

SHERRILL SOLUTIONS

RESIDENTIAL DEVELOPMENT FOR THE ERECTION OF 7 DWELLINGS WITH ASSOCIATED ACCESS AND 8 NO PARKING SPACES ON LAND TO THE REAR OF THE GARDENERS ARMS, PRIORSWOOD ROAD, TAUNTON AS AMENDED BY LETTER AND PLAN PL01B RECEIVED 23 MAY 2012.

Grid Reference: 322993.125612

Full Planning Permission

RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval subject to the signing of a Section 106 Agreement to secure

1. One unit of affordable housing
2. Contributions, towards the provision of community leisure facilities as follows:
 - a. £1454 per dwelling towards the provision of active outdoor recreation
 - b. £2688 per 2+ bedroom dwelling towards children's play provision
 - c. £1118 per dwelling towards community halls
 - d. £194 per dwelling towards the provision of allotments.

The proposal, for residential development, is located within defined settlement limits where the principle of new housing is considered acceptable. An affordable housing unit will be provided and the proposed access would be satisfactory and the development would not have a detrimental impact on the visual or residential amenity of surrounding residential properties and accordingly does not conflict with Somerset and Exmoor National Park Joint Structure Plan Review Policies STR4 and 49, Taunton Deane Local Plan Policies S1 (General Requirements), S2 (Design), C4(Leisure Provision) and M4 (Residential Parking Provision) and Policy DM1 and CP4 of the emerging Taunton Deane Core Strategy.

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:

(A1) DrNo 1193(PL-)05 Block Plan as Proposed
(A1) DrNo 1193(PL-)04 Floor Plans, Elevations and Sections
(A1) DrNo 1193(PL-)03 Floor Plans, Elevations and Sections

(A1) DrNo 1193(PL-)02 Floor Plans, Elevations and Sections
(A1) DrNo 1193(PL-)01 B Site Plan as Proposed

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. Prior to development commencing on site a drainage plan for the whole development shall be forwarded for approval in writing by the Local Planning Authority, including results of percolation tests carried out and shall include soakaways to be constructed in accordance with Building Research Digest 365.

Reason: To prevent discharge of surface water into the mains drainage system to limit the risk of flooding.

5. The applicant shall undertake all the recommendations made in Acorn Ecology Ltd's Ecological Survey Report dated February 2012, (Appendix 4 Conservation Action statement) and provide mitigation for bats and birds as recommended.

The works shall be implemented in accordance with the approved details and timing of the works, unless otherwise approved in writing by the Local Planning Authority.

The development shall not be occupied until the scheme for the maintenance and provision of the new bird and bat boxes and related accesses have been fully implemented. Thereafter the resting places and agreed accesses shall be permanently maintained.

Reason: To protect and accommodate bats and breeding birds

6. If the period of time, from the granting of planning permission and the commencement of development extends more than one year, then further wildlife surveys must be commissioned to ascertain any changes in the use of the site by protected species.

Reason: To ensure that the use of the site by protected species is monitored, bearing in mind that the results of the submitted surveys may change.

7. The first and second floor window(s) in the southern elevations facing the southern boundary of the site shall be glazed with obscure glass to be agreed

in writing by the Local Planning Authority and shall thereafter be so retained. The said windows shall be fixed shut or limited opening in a manner to be agreed in writing by the Local Planning Authority prior to their occupation and there shall be no alteration or additional windows in this elevation without the further grant of planning permission.

Reason: To ensure the privacy of the adjoining occupiers in accordance with Taunton Deane Local Plan Policy H17(A).

8. The area allocated for parking and turning on the submitted plan, drawing number 1193[PL-]01B shall be kept clear of obstruction and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.

Reason: To ensure that there is adequate space within the site for the parking of vehicles clear of the highway in accordance with Taunton Deane Local Plan Policy M4.

9. Notwithstanding the details shown on the approved plan 1193 [PL] 01 B, no development shall take place until a scheme detailing arrangements and specification for the site access and proposed highway improvements have been submitted to and approved in writing by the Local Planning Authority. Before any building is occupied the development shall be completed in accordance with the details shown on the approved plans and retained thereafter.

Reason: In the interests of highway safety.

10. The proposed estate road, footways, tactile paving, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture 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, gradients, 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.

Notes for compliance

PROPOSAL

The proposal is to erect 7 dwellings on the site of part of the former Gardeners Arms Pub and car park at Priorswood Road. This originally included 2 x bedroom houses, 4 x bedroom houses and a 1 bed roomed flat and provision of 8 parking spaces. The 4 bed units have subsequently replaced by the smaller 3 bed units. An access road off Plais Street and a turning area are provided to serve the development.

