

53/15/0009

SOUTH WESTERN HOUSING SOCIETY

**APPLICATION FOR APPROVAL OF RESERVED MATTERS FOLLOWING
OUTLINE APPROVAL (53/12/0008) IN RESPECT OF APPEARANCE,
LANDSCAPING, LAYOUT AND SCALE FOR THE REDEVELOPMENT OF SITE
AND THE ERECTION OF 28 No AFFORDABLE DWELLINGS WITH ASSOCIATED
WORKS AT ORCHARD LODGE, DENE ROAD, COTFORD ST LUKE**

Location: ORCHARD LODGE, DENE ROAD, COTFORD ST LUKE, TAUNTON,
TA4 1DE

Grid Reference: 317110.127203

Full Planning Permission

RECOMMENDATION AND REASON(S)

Recommended Decision: Subject to:

- Confirmation of boundary treatment to plots 3-7 and plot 10.
- Confirmation of proposed materials.
- Confirmation of elevation treatment where level changes are proposed.

Conditional Approval

RECOMMENDED CONDITION(S) (if applicable)

1. The development hereby permitted shall be carried out in accordance with the following approved plans:

[list of approved plans to be inserted once 'subject to' points in recommendation have been confirmed].

2. Prior to their installation, full details of the proposed hard surfacing including to the roads, footways, parking areas, demarcation of parking areas, and shared surfaces shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the occupation of the dwelling to which they relate and shall thereafter be maintained as such.

Reason: in the interests of the visual amenity of the proposed development.

3. (i) Prior to its implementation, 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 does not harm the character and appearance of the area.

- 4. The proposed estate roads, footways, footpaths, tactile paving, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car, motorcycle and cycle parking and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing. 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.

The proposed roads, including footpaths and turning spaces where applicable, shall be constructed 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.

The proposed roads, including footpaths and turning spaces shall be finished in complete accordance with the details approved pursuant to this condition prior to the occupation of the 25th dwelling hereby permitted and shall thereafter be maintained as such.

Reason: To ensure that adequate provision is made for the traffic likely to be attracted to the site in the interests of highway safety.

- 5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification) the first floor bathroom window in the south elevation of plot 28 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.

Notes to Applicant

PROPOSAL

This application seeks reserved matters approval for the residential development of the Orchard Lodge site. The application seeks approval for all reserved matters (layout, scale, appearance and landscaping) and proposes 28 dwellings served by a vehicular access from Aveline Court to the south of the site.

The dwellings would be arranged fronting the main access road into the site and around a courtyard in the centre of the site. 43 parking spaces would be provided along the southern site boundary (to the south of the main access road, opposite the proposed dwellings) and a shared surface courtyard at the centre of the site. A small shared grassed area would be provided to the west of the courtyard, adjoining the public cycle path that runs along the western site boundary. The majority of existing trees on the northern and eastern site boundary would be retained (some dead/damaged trees would be removed); all other trees within the site would be removed.

The dwellings would primarily be arranged in terraces, with some semi-detached units.

SITE DESCRIPTION AND HISTORY

The site comprises Orchard Lodge and its grounds. Orchard Lodge was part of the former hospital buildings prior to the development of Cotford St. Luke and is a 2.5 storey building in the Victorian Gothic style, constructed from stone. Following the development of Cotford St. Luke, Orchard Lodge was retained by the NHS and was used until 2009/10 as a residential institution, having been extended in 1996. Since then the property has changed hands and has remained vacant. In 2010, permission was granted for the change of use from C2 (Residential Institutions) to D1 (Non Residential Institutions), in the hope that a new user could be found for the building, but none has been forthcoming.

The site slopes gently up from south to north, with dwellings on Aveline Court to the south being at a lower level, and those at Milsom Place to the north, being higher. There are a number of trees on the site, including two large Western Red Cedar trees that would be felled in order to facilitate the redevelopment. The other notable trees are along the north and east site boundaries (within the site).

A pedestrian/cycle link immediately adjoins the western site boundary linking Dene Road in the south with Baileys Gate to the north. There is an existing vehicular access in the southwestern corner, from Aveline Court.

