

38/2007/556

UNIQUE HOMES S.W LTD

ERECTION OF DWELLING AND DETACHED GARAGE WITHIN GARDEN OF 27 CALWAY ROAD, TAUNTON AS AMENDED BY AGENTS LETTER DATED 30 MAY 2008 AND DRG NO.S 91106/7, 8, 9, 10 AND 11 AND AGENTS LETTER DATED 16 JULY 2008 AND DRG NO. 91106/11A

323606/123497

FULL

PROPOSAL

The site forms part of the garden of No. 27 Calway Road, which lies within the identified settlement limits for Taunton. An outline planning application was submitted and withdrawn in 2000 for a dwelling within the garden of No. 27, concerns were raised regarding the impact on trees within the garden, and overdevelopment.

The proposal is for the erection of a dwelling and a single garage. The plot is approximately half the size of the existing curtilage of No 27. The proposed dwelling has been designed to prevent any overlooking to the neighbouring properties. The materials are to be dealt with via planning condition. Access is to be gained from Fouracres Close.

The application has been amended: relocating dwelling further away from north western boundary; reducing site level; changing roof from gable to hipped; replacing double garage with single garage; access via existing, rather than creating new access.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY - there is no objection in principle to this application. Parking for three vehicles should be provided. Visibility in both directions is acceptable. Conditions are recommended regarding:- garage for vehicle only, consolidated surface, visibility, surface water, drop kerbs and a note regarding the Highways Act 1980.

WESSEX WATER - points of connection to be agreed; three metre easement to build over sewer; recommend informatives.

DRAINAGE OFFICER - no observations.

LANDSCAPE OFFICER - subject to landscape details and tree protection during construction and no services within root protection areas and suitable landscape scheme, should be possible to integrate into local area.

NATURE CONSERVATION & RESERVES OFFICER – nesting birds may be affected – condition recommended; possibility of bats roosting in trees, if proposal includes removal of trees a bat survey must be carried out.

7 LETTERS OF OBJECTION - have been received raising the following issues:- not in keeping with surrounding area and generous garden plots; scale, density and height do not reinforce character of local area; design not in keeping; intrusive and

would overpower neighbours; overshadowing; loss of light; proposed dwelling on higher ground; loss of privacy; close to boundary; no fixed cill level to roof lights; experienced considerable building work in area, further development should not be considered; little provision for parking; new access will affect vehicular and pedestrian movements; affect habitat of birds and wildlife; impact on trees; short distance from Conservation Area, worth protecting surrounding area; area has parking problems, another property will add to this; AMENDED SCHEME – still overshadowing; site too small; not in keeping with ambience; cill of rooflights above eye level, what does this mean?, minimum of 1.6m should be stated; unaware existing access has legal use.

LETTER OF OBJECTION FROM WARD COUNCILLOR – height and mass of dwelling in close proximity of neighbour is a great concern; overbearing on No 25, casting shadow across garden, detrimental to enjoyment; if moved closer south, away from boundary of No25 and remove loss of light and overbearing problems.

AMENDED SCHEME - continue support of objections, minor alterations have made little difference to size and continues to pose significant threat to enjoyment of adjacent gardens for neighbours.

POLICY CONTEXT

Policies S1 (general), S2 (design) and M4 (residential parking requirements) of the Taunton Deane Local Plan are relevant to this application.

Policy EN5 (protected species) and EN6 (protection of trees) stipulates that proposals that harm trees of amenity value will not normally be permitted, are also relevant.

ASSESSMENT

The site lies within the settlement limits for Taunton, where there is a presumption in favour of development. The plot is of sufficient size to accommodate a dwelling and there is adequate amenity land associated with the proposal. The scale of the proposal is thought to be acceptable. The area consists of a variety of two storey dwellings and bungalows, as well as recent new-build, as such the design is not considered to be out of character with the area. The dwelling would also be screened by large mature trees adjacent to Fouracre Close and is not considered to detract from the street scene.

There are a number of trees to the side of the site which are protected by a Tree Preservation Order. The proposed dwelling would not result in the loss of any of these trees. The Landscape Officer has commented on the application, and subject to conditions, has no objection to the application.

Wildlife implications have been assessed, and a condition will be attached regarding nesting birds, and if a tree was to be felled, a condition regarding a bat survey.

The site will utilise an existing access and a single garage will be built. In accordance with Policy M4 of the Taunton Deane Local Plan 2 parking spaces should be provided. The two spaces can be accommodated on the site. The site will not require

3 parking spaces, as indicated by the Highway Authority. Conditions will also be attached.

The amended scheme has altered the design of the building (hipped roof) and reduced the site level. Furthermore the proposed dwelling will be sited 4.2m from the boundary of No 25, and 9.6m from No 27. The distance to the boundary of 1 Fouracre Close is 1.2m. This has helped to overcome any impact on the amenity of the neighbouring properties.

All the main 1st floor windows serving the bedrooms do not overlook any properties. The two bathrooms will be served by rooflights, as will the staircase and there will be a rooflight in one of the bedrooms adjacent to the garden of No 25, One small window will face onto No 25, and will serve an attached room to the bedroom (wardrobe). To safeguard any loss of privacy, a condition will ensure this window has obscure glazing.

The closest point to the South Road Conservation Area is approximately 32m. Between the site and the Conservation Area is the residential dwellings of Fouracre Close. The proposed dwelling is not considered to harm the setting of the Conservation area.

The amended scheme has overcome any concerns regarding the impact on the amenity of the neighbouring properties. Highway safety is not affected by the proposal. The protected trees will not be harmed, nor will any wildlife. Proposal is therefore considered acceptable.

RECOMMENDATION

Permission be GRANTED subject to conditions of time limit, materials, landscaping, protection of trees, no services within root system, boundary treatment, nesting birds, garage for parking vehicle only, consolidated surface, drop kerbs to be installed, surface water, obscure glazing, no further extensions, ancillary buildings and windows, bat survey. Notes re compliance, Disabled Persons Act, , Wessex Water Connection Points, easement, protection of Wessex Water infrastructure,

REASON(S) FOR RECOMMENDATION:-

The site lies within the settlement limits for Taunton, is large enough to accommodate a dwelling and meets the requirements of Taunton Deane Local Plan Policies S1 and S2. Furthermore, the protected trees will not be harmed and as such the proposal also accords with Taunton Deane Local Plan Policies EN5 and EN6.

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

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NOTES: