

38/11/0670

MR P OSBORNE

ERECTION OF SINGLE DETACHED DWELLING WITH ON SITE PARKING AT 58 GREENWAY AVENUE, TAUNTON (AMENDED SCHEME TO 38/11/0145)

Grid Reference: 322410.125677

Full Planning Permission

RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval

The proposal, for residential development, is located within defined settlement limits where the principle of new housing is considered acceptable. The proposed access would be satisfactory and the development would not have a detrimental impact on the amenity of surrounding residential properties in accordance with Somerset and Exmoor National Park Joint Structure Plan Review Policies STR4 and 49 and Taunton Deane Local Plan Policies S1 (General Requirements), S2 (Design), and M4 (Residential Parking 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:

(A4) DrNo 0511-01 location plan
(A4) DrNo 0511-02 site plan
(A1) DrNo 0511-03 Rev C proposed floor plans and site layout plan
(A1) DrNo 0511-04 Rev D proposed elevations and typical section
(A1) DrNo 0511-05 Rev C proposed street views

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. Notwithstanding the provisions of Article 3 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 extensions, alterations, additional windows or dormer windows other than those expressly authorised by this permission shall be carried out without the further grant of planning permission.

Reason: To prevent over-development in an area of housing at high density and to prevent overpowering impact on or overlooking to neighbours in accordance with Policy S1(D) and S1(E) of the Taunton Deane Local Plan.

5. 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 **bathroom** window to be installed in the northern elevation of the dwelling 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 S1(E) of the Taunton Deane Local Plan.

6. The area allocated for parking on the submitted plan shall be properly consolidated, surfaced, drained and marked out before the building is occupied and shall not be used other than for the parking 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.

7. The proposed access (or drive) shall incorporate pedestrian visibility splays on both its sides to the rear of the existing footway based on co-ordinates of 2.0m x 2.0m. Such visibility shall be provided before the development is brought into use and shall be maintained at all times.

Reason: To preserve sight lines in the interests of highway safety in accordance with Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review and relevant guidance in PPG13.

8. There shall be no obstruction to visibility greater than 900mm above adjoining road level in advance of lines drawn 2.4m back from the carriageway edge on the centre line of the access and extending to a point on the nearside carriageway edge 17m away from that point. Such visibility shall be fully provided before the development hereby permitted is brought into use and shall thereafter be maintained at all times.

Reason: To preserve sight lines in the interests of highway safety in accordance with Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review and relevant guidance in PPG13.

Notes for compliance

1. Having regard to the powers of the Highway Authority under the Highways Act 1980 the applicant is advised that the creation of the new access will require a Section 184 Permit. This must be obtained from the Highway Service Manager, Taunton Deane Area Office, Burton Place, Taunton, Tel Num 0845 3459155. Application for such a permit should be made at least four weeks before access works are intended to commence.
2. According to Wessex Water records, there is a public combined sewer crossing to the site. Wessex Water requires a minimum, three-metre, easement width on either side of its apparatus, for the purpose of maintenance and repair. Diversion or protection works may need to be agreed. There should be no planting within 6 metres of the sewer. The developer is required to protect the integrity of Wessex systems and must agree prior to the commencement of works on site, any arrangements for the protection of infrastructure crossing the site.
3. New water supply and waste water connections will be required from Wessex Water to serve this development. Application forms and guidance information is available from the Developer Services web-page at www.wessexwater.co.uk/developerservices. As from 1st October 2011, all sewer connections serving more than a single dwelling will require a signed adoption agreement with Wessex Water before the connection can be made. Further information can be obtained from our New Connections Team by telephoning 01225 526222 for Water Supply and 01225 526333 for Waste Water.

PROPOSAL

The proposal is to construct a detached dwelling in the former garden of No 58 Greenway. The rear garden of no 58 has been reduced to approx 1.5m in length, however there is a side garden as the property is an end terrace and its garden does splay towards the application site. The proposed dwelling will have three bedrooms, two facing Raymond Street, one facing Maxwell Street, with bathroom having obscured glass facing north. The ground floor comprises kitchen/diner, living room and a covered parking space within the building envelope. There is a garden space to the north of the property, and it is possible to drive under through the front car parking space into part of the garden. Cycle and bin storage is located in a timber

shed in the rear garden. The original proposal was for a part brick part rendered property with slated roof. This has been amended to brickwork only. The proposal has been orientated to overcome overlooking issues.

In relation to the former garage to No 58, the applicant confirms that whilst the garage building is no longer in the ownership of No 58 Greenway Avenue, it continues to be available as a garage / parking for either No 58, the possible new dwelling or by any other local residence by separate negotiation.

