

38/13/0370

TDBC

ERECTION OF 4 No TWO BEDROOMED DWELLINGS AND 1 No GARAGE ON LAND AT BACON DRIVE, TAUNTON

Location: LAND AT BACON DRIVE, TAUNTON

Grid Reference: 324544.124118

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) DrNo 3237/003 Location Plan
(A3) DrNo 3237/011 Garage Plan
(A3) DrNo 3237/010 Block and Roof Plan
(A1) Digital Survey
(A3) DrNo 3237/006 Proposed Elevations Rev A
(A3) DrNo 3237/007 Proposed Site Plan
(A1) Drainage Plan
(A3) DrNo 3237/008 Proposed Floor Plans Rev A

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. (i) Before any part of the permitted development is commenced, 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 in accordance with Policy DM1 of the Taunton Deane Core Strategy.

5. Before any part of the development hereby permitted is commenced, a scheme of hard landscaping showing the layout of areas with stones, paving, walls, cobbles or other materials 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 does not harm the character and appearance of the area in accordance with Policy DM1 of the Taunton Deane Core Strategy.

6. Before development commences (including site clearance and any other preparatory works) a scheme for the protection of trees to be retained shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a plan showing the location of the protective fencing, and shall specify the type of protective fencing, all in accordance with BS 5837:2012. Such fencing shall be erected prior to commencement of any other site operations and at least two working days notice shall be given to the Local Planning Authority that it has been erected. It shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities whatsoever shall take place within the protected areas without the prior written agreement of the Local Planning Authority.

Note: The protective fencing should be as specified at Chapter 9 and detailed in figures