Outline planning permission was granted in 2012 (53/12/0008) for the residential development of the site. An indicative layout suggested that 24 dwellings could be accommodated, but the number was not fixed. Accesses from Aveline Court, Dene Road to the east and Milsom Place to the north were approved.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

COTFORD ST LUKE - Cotford St Luke Parish Council has asked that I let you know that it objects to the above Planning Application for the following reasons:

- There are highway safety concerns with the speed of vehicles accessing/egressing the proposed development leading to Aveline Court. The Parish Council requests that a double traffic calming hump be constructed within the proposed development. Please refer to Proposed Site Layout Block Plan drawing number 140757/003 – between the boundary line of the proposed development and the position of the feature tree is where the Parish Council requests the double traffic calming hump should be constructed
- 43 parking spaces are being proposed for 28 dwellings. Historically all the housing within the present development line for Cotford St Luke has required a minimum of two car parking spaces or one garage and a car space. It is noted that this Application does not fulfil this criteria
- There may be issues with regards to parking spaces not being allocated to each property and there is no allocated visitor parking. This will have an impact on those living in the proposed dwellings parking informally in other areas of the village and in particular, in Aveline Court and on Dene Road. The Parish Council would prefer that allocated spaces are given and thereby minimising possible arguments between various residents and disgruntled drivers
- Proposed Site Layout Block Plan drawing number 140757/003 indicates the combined cycle path and footpath adjacent to the proposed development. This path is heavily used by pedestrians and in particular primary school aged children who use the path on their way to/from the local Primary School, very often using their scooters and bicycles. In order to protect the safety of all pedestrians and passing motorists, the Parish Council requires a double staggered pedestrian barrier installed at the southern end of this path
- It is understood that each dwelling is to be supplied with 1 wheelie bin, 2 recycling boxes and 1 food caddy within storage enclosure. There is no indication that there will be any facility for storing green waste. The storage enclosure is not indicated on the block elevations (14057/007 to 14057/009); storage enclosure will spoil clean façade and will be out of keeping with existing houses in Cotford St Luke.
- 53/12/0008 condition 2 requires that no demolition shall be undertaken until implementation of a programme of building recording and analysis has been submitted to and agreed in writing with TDBC Planning and such work shall be carried out in accordance with the written brief prior to the demolition of the existing buildings. It is not known if this condition has been complied with
- 53/12/0008 condition 4 requires full details of the means of disposal of surface water shall be submitted to and approved by TDBC Planning. Such details shall be implemented prior to the occupation of any of the development. It is not known if this condition has been complied with.
- 53/12/0008 condition 6 requires efficient means of dealing with mud, dust etc must be installed to ensure construction vehicle wheel cleaning, so that the

highway is kept safe and clean for other road users. There is no indication of how this condition will be met and the Parish Council suggests that the wheel cleaning facility be manned.

- There is no provision for cycle parking provision, as required in 53/12/0008 condition 7

The Parish Council notes that the:

- The tree planting is sympathetic to the proposed development, in particular to ensure re-establishing the tree line on the east boundary of the site.
- Five year maintenance or replacement of trees, shrubs and landscaping is being planned
- The suggested fencing around the proposed development is satisfactory
- It is noted that the applicant states that roads and footpaths will be completed in advance of the proposed dwellings being completed. However, the Section 38 Agreement must be signed by SCC and Housing Association before construction of the proposed development commences and required bond obtained by TDBC, to ensure highway adoption can take place in a timely manner
- The Section 106 Agreement and Community Infrastructure Levy must be agreed and signed by TDBC and the Housing Association before Planning Permission is granted
- 53/12/0008 condition 8 requires that the proposed development shall not commence until a strategy to protect wildlife has been approved by TDBC Planning. It is understood that bats have been seen flying around during twilight hours by residents living in Aveline Court.