SITE DESCRIPTION AND HISTORY

The site, which is at the junction of Raymond Street and Maxwell Street, fronts Maxwell Street and is adjacent to a former garage building, which now appears to be a storage building. The other garages to properties in this section of Greenway Avenue have vehicular access to Raymond Street. The immediate area is largely characterised by terraced properties. The site is within the developed area of Taunton within walking distance of the town centre where the County Highway Authority has in the past considered a 'no car parking space' policy acceptable.

History

38/11/0145 erection of a pair of semi-detached dwellings, refused 29/06/11 on basis of the lack of parking for the two proposed properties, the overlooking to neighbours and the size and scale of the development on the site.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

SCC - TRANSPORT DEVELOPMENT GROUP - The proposed development is situated within a residential area of Taunton within development limits therefore the principle of development is acceptable in this location.

This site is located to the rear of 58 Greenway Avenue, however, access to the proposed dwelling is gained off of Raymond Street a designated unclassified highway, to which a 30mph speed limit applies. It was noted from my site visit that vehicle speeds are reduced along this section of highway given the abundance of vehicles parked on the public highway.

Historically the Highway Authority commented on planning application 38/11/0145 which was received on the 9th May 2011 and responded to on the 31st May 2011. It sought the erection of two semi detached dwellings, to which the Highway Authority recommended refusal due to the proposed development being likely to encourage the parking of vehicles on the public highway, which would interrupt the free flow of traffic and thereby add to the hazards of highway users and that the development would result in the loss of vehicle parking facilities and would, therefore, encourage parking on the highway.

In detail, the new application seeks to erect a single detached dwelling with on site parking. Having made a site visit and studied the drawings accompanying the submitted application the proposal will only provide one vehicle parking space. The proposal shows one allocated vehicle parking space for the proposed property. Taking into account of the Local Transport Plan – Countywide Parking Strategy, the property should be providing two vehicle

parking spaces for this unit of this size.

However, given the proximity to the town centre a 50% reduction in parking can be applied, which would mean that the property must provide one parking space as a minimum. The Highway Authority is satisfied that one vehicle space for the property as shown on Drawing No. 0511_03 is acceptable.

Additionally it is noted that drawing No. 0511_03 seeks to provide extended dropped kerbing to allow a vehicle to safely enter and exit the parking space/highway. The Highway Authority would like to make the applicant aware that the appropriate licences need to be obtained from the Taunton Deane Area Highways Office for the installation of dropped kerbing along Raymond Street.

Whilst on site I observed that there was an abundance of vehicles parked along the highway, I would estimate that typical vehicle speeds are approximately 15mph. Therefore, in this case visibility splays of 2.4m x 17m to the nearside carriageway edge, with no obstruction to visibility greater than 900mm, to either side of the accesses should be provided as stated in the Manual for Streets. This will allow vehicles emerging from the access a clear line of site in both directions. The proposed accesses shall incorporate pedestrian visibility splays on both its sides to the rear of the existing footway based on co-ordinates of 2.0m x 2.0m. These visibility splays should be maintained at all times.

Taking into account the above information I raise no objection to this proposal and if planning permission were to be granted I would require conditions.

WESSEX WATER - there is a combined sewer crossing the site.

Representations

Six letters of objection

Repeat previous comments raised to the two dwellings;
Previous objections still apply in respect of traffic congestion and loss of parking;

Traffic/Parking/Access

- There are already serious parking problems;
- One more property will make the parking situation worse;
- Existing residents frequently cannot find parking spaces;
- Most properties will have two cars, there is no room for additional cars or visitor parking;
- There has already been road rage;
- Possible impact on access for emergency services;
- Cars are parked at dangerous locations such as street corners;
- This is already a free car park, there should be parking permits;
- The entrance to the garage is too close to the junction;
- No 58 has already lost its parking;
- The property will become a house in multiple occupation and may have three cars;
- Danger to children walking to primary school during construction;
- Children going to the open space from the primary school will be in danger from the additional coming and goings;

Character/Amenity

- External cladding and render is inappropriate to an Edwardian brick environment;
- overdevelopment;
- Detrimental impact on the community;
- Overlooking to front of property;
- Loss of privacy to Maxwell Street and Greenway Avenue properties;
- Loss of value of property;
- The new building will be out of character with the area;
- This is cheap design without the detail of existing houses;

Other

- Profit motive, the only benefit being to the owner of No 58;
- Issues when contractors/builders attend the site;
- If approved, this will be a precedent.

