

TAUNTON DEANE BOROUGH COUNCIL

DEMOLITION OF BUILDINGS AND ERECTION OF RESIDENTIAL BUILDING COMPRISING OF 8 NO. FLATS, GROUND FLOOR COMMUNITY HUB (B1/D1USE), AND ASSOCIATED PARKING AND LANDSCAPING, AT 1 & 3 MOORLAND ROAD, TAUNTON

Grid Reference: 324179.125265

Full Planning Permission

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RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval subject to the receipt of comments and conditions from the Highway Authority and the Nature Conservation and Reserves Officer and the applicant entering into an appropriate legal agreement to secure the following: -

Community Facilities

- Contributions of £1571 per additional dwelling for active outdoor recreation;
- Contributions of £209 per additional dwelling for allotment 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. The development hereby permitted shall be carried out in accordance with the following approved plans:

(A3) DrNo 3272/201 Location Plan

(A1) DrNo 5998 Site Survey

(A1) DrNo 3272/100A Proposed Site Plan

(A1) DrNo 3272/028 Rev A Community HUB & Flats Floor Plans & Elevations

(A1) DrNo 3272/057 Existing and Proposed Site Sections

(A1) DrNo 3272/103 Proposed Solar Panel Plan

(A1) DrNo SPP1793P02 Rev A Landscape Layout

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

3. No development, other than demolition of the existing dwellings, 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 ensure that the proposed development does not harm the character and appearance of the area in accordance with Policy DM1 of the Taunton Deane Core Strategy.

4. Prior to the occupation of the ground floor of the building hereby permitted, covered cycle spaces for staff and visitors bicycles shall be laid out, constructed and drained in accordance with a detailed scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and the amenity of the area in accordance with policy DM1 of the Taunton Deane Core Strategy and Retained policy M5 of the Taunton Deane Local Plan.

5. No dwelling shall be occupied until cycle and bin storage has been provided for within the site in accordance with the approved plans. The cycle and bin storage areas shall thereafter be retained.

Reason: In the interests of highway safety and the amenity of the area in accordance with policy DM1 of the Taunton Deane Core Strategy and Retained policy M5 of the Taunton Deane Local Plan.

6. The parking spaces hereby permitted shall be surfaced in permeable materials and provision shall be made for the disposal of surface water within the site in accordance with details to be agreed and implemented prior to the occupation of the dwellings to which it relates and shall thereafter be retained as such.

Reason: To reduce the risk of off-site flooding in accordance with Section 10 of the National Planning Policy Framework.

7. Work shall not commence, including demolition, until a further bat survey has been undertaken and the results along with details of a strategy for the protection of the bats and their habitat, within the development, together with the maintenance of access for the bats, has been submitted to and approved in writing by the Local Planning Authority. Once approved the works shall take place in accordance with the agreed scheme and thereafter the roosting places and agreed openings shall be permanently maintained. The development shall not be occupied until the scheme for the maintenance and provision of the bats' roosts and related accesses has been fully implemented.

Reason: To maintain the status of bats and their roosts. Bats and their roosts are included on Schedule 5 and fully protected under Section 9 of the Wildlife and Countryside Act 1981 (as amended) and the Conservation (Natural Habitats &c) Regulations 1994 (as amended), in accordance with Taunton Deane Local Plan Policies CP8 and the NPPF.

8.

Development shall not commence until a further reptile survey has been undertaken and results, along with details of a scheme designed to avoid killing or injuring **slow worms** has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme or any amendment to the scheme as approved in writing by the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain control over development in order to safeguard species which are specially protected by law. Adders, grass snakes and slow worms are all protected under Section 9(1), (9)(5)(a) and 9(5)(b) of the Wildlife and Countryside Act 1981 (as amended) in accordance with relevant guidance in the NPPF.

9. Provision shall be made for combined radio/TV/satellite antennae facilities to serve the development hereby permitted and no external radio/TV/satellite antennae shall be fixed on any individual residential property or commercial/business unit.

