

38/15/0193

MR D SEARS

CONVERSION OF DWELLING INTO TWO AND THE ERECTION OF THREE DWELLINGS WITH GARDENS AND ACCESS AT 19 SOUTH STREET, TAUNTON

Location: 19 SOUTH STREET, TAUNTON, TA1 3AA

Grid Reference: 323341124493

Full Planning Permission

RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval

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)DrwgNo.634/01 Location Plan
(A3)DrwgNo.634/02 Existing Site Plan
(A3)DrwgNo.634/04 Existing House Floor Plans & Elevations
(A3)DrwgNo.634/05A Proposed Block Plan
(A3)DrwgNo.634/06A Proposed Site Plan
(A3)DrwgNo.634/07 New House Floor Plan
(A3)DrwgNo.634/08A New House Elevations
(A3)DrwgNo.634/09A Conversion of existing Floor Plans & Elevations
(A3)DrwgNo.634/10 Site Section

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 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 their installation, details and samples of the materials to be used for the surfaces of the courtyard shall be submitted to and approved in writing by the Local Planning Authority. Such scheme shall be completely implemented before the development hereby permitted is occupied.

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 Core Strategy Policy DM1.

5. The first floor window on the south east elevation of plot 3 shall be fixed and obscure glazed in a manner to be agreed and shall thereafter be so retained and there shall be no other windows inserted in this elevation without the prior written consent of the Local Planning Authority.

Reason: To protect the amenities of nearby dwellings in accordance with Policy DM1 of the Core Strategy.

6. Entrance gates shall be provided in accordance with details to be submitted and approved by the Local Planning Authority and shall be erected prior to the occupation of the units and shall thereafter be so maintained.

Reason: In the interests of highway safety and security of the site in accordance with Taunton Deane Core Strategy policy DM1.

7. Bin and cycle storage shall be provided on site prior to occupation of any dwelling hereby permitted, and shall thereafter be retained for those purposes, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that adequate facilities exist for the future residents of the site, in accordance with policies DM1 of the Core Strategy and M5 of the Taunton Deane Local Plan.

8. Prior to commencement of the development detailed proposals for the disposal of surface water shall be submitted to and approved in writing by the Local Planning Authority. The agreed details shall be fully implemented prior to the dwellings being occupied.

Reason: To prevent increased risk of flooding in accordance with the NPPF.

9. Details of the boundary treatment shall be submitted to and approved in writing by the Local Planning Authority including a plan indicating the

positions, design, materials and type of boundary treatment to be erected. The agreed boundary treatment shall be completed before **the building(s) are occupied** and thereafter maintained as such, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenities of the neighbouring 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 with the applicant and has negotiated amendments to the application to enable the grant of planning permission.

PROPOSAL

The proposal is to convert the existing two storey building on the site from one to two units and construct a terrace of 3 small two storey dwellings in the rear yard area. Limited amenity space is provided for each unit. There is an existing access off South Street which is wide enough for vehicles but there is insufficient parking/turning for 3 cars and a communal courtyard is proposed in front of the new dwellings.

SITE DESCRIPTION AND HISTORY

The site consists of a two storey rendered building and rear yard with a couple of ramshackle single storey outbuildings that used to be part of the shirt factory and are now used in conjunction with the dwelling on site. The boundaries are brick walls to heights between 1.6m and 3m high. There are flats to the east and south. Previous permission was granted in 2007, 38/07/0560 for conversion to two and erection of 7 flats. This was renewed in 2010 ref 38/10/0373REX.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

WESSEX WATER - New water supply and waste water connections will be required from Wessex Water to serve this proposed development. Application forms and guidance information is available from the Developer Services web-pages at our website www.wessexwater.co.uk.

Please note that DEFRA intend to implement new regulations that will require the adoption of all new private sewers. All connections subject to these new regulations will require a signed adoption agreement with Wessex Water before any drainage works commence.

On 1st October 2011, in accordance with the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011, Wessex Water became responsible for the ownership and maintenance of thousands of kilometres of formerly private sewers and lateral drains (section 105a sewers).