SITE DESCRIPTION AND HISTORY

The site consists of part tarmac area which was the rear of the pub car park, part garden area that existed to the side of the pub and a two storey brick building on the frontage with Plais Street that forms the boundary with Cambria House to the south. The southern and eastern boundaries are formed by part brick and part concrete walling to approximately 2m in height with gardens of houses beyond.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

SCC - TRANSPORT DEVELOPMENT GROUP - no objection

The proposed site is situated within a residential area near to the town centre of Taunton, within development limits. As a result, the principle of development in this location is acceptable.

The site is situated along Plais Street a designated unclassified highway to which a 30mph speed limit applies. From my site visit it was observed that Plais Street itself provides sufficient width, however, numerous vehicles parked on the public highway reduce the overall width. Plais Street is essentially a no through road and serves a number of properties, to which access to the wider highway network is obtained at the junction with Priorswood Road, which forms part of the A358 and is a Class 1 highway and a well utilised route.

In terms of detail, the proposal seeks to erect seven dwellings with a shared surface area and eight vehicle parking spaces. The entrance into the site will utilise the existing access onto Plais Street.

Access - Drawing No. 1193 [PL-]01 indicates the point of access onto the publicly maintained highway. The access measures dimensions of 5.0m, to which the Highway Authority consider acceptable as it will allow two vehicles to pass each other, without being an obstruction on the adopted public highway.

With regards to the submitted 'Design & Access Statement' it indicates that only the proposed footway to the south of the site access will be offered for adoption. Having raised queries with the Local Planning Authority (18/05/2012) in relation to delineation, service vehicles and maintenance, I am in receipt of a letter dated 21st May 2012 from the applicant, to which it is noted from drawing No. 1193 [PL-]01 A that part of the access into the site is shown to be adopted. The Highway Authority would not adopt such a small area as it gives no greater public benefit, to the surrounding highway network.

If the applicant wishes to pursue adoption of the internal access road, ideally, a minimum carriageway width of 5.0m with additional 500mm wide service margins will be required. However, there does not appear to be sufficient room available

within the site for a turning head of an adoptable size to be provided.

Despite the non-standard nature of the access and internal layout, the Highway Authority would consider adopting the access and internal courtyard in its entirety, should the applicant propose to offer it for adoption.

Additionally at the point of access a tactile paved pedestrian crossing location, in accordance with DfT 'Guidance on the use of Tactile Paving Surfaces' should be provided across the site entrance. This can be secured by an appropriate planning condition.

Visibility - Visibility for vehicles emerging onto Plais Street is below the recommended standards which would be applied in this location. However, given that this is an existing access and that the proposed alterations including its widening and the provision of a new footway, this is considered to be an improvement over the existing situation. Furthermore, it is acknowledged that the access would have had an element of traffic generation associated with it historically, as such, the available visibility is considered to be acceptable.

It should be noted that part of the proposal will incorporate a 1.5m footway along Plais Street, to provide pedestrians access to the dwellings fronting the public highway. This footway in turn is likely to eradicate vehicles parking on the highway in this location, thus providing improved visibility for vehicles exiting from the site to the left of the access.

Vehicle Movements - It is believed that the previous use of the site, which was part of the Gardener's Arms public house was land allocated for vehicle parking and amenity/seating. It is considered that the site currently does not generate any vehicle movements. However, in the past there may have been an element of vehicle movements associated with this access.

Referring to TRICS database the estimated vehicle movements for a single residential unit is approximately 6-8 movements per day. As a consequence, it is anticipated that the potential level of vehicle movements of the site will result in 42-56 trips per day, which equates to five vehicle movements in the peak hour. It is noted that there will be increase in vehicle movements along Plais Street, however, the Highway Authority consider that the surrounding highway network can accommodate the traffic levels that are likely to be generated by the development.

Internal Layout - The site access and parking area as detailed on drawing No. 1193 [PL-]01 is shown to be properly consolidated and surfaced (not loose stone or gravel), which will prevent any debris from being carried onto the public highway.

The internal layout of the site, which provides a shared vehicle turning area and accommodates eight vehicle parking spaces, each bay provides dimensions of 2.4m x 4.8m which is acceptable.

It should be noted that Somerset County Council now apply, the newly adopted (March 2012) Somerset County Council – Parking Strategy, which states that Taunton, a 'Zone A' region the following vehicle parking should be applied:-

5.3 The standards for residential development (ZONE A)

Zone	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom
A – Red	1 car space	1 car space	2 car spaces	3 car spaces

Therefore based on the above optimum standards the site would require 15 vehicle parking spaces (four, three bedroom properties, two, four bedroom properties and a one bedroom coach house). However, it would be unreasonable to object to the development on these grounds as the Highway Authority were consulted (Pre-Application) prior to the implementation of the newly adopted standards; as a result the previous Parking Strategy can be applied in this instance. Given the location of the development a 50% reduction in vehicle parking can be applied. This is due to the close proximity to adequate services, facilities and the easily accessible walking/cycle links.