Reason: In the interests of the visual amenity of the area in accordance with policy DM1 of the Taunton Deane Core Strategy.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) the first floor windows to be installed in the east and west elevation of the proposed building shall be obscured glazed and non-opening (unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed). The type of obscure glazing shall be submitted to and agreed in writing by the Local Planning Authority prior to its installation and shall thereafter be so retained.

Reason: To protect the amenities of nearby dwellings in accordance with Policy DM1 (E) of the Taunton Deane Core Strategy.

11. Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995 (“the 1995 Order”) (or any order revoking and re-enacting the 1995 Order) (with or without modification), no further windows/dormer windows shall be installed in the **first floor east and west** elevation of the development hereby permitted without the further grant of planning permission (unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and are fitted with obscure glazing). The type of obscure

glazing shall be submitted to and agreed in writing by the Local Planning Authority prior to its installation and shall thereafter be so retained.

Reason: To protect the amenities of adjoining residents in accordance with Policy DM1(E) of the Taunton Deane Core Strategy.

Notes to Applicant

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way and has granted planning permission.

PROPOSAL

The proposal comprises the demolition of a pair of semi-detached dwellings that will be replaced with a three storey building that would accommodate 8 flats; 4 on the first floor and 4 on the second floor; and as amended, the ground floor is seeking permission for B1 (office use) and/or, D1 (non residential institutions). The proposed accommodation on the second floor is predominately within the roof space.

Separate bin storage is proposed for the flats and ground floor occupiers and a secure cycle storage area is proposed for the flats.

Amenity space to the rear of the building is proposed to be used by occupiers of the flats.

The building is proposed to be constructed with brick and partially finished in render; the roofing material has been proposed as a flat concrete interlocking tile. It has been discussed with the applicant that the proposed concrete tile may not be acceptable, and the submission of materials could be made a condition should permission be granted

SITE DESCRIPTION AND HISTORY

The site is located in Moorland Road, in a residential area of Taunton. The immediate area comprises of 1930s semi detached dwellings in Moorland Road and Beadon Road. Nearby there are further residential dwellings that were built in the 1970s, these dwellings are due to be demolished and the site redeveloped (planning application 38/13/0278).

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

SCC - TRANSPORT DEVELOPMENT GROUP - Comments to follow.

LEISURE DEVELOPMENT - Following comments: -

In accordance with Local Plan Policy C4, provision for play should be made for residents of these dwellings.

A contribution of £1,571.00 for each additional dwelling should be made towards the provision of facilities for active outdoor recreation.

A contribution of £209.00 per each additional dwelling should be sought for allotment provision.

Further comments are awaited due the change in the proposed use of the ground floor of the building.

HOUSING ENABLING - Supports the application: -

The development will provide a wide range of high quality affordable homes reaching Code for Sustainable Homes Level 4, Secure by Design and Lifetime Homes principles to meet an identified housing need.

NATURE CONSERVATION & RESERVES OFFICERS - Views awaited.

Representations

One letter of REPRESENTATION received from Cllr Slattery raising the following: -

- The proposed building should not dominate the existing street scene or impact on the skyline.

PLANNING POLICIES

DM1 - TD CORE STRATEGY - GENERAL REQUIREMENTS,
CP5 - TD CORE STRATEGY INCUSIVE COMMUNITIES,
C4 - TDBCLP - Standards of Provision of Recreational Open Space,
M4 - TDBCLP - Residential Parking Provision,
M5 - TDBCLP - Cycling,
CP8 - CP 8 ENVIRONMENT,
SP1 - TD CORE STRATEGY SUSTAINABLE DEVELOPMENT LOCATIONS,
NPPF - National Planning Policy Framework,

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) £8,154

Somerset County Council (Upper Tier Authority) £2,039

6 Year Payment

Taunton Deane Borough Council (Lower Tier Authority) £48,926

Somerset County Council (Upper Tier Authority) £12,232

DETERMINING ISSUES AND CONSIDERATIONS

Use

The submitted application was proposed to use the ground floor as a Community Hub building. Since submission this has altered due to no end user being fixed at this particular time. As such, the use of the ground floor is now proposed to be a mixed use for either B1 (offices) or D1 (non residential institutions), or a mix of both. Either of the uses is considered to be acceptable within the residential area without detriment to the amenity of nearby residential properties.