At the date of transfer many of these sewers are unrecorded on public sewer maps. These sewers can be located within property boundaries at the rear or side of any premises in addition to the existing public sewers shown on our record plans. They will commonly be affected by development proposals and we normally advise applicants to survey and plot these sewers on plans submitted for Planning or Building Regulations purposes.

ENVIRONMENTAL HEALTH - NOISE & POLLUTION - No comments received.

SCC - TRANSPORT DEVELOPMENT GROUP - Refer to Standing Advice.

COMMUNITY INFRASTRUCTURE LEVY (CIL) OFFICER - Conversion of dwelling to two not CIL liable. Erection of 3 dwellings is CIL liable and rate is £70 per sqm. 3 dwellings - 157sqm so CIL liability is £10,962

Representations

1 letter of objection on grounds of increased noise and pollution and loss of privacy.

PLANNING POLICIES

NPPF - National Planning Policy Framework,
CP1 - TD CORE STRAT. CLIMATE CHANGE,
CP4 - TD CORE STRATEGY - HOUSING,
CP6 - TD CORE STRATEGY - TRANSPORT AND ACCESSIBILITY,
DM1 - TD CORE STRATEGY - GENERAL REQUIREMENTS,
M4 - TDBCLP - Residential Parking Provision,
EN23 - TDBCLP - Areas of High Archaeological Potential,

LOCAL FINANCE CONSIDERATIONS

The approximate CIL liability (to the nearest £500) is £11,000 .

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) £4316

Somerset County Council (Upper Tier Authority) £1079

6 Year Payment

Taunton Deane Borough Council (Lower Tier Authority) £25,898

Somerset County Council (Upper Tier Authority) £6,474

DETERMINING ISSUES AND CONSIDERATIONS

The residential use of the site has been considered twice in the past and was last considered in 2010 when the scheme involved conversion and 7 new flats. The following issues were previously considered design, amenity impact, flood risk, recreation and access.

The proposal here is the redevelopment of a brownfield site adjacent to the town centre in a sustainable location for the provision of residential development. While such developments are generally encouraged by the NPPF this must not be at the cost and to the detriment of good design. This scheme has a reduced floor area and number of units from the 2010 scheme and while it is for dwellings as opposed to flats, it does provide for limited amenity space. The main considerations with the proposal are design of the development, the impact of the development on the amenity of neighbouring properties and access.

A cross section showing the relationship with the boundary walls has been provided and the design of the scheme has been maintained at 2 storey as per the previous scheme. The development will project 2.9m to eaves level above the boundary wall to the rear (north) and 3.1m with flats to the north-east 8m away but is not considered to overly dominate the adjoining property and the boundary wall to the south will remain unchanged. The only window at the first floor of plot 3 will serve the stairs and can be fixed and obscure glazed to avoid any overlooking with the garden to Theaks Mews. There are first floor windows serving bedrooms to the front of plots 1 and 2 however these will look towards the brick wall boundary 11m away and are at an acute angle to No. 9 so as to prevent direct overlooking. Given the proximity of the nearest plot it is still considered appropriate to condition the obscure glazing of the nearest first floor window of plot 2 to safeguard privacy. The windows at the rear overlook a commercial premises. The development will be between 1 m and 3.5 m off the boundaries and will be 6.3m to ridge height to the north and 7.0m high to the west. While this is close to the boundary it is not considered over dominant.

The site no longer lies in a flood risk area since updated survey work has been carried out and as a consequence there is no longer a need to control floor levels to a set height. The reduction in numbers of units and the revised government guidance mean that the proposal no longer requires a recreation contribution or affordable housing provision. The development however would be liable to the CIL.

The issues previously raised by the Police in terms of security have been addressed with provision of lockable gates, as has the defensible space and storage issue. The site lies within the town centre location and the provision of a car free development here is considered acceptable and it is one that has been accepted by the Planning Inspectorate on appeal for a site on the opposite side of the road. In order to prevent access given the lack of on site turning a means of preventing vehicular access here

as previously suggested by the Highway Authority is considered appropriate if permission is to be granted.

There was no contamination condition imposed on the previous permission and it is considered unreasonable to impose one now. The development is a suitable reuse of a brownfield site in a sustainable town centre location and the development is not considered to harm residential amenity to a degree that would warrant refusal and the proposal 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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