Previously I raised concerns regarding the internal court area catering for service/refuse vehicles. However, it is noted from drawing No. 1193 [PL-]01 A, that the sites bin storage facilities are located in close proximity to the public highway and within the allocated target distance for refuse collection.

The applicant should note that no doors, gates or low-level windows, utility boxes, down pipes or porches are permitted to obstruct footways. Therefore the Highway limit shall be limited to that area of the footway clear of all private service boxes, inspection chambers, rainwater pipes, vent pipes, meter boxes (including wall mounted), steps etc.

Drainage - Having liaised with the Somerset County Council Supervision Officer, it has been brought to my attention that the private soakaways are proposed within the gardens of the properties. Although set back away from the public highway, the applicant would need to serve notice to the residents of the surrounding properties the zone of influence of the soakaway effectively sterilising those neighbouring properties with regard to future development. Again, this can be addressed by the inclusion of a suitable planning condition.

Footway - From drawing No. 1193 [PL-] 01 it is noted that there are proposed highway works on Plais Street. The provision of a footway in this location would reduce the width of the carriageway in a location where there is a presence of motor vehicles parked on the highway. This could potentially increase the likelihood of vehicle/pedestrian conflict, which is detrimental to highway safety. However, the provision of the footway would provide suitable pedestrian access to the two proposed dwellings that front onto Plais Street. It would also result in a continuation of the existing footway provision along Plais Street, and would result in improved vehicular and pedestrian visibility from the site access. Therefore, the proposed footway is on balance considered to be acceptable.

Notwithstanding the above, although the site access and proposed footway are acceptable in principle, amendments are required. These amendments would include potentially providing a wider footway, the provision of larger site access radii, and the continuation of the footway into the site itself. A condition is therefore suggested to secure these improvements.

As a result, the Highway Authority raises no objection to this proposal subject to

the conditions:

WESSEX WATER - New water supply and waste water connections will be required from Wessex Water to serve the development. Please note from 1st April all sewer connections will require a signed adoption agreement before connection can be made. Separate systems of drainage will be required to serve the proposed development. No surface water connections will be permitted to the foul sewer.

DRAINAGE ENGINEER - I note part of this development is to discharge to soakaways with the remaining area discharging to main sewer. No information is given as to this split approach. Full details of surface water disposal need to be forwarded for approval before any permission is given. This should show that sustainable urban drainage systems (SUDs) have been considered. Following contact with the agent I have agreed a condition should be attached with regard to soakaways and a drainage plan for the development.

COMMUNITY LEISURE - In accordance with Local Plan policy C4 provision for play and active recreation should be made for residents of these dwellings. A contribution of £2688 for each 2+ bed dwelling should be made towards provision of children's play. The contribution to be spent on additional facilities for the benefit of new residents within the vicinity of the development. A contribution of £1454 for each dwelling should be made towards the provision of facilities for active outdoor recreation. A contribution of £194 per dwelling should be sought for allotment provision along with a contribution of £1118 per dwelling towards local community hall facilities. Contributions should be index linked. A public art contribution should be requested, either by commissioning and integrating public art into design of the buildings and the public realm or by a commuted sum to the value of 1% of the development costs.

BIODIVERSITY - The site comprises of a car park and pub garden with an existing two storey brick building to the front of the site which is to be demolished. Acorn Ecology Ltd carried out an Ecological Survey Report of the building in February 2012. Findings were as follows

Bats - No signs of bats were identified during the survey, although the building is accessible to bats. The surveyor considered the building to have low potential roost value for bats due to its urban location, but advises that a precautionary approach be made in the demolition of the building.

Birds - Evidence of nesting birds (old nesting material and the carcasses of two newly hatched chicks) was identified at the northern end of the loft space. The surveyor suspects that the remains are those of pigeon or dove species. Signs of other birds, possibly sparrows was also noted. I agree that demolition should take place outside of the bird nesting season.

In accordance with NPPF, I would like to see wildlife protected and accommodated in this development. I suggest conditions.

Representations

2 letters of SUPPORT as will remove old garage and provide a new building to enhance the area.

1 letter of concern over proximity of houses to boundary.