PLANNING POLICIES

PPS3 - Housing,

T1 - TDBCLP - Extent of Taunton,

STR2 - Towns,

STR4 - Development in Towns,

S1 - TDBCLP - General Requirements,

S2 - TDBCLP - Design,

M4 - TDBCLP - Residential Parking Provision,

DETERMINING ISSUES AND CONSIDERATIONS

Principle of Development

The site is located in Taunton, within easy reach of the railway station, schools and the town centre. It is within the developed area and in a sustainable location in PPS3 terms. The site is within a residential area, and thus residential use of the site is generally appropriate. There are various impacts to be assessed in order to consider whether this proposal is acceptable for this site.

Traffic, Access and Parking

The objectors cite a number of issues, summarised above. Traffic/access/parking issues predominate. There is an issue of existing on street parking in the area. This area is outside the residents' parking permit area, and thus anyone can park in the residential streets around the site, and whilst it is within reach of the town centre, it is an area where many people have cars. As there are hardly any properties with off street parking, there is significant pressure for on street parking in the area. This can cause people to park in awkward or 'dangerous' positions, however the Local Planning Authority cannot ensure that such situations do not occur. In older established areas such as this, there will often be insufficient parking space for all those who have cars. Those properties which do have rear access/garages, do not always use the space for parking purposes.

The proposal excludes the double length garage which was formerly part of the garden and curtilage of No 58 Greenway, this was considered capable of garaging two cars, but the garage door has been removed and two personnel doors been inserted. This is not part of the application site and work appears to have been

carried out prior to the submission of this application, and can be carried out as permitted development. According to the applicant, this building is still capable of providing parking.

The proposal includes one parking space shown with the possibility of a parking space within the garden area. This meets the County Highway Authority standards as having a 50% reduction in this location. With low traffic speeds in the area, visibility standards can be reduced. So whilst County Highway Authority is aware of the pressure of on-street parking in the area, the site is in such location that parking standards can be reduced.

There have been many applications in this part of Taunton where developments have been granted permission with no parking spaces provided or a reduced standard. There have also been appeal decisions which have identified this part of Taunton being suitable as no car developments. However, such 'no-car' schemes are based on accessibility of public transport and ability to walk/use cycles, and not based on legal agreements not to have or use a car.

Residential Amenity

Overlooking across roads is not considered to be an issue as this is a commonplace occurrence. There is a distance of approx. 11m to the rear garden of no 57 Greenway Avenue. Such situation is considered to be acceptable given the distance in between a bedroom window and the boundary wall of No 57. There is a distance of approx. 14m between this bedroom window and the nearest frontage in Maxwell Street. This distance is considered acceptable. It is not considered that there will be any overlooking to 27 Maxwell Street, to the south of the site from the upper floor bedroom windows. This again is on the opposite of the road at a distance of approx. 14m at the nearest point, and No 27 has a high boundary wall fronting Raymond Street. There will be no overlooking to the north, there only being a bathroom window with obscure glass. There are no upper floor windows facing east.

Noise and disruption from construction is always inevitable and is not considered to be of sufficient weight to warrant refusal as it will be temporary in nature. Affect on property prices is not planning matter. It is not considered that a precedent would be made if this site were to be developed as each application is treated on its own merits.

Character

The character of the area is dominated by 'traditional' Victorian terraces, although there are newer properties in Rupert Street to the south of Maxwell Street. Whilst the erection of a detached property may appear out of character, such buildings are sometime erected in the original layouts where space permitted. The overall design does reflect the general characteristics of these older properties. The submitted design of half render and half brick has been amended to all brickwork. This is more acceptable, as the predominance of the area is brickwork, although some properties have had render applied over brick work. The property will not have the same brick detailing as a traditional Victorian or Edwardian terrace, but it is a modern property and this is not a Conservation Area or adjacent to a Listed Building, and is considered to be acceptable. The proposal is not considered to be overdevelopment, as the proposal has both parking space and garden area.

Conclusion

In conclusion, the earlier scheme was unacceptable given the lack of parking for the two proposed properties, the overlooking to neighbours and the size and scale of the development on the site. The current proposal, as amended, however is considered to be acceptable. Whilst it is acknowledged that there is an on-street parking issue in this area, following Government advice to have sustainable developments in appropriate locations, the addition of one dwelling is not considered to exacerbate this situation to such an extent that would warrant refusal. There is parking for the proposed dwelling, there is no overlooking to neighbours, the design is acceptable, whilst being modern it is appropriate to the area, and the overall development will be satisfactory and meets the Local Planning Authority's standards.

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

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