HERITAGE - As this is a reserved matters application it has already been assessed that Orchard Lodge, whilst being a building of local historic interest associated with the former Cotford Asylum and is a heritage asset that it could be demolished. As the building is to be lost it is considered that the design of the properties should take into account some of the design features of Orchard Lodge and perhaps incorporate some of the material of Orchard Lodge not only into the stone boundary walls as proposed but also for the walls of some of the houses (if there is enough). Natural slate could also be incorporated on some of the dwellings which is a material found on Orchard Lodge and also in the vicinity of the site. The chimneys of Orchard Lodge are a feature of the building and also on the surrounding houses. It is considered that chimneys should be incorporated within the design.

DRAINAGE ENGINEER – No detailed response as drainage is dealt with by conditions on the outline planning permission.

ENVIRONMENTAL PROTECTION CONTAMINATED LAND – No response received.

HOUSING ENABLING – The scheme has been discussed with the Housing Enabling Lead prior to submission. The Housing Enabling Lead is supportive of this application, which is considered to provide an appropriate mix of sized properties

that will significantly contribute to meeting the local housing need.

LANDSCAPE – The landscape scheme was submitted in connection with application 53/12/0008. Details are satisfactory.

BIODIVERSITY – The wildlife strategy was submitted in connection with 53/12/0008. Details are satisfactory.

SCC - DEVELOPMENT CONTROL ARCHAEOLOGIST – No comments received.

WESSEX WATER – No comments received.

SCC - TRANSPORT DEVELOPMENT GROUP - I refer to the above mentioned planning application received on 28th July 2015 and following a site visit on 12th August 2015 for which the Highway Authority has the following observations on the highway and transportation aspects of this proposal.

The proposal relates to a reserved matters application in connection to outline permission 53/12/0008.

The Highway Authority has accepted the location and the principle of development at the outline stage but does have the following comments to make in terms of the detail.

The proposal will utilise the existing point of access and provide visibility splays of 2.4m x 17m in either direction. These splays are considered to be acceptable as vehicles speeds past the site are considered to be slow. The applicant is urged to resurface the full width of Dene Road where it is disturbed by the extended construction and to overlap each construction layer of the carriageway by a minimum of 300mm.

Turning to the internal site arrangements the principle of the internal layout has been accepted at the outline stage although there were some points that the Highway Authority would need to see addressed. It is understood that the applicant has now submitted drawings to the Estate Roads Team for S38 technical approval. This process will pick up any amendments that would be required. As a consequence the Highway Authority will not provide any further comments as part of this submission.

Therefore based on the above information the Highway Authority raises no objection to this proposal and if permission were to be granted then conditions should be imposed requiring: A condition survey of the public highway, submission of a construction traffic management plan, submission of estate road details, surfacing of roads, footpaths and turning spaces prior to occupation, no drives to be steeper than 1 in 10, a scheme of street lighting to be submitted, a right of discharge of surface water to be obtained prior to commencement, a travel plan to be submitted, visibility splays of 2.4x17m to be provided at the access.

Representations

12 letters of OBJECTION have been received from 11 different people, raising the following issues:

- Infrastructure in the village is inadequate for this quantum of additional development.
- The access from Aveline Court is unsuitable, especially now it is proposed to be the only point of access.
- The proposal is an overdevelopment at an unacceptably high density – 28 dwellings are now proposed, the outline showed 24.
- Trees on the site should be kept.
- More bungalows are required in the village and this site would be an ideal opportunity to provide some.
- Properties at Aveline Court would be overlooked. The proposed dwellings are on a higher level.
- There is regular flooding on Dene Road.
- The Council required other historic buildings in Cotford St. Luke to be retained; this one was also considered worthy of retention but excluded from the S106 for the whole village as it was still in use by the NHS. This does not make its loss acceptable.

Within the context of an overall objection, one representation noted that the provision of just one access from Aveline Court was an improvement.

PLANNING POLICIES

EN12 - TDBCLP - Landscape Character Areas,

LOCAL FINANCE CONSIDERATIONS

Local finance considerations relate to the principle of development and not the reserved matters approval. However, for information, the proposal will result in the payment of the New Homes Bonus, but is not CIL liable as the outline planning permission pre-dates the introduction of CIL.