5 letters of OBJECTION on grounds of

- Height of houses,
- Loss of light and privacy,
- Density out of keeping with area,
- Overdevelopment,
- The houses are too deep and high and will stand out,
- The gardens are too small,
- Parking problems in area and parking along road,
- Loss of parking in Plais Street and access in Plais Street a concern.
- Access to Plais Street will be disrupted during construction.
- The Plais Street designation for cyclists/pedestrians has been disregarded.
- The former stables building should be adapted for bins, recycling and cycling parking.
- There are bats in the area.
- Refuse lorries will be unable to access individual properties.
- Parking on street may disrupt or obstruct Funeral home business and Tesco Express has already caused problems.

PLANNING POLICIES

NPPF - National Planning Policy Framework,
STR2 - Towns,
STR4 - Development in Towns,
S1 - TDBCLP - General Requirements,
S2 - TDBCLP - Design,
M4 - TDBCLP - Residential Parking Provision,
C4 - TDBCLP - Standards of Provision of Recreational Open Space,
CP4 - TD CORE STRATEGY - HOUSING,
CP5 - TD CORE STRATEGY INCUSIVE COMMUNITIES,
DM1 - TD CORE STRATEGY - GENERAL REQUIREMENTS,

LOCAL FINANCE CONSIDERATIONS

The development of this site would result in payment to the Council of the New Homes Bonus.

1 Year Payment

Taunton Deane Borough Council (Lower Tier Authority)	£7,833
Somerset County Council (Upper Tier Authority)	£1,958

6 Year Payment

Taunton Deane Borough Council (Lower Tier Authority)	£47,001
Somerset County Council (Upper Tier Authority)	£11,750

DETERMINING ISSUES AND CONSIDERATIONS

The main considerations with the proposal are the impact on the character and residential amenity of the area, the impact on drainage, ecology, policy considerations and parking/highway safety.

The proposal involves the provision of 7 dwellings on the site of 0.1ha of part of the former pub premises. The two four bedroomed properties at the rear of the site had dormer windows to the front and rear serving bedrooms and in order to reduce the degree of overlooking to the gardens at the rear of the site, these units have been replaced by 3 bed units which have ensembles served by rooflights set in the rear roof. The window to window distances here are around 17m and while marginally below the standard of 20m this is not considered to be so severe to warrant an objection on grounds of loss of privacy. The 3 bed units have side windows serving a landing and the stairs and it is considered appropriate to ensure that these windows are obscure glazed where they face neighbouring properties. The other two properties to the east of the site have rooflights serving ensembles to the rear. The depth of the larger houses was 9.4m but the replacement with the smaller house type has reduced this to 8.3m which is similar to the neighbouring properties to the rear and side. There are a wide variety of properties in the area and the impact of the depth of the houses is not considered detrimental to the character of the area to warrant refusal of the proposal. The gardens of the rear properties are smaller than the standard 10m gardens which exist at the rear of existing properties, however the reduced size is not considered to be a ground for refusal given no specific guidance or policy in this respect. While these matters are part of the overall design of the development it is not considered that the density, garden size, depth of the dwellings or their height is sufficiently out of keeping with the character of the residential area to warrant a refusal of the scheme.

The proposed development is on land that is part hard surfaced and part grass. The surface water system to serve the houses will be soakaways and there is a requirement via condition to submit a drainage plan for the site which will ensure there is no water drainage onto the existing highway. The foul drainage for the site will be dealt with by existing sewers.

The site has had an ecology survey carried out and there have been comments identifying that there are bats in the area. No signs of bats were found in the survey, however appropriate mitigation was identified and is recommended as a condition as part of any approval. A further survey is also recommended by condition if the development is not commenced within a year.

The proposal is for 7 units and this hits the trigger for leisure and recreation provision. As this cannot be provided on site given the site area the provision for off-site has to be allowed for under policy C4 and this forms part of the Section 106 requirements. Other contributions for allotments and community halls are identified and provision of these elements are supported by policy CP5 of the Core Strategy. In addition the new housing policy CP4 requires affordable housing on sites of 5 or more. The applicant has agreed to provide an affordable housing unit as well as the other contributions referred to and this would be a requirement of the Section 106 Agreement.

The Highway Authority do not raise objection to the proposal but recommend a number of conditions. Parking is identified by locals as a problem in the area and has clearly disrupted the funeral business opposite. However parking to an appropriate

standard is proposed for the site and development here should hopefully discourage parking on the road. The conditions include a parking/turning area as the plan and the submission of a specification for the site access. Conditions concerning impact on the highway from construction work is not considered to meet the conditions test nor is the construction management plan and survey.

The receipt of the New Homes Bonus is noted, however, it is considered that this matter carries very limited weight in this case.

In summary the proposed residential scheme is considered suitable on this brownfield site and the proposal is considered not to harm residential amenity or highway safety and to satisfy the community use requirements and it is recommended for approval.

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

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