As the site is located within a residential area, within the settlement of Taunton, the principle of residential development is considered acceptable.

Design

The building has been designed to reflect the existing street scene whilst incorporating itself within the new proposed layout for this part of the estate. This has been achieved by giving the building two frontages; one facing onto Moorland Road and the other facing towards proposed new dwellings. The section of building closest to 5 Moorland Road has been designed with a roof sloping away higher from the neighbour. The remainder of the building is three storeys in height, reflective with the heights of the proposed new dwellings when taking into account the lowering of the site level to accommodate the new building.

The two side elevations facing onto the roadside have been designed with pitched roof gables that slightly project forward. Whilst the gables do not reflect the majority of the dwellings that have hipped roofs, the corner position of the building, at the beginning of Moorland Road and close to the proposed new development, is not considered detrimental to the street scene or character of the area. The rear of the building has been designed to reduce the scale of the building towards the rear of the plot and also to reflect other properties within the area.

Residential amenity

The two elevations that may cause some issue with regards to amenity are the side elevation facing towards 5 Moorland Road and the rear elevation faces towards the rear of 2-4 Beadon Road.

Within the side elevation there are three first floor windows that face towards 5 Moorland Road and these windows serve a staircase, and a kitchen/living room (open plan room). These windows may cause overlooking and loss of privacy to the neighbour so will be conditioned to have obscure glazing and restricted openings. As the windows serve an open plan room, which also has a larger window within the front elevation of

the building, obscure glazing is not considered to harm the amenity of the future occupier and will protect the amenity of the neighbour.

The rear elevation has windows within the ground floor, first floor and rooflights to the second floor. The ground floor windows are not considered to harm the amenity of the adjoining neighbours and the rooflights have been positioned at a high level as to not cause any overlooking.

Whilst the windows within the first floor elevation are 21m away from the rear windows within Beadon Road, the windows within the first floor would face towards the rear garden of 2-4 Beadon Road and cause a loss of privacy that is not considered to be acceptable. There are 4 windows, 2 serving a separate flat and providing light into an open plan living space. The flat closest to 2 Beadon Road is also served by an additional window within the side elevation. Given the close proximity of the building to the boundary (5-6m) and the overlooking windows, it is proposed that these windows have obscure glazing which would be controlled by a condition.

Highways

Detailed comments and conditions from the Highway Authority are still outstanding and the application is subject to the receipt of these comments.

Notwithstanding the above, the proposed building has provided one parking space per flat, though no parking is provided for the ground floor use of the building. Separate cycle storage is also proposed for the flats and further cycle storage should be provided for the ground floor users by means of a condition meeting the requirements of the Highway Authority; the layout of the site may have to be altered to accommodate this cycle storage.

Landscaping

New hedgerow planting is proposed along part of the boundary with 5 Moorland Road and additional tree planting is proposed on the corner of the new parking area. Any new planting will help to soften the proposals into the estate and will contribute towards the loss of tree planting across of the whole of the wider area that is proposed to be redeveloped.

Wildlife

The application has been submitted with a joint ecology report for the redevelopment of Creechbarrow Road. The report concludes that further reports are required for bats and reptiles due to slow worms being found within the area and the potential for bat roosts. Whilst comments are awaited from the Nature Conservation Officer, conditions have been included to request additional surveys prior to the demolition of the building. Any additional conditions will be added when these comments are received.

Leisure and recreation

Contributions have been sought for Outdoor Recreation and Allotments and will be made part of a legal agreement. The Leisure Development Officer has requested to make further comments due to the change of use of the ground floor of the building. Furthermore, the applicants have recently questioned the contributions and negotiations

are taking place.

Conclusion

The proposed building provides affordable accommodation and functional space on the ground floor within a residential area without detrimental harm to the visual or residential amenity of the area. The proposal is therefore considered acceptable and 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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