DETERMINING ISSUES AND CONSIDERATIONS

The principle of the development was established at the outline stage, including the principle of demolishing the existing building, and cannot be revisited as a consequence of this application. The main issues in the consideration of this application relate to the reserved matters – layout, appearance, landscaping and scale – and the impact of the proposals on the character of the area and amenity of neighbouring dwellings. Whilst access was approved at outline stage, that permission envisaged 3 access points. The proposals are for just a single access point and the impact of this change must be considered in the context of the

proposed layout.

Design and character of the area

The proposed design is for a relatively high density development of small dwellings, mainly in terraces around a shared surface courtyard. In many ways, this reflects the neighbouring development to the north and west in Milsom Place and Nichol Place. Whilst it does differ from the more spacious layout of Aveline Court to the south, it is considered to be acceptable as a design solution.

The layout means that some of the proposed dwellings will back onto the main central courtyard. However, the alternative would be backing onto the main access, or providing a layout incapable of providing sufficient parking. Subject to appropriate rear boundary treatment of plots 1-7, therefore, it is considered that the proposed layout is acceptable in terms of the relationship of dwellings with the public realm. The scheme is somewhat dominated by parking, but the parking areas will include tree planting, which will soften them and subject to appropriate surfacing materials, it is considered acceptable. This can be controlled by condition.

A number of dwellings have bin stores to the front as no rear access is proposed. These have been designed to sit behind a brick screen wall and are considered to be acceptable in terms of their visual impact and will bring uniformity to the street scene.

A condition of the outline planning permission requires the re-use of stone from the existing building within the development, to help retain a sense of the original context of the site as part of the old hospital buildings. The proposal is to re-use the stone in certain key boundary walls. As submitted, it is considered that the proposed stonework is wrongly spread through the development and this should be altered to provide stone along the entire boundary with the public footpath to the west. In terms of the individual house type design terms, the proposed house types are fairly standard in their approach. There are still some areas of concern regarding the way that the houses step down the slopes (lower floor levels, but common roof lines are proposed). There are also some concerns regarding the mismatch and over complication of materials on the elevations, so this recommendation is made 'subject to' the resolution of these points.

Amenity of neighbouring residents

The main impact relates to the dwellings that back onto the southern boundary of the site on Aveline Court. Plot 2 would be around 17m from the rear elevation of 1 Aveline Court, but this is at a significant angle. Plot 3 would be around 20m from the rear of 2 Aveline Court; again at an angle. Elsewhere, window to window distances would be in excess of 20m and it is not considered that there would be a significant overlooking concern as a consequence.

The proposed layout sees a parking area against the southern boundary. Subject to appropriate boundary treatment being put in place (which can be secured by condition) this is considered to be an acceptable relationship. The combination of parking plus access road means that the proposed dwellings would be at least 15m

from the rear boundary of the Aveline Court properties which, despite the change in level will not be unacceptably overbearing on these properties.

It is not considered that any other existing dwellings would be adversely affected by the development. The impact on neighbours is, therefore, considered to be acceptable.

Highways, parking and access

43 parking spaces are proposed for the 28 dwellings. This falls below the 'optimum' standard in the County Council's parking strategy, but is above the 1.5 space maximum stipulated in the retained policy of the Taunton Deane Local Plan. The Highway Authority have raised no objection on parking grounds, so the proposal is considered to be acceptable in terms of its parking provision.

There is both concern and broad support in the representations for the change from the 3 access points approved in the outline application to the single point of access now proposed from Aveline Court. The proposal would now make use of the only existing vehicular access into the site as the sole access to the development. The Highway Authority have confirmed that it provides an acceptable means of access to the site to serve this number of dwellings with adequate visibility splays, given the speed of traffic. No further off-site highway works are required in order to ensure highway safety, so the proposal is considered to be an acceptable one.

Conclusions

The proposed development is acceptably designed and is appropriate in the context of the surrounding development. It will not impact unreasonably upon highway safety or the amenity of neighbouring residents. Subject to some alterations to the finished elevation treatments and materials, the proposal is considered to be acceptable. It is, therefore, recommended that planning permission is granted.

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

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