) Drg No 2889-PL-100 Location Plan  
(A3) Drg No 2889/PL/13 Bin and cycle store  
(A3) Drg No 2889/PL/02 Proposed House types Type A - 2b 4p  
(A3) Drg No 2889/PL/03 Proposed house types Type B 3b 5p  
(A3) Drg No 2889/PL/04 Proposed house types Type D1 - 3b 5p  
(A3) Drg NO 2889 PL 05 Proposed house types Type D2 3b 5p  
(A3) Drg No 2889 PL 06 Proposed house types Type E 3b 5p  
(A3) Drg No 2889/PL/08 Proposed flats over garages Type H 1b 2p  
(A3) Drg No 2889 PL 07 Proposed house types Type F 4b 6p  
(A3) Drg No 2889 PL 09 Proposed flats Plots 7 - 18  
(A1) Drg No 2889 PL 01 Proposed site layout plan  
(A1) Drg No 2889 PL 10 Proposed flats plots 19 - 30  
(A1) Drg No 2889 pl 11 Proposed flats street scenes  
(A1) Drg No 2889 PL 01 Proposed site layout

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

3. No development shall take place until 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 protect the character and appearance of the existing building in accordance with Policy S2 of the Taunton Deane Local Plan.

4. The door design shall be as indicated on the submitted drawings unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the character and appearance of the building, in accordance with policies S1 and S2 of the Taunton Deane Local Plan.

5.
  - (i) Before any part of the permitted development is commenced, a landscaping scheme, which shall include details of the species, siting and numbers to be planted, shall be submitted to and approved in writing by the Local Planning Authority.
  - (ii) The scheme shall be completely carried out within the first available planting season from the date of commencement of the development, or as otherwise extended with the agreement in writing of the Local Planning Authority.
  - (iii) For a period of five years after the completion of each 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 the 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. No dwelling shall be occupied until space has been laid out within the site in accordance with the submitted plan for cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear.

Reason: In the interests of highway safety in accordance with Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review and relevant guidance in PPG13.

7. The front boundary walls to the dwelling units shall be retained as indicated on the submitted drawing unless otherwise agreed in writing by the Local Planning Authority.

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

8. None of the dwellings shall be occupied until a drainage strategy for the site has been submitted to and approved by the Local Planning Authority and the agreed works have been completed in accordance with the details approved unless otherwise agreed in writing by the Local Planning Authority. The strategy should include

- 1) Details of flow path (exceedance) should be shown for when the capacity of the drainage system is exceeded.

- 2) A full operation and maintenance strategy should be submitted and agreed and this should include:

- a) details of how financial provision is to be made for the attenuation works,

ensuring that this is provided for the lifetime of the development,  
b) identify who will be responsible for maintenance etc.

Reason: To prevent risk of future surface water flooding in accordance PPS25.

9. No dwelling shall be occupied until cycle and bin storage has been provided for within the site in accordance with the submitted plan unless otherwise agreed in writing by the Local Planning Authority. The cycle and bin storage areas shall thereafter be retained as agreed.

Reason: In the interests of highway safety in accordance with Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review and relevant guidance in PPG13.

10. Before any building or engineering works are carried out on the site, the construction access and contractors' parking/compound area shall be provided, surfaced and drained in accordance with a detailed scheme, which shall be submitted to and approved in writing by the Local Planning Authority. Such scheme shall also indicate the eventual use of that area.

Reason: To provide an adequate contractor's area on site in the interest of highway safety.

11. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority and thereafter provided prior to occupation of any dwelling.

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

12. The proposed estate roads, footways, footpaths, tactile paving, junctions, street lighting, sewers, drains, surface water outfall, vehicle overhang margins, visibility splays, accesses and car parking shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, materials and method of construction shall be submitted to the Local Planning Authority.

Reason: To ensure that the proposed estate is laid out in a proper manner with adequate provision for various modes of transport in accordance with Somerset and Exmoor National Park Joint Structure Plan Review Policy 49.

13. The proposed roads, including footpaths and turning spaces where applicable, shall be construction in such a manner as to ensure that each dwelling before it is occupied shall be served by a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway.

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

relevant guidance in PPG13.

14. Before the dwellings hereby permitted are first occupied, a 1.8m wide footway shall be constructed over the entire Burns Road frontage of the site in accordance with a specification to be approved in writing by the Local Planning Authority

Reason: In the interests of highway safety.

15. Prior to occupation of the proposed dwellings hereby permitted details shall be submitted of the realignment and resurfacing works of Burns Road shown on drawing no 2889/PL 01 C and approved in writing by the Local Planning Authority. Such works shall be fully constructed in accordance with the approved plans, to an agreed specification before the development is first brought into use.

Reason: To ensure that the proposed estate road access is laid out in a proper manner in accordance with Somerset and Exmoor National Park Joint Structure Plan Review Policy 49.

#### Notes for compliance

1. The developer should note that the works on or adjacent to the existing highway will need to be undertaken as part of a formal legal agreement with Somerset County Council. This should be commenced as soon as practicably possible, and the developer should contact Somerset County Council for information 0845 3459155. The applicant should be advised that at least seven days before access works commence the Highway Service Manager at the Taunton Deane Area Officer must be consulted.
2. Your attention is drawn to the agreement made under Section 106 of the Town and Country Planning Act 1990, relating to this site/property.

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

**CONTACT OFFICER: Mr G Clifford Tel: 01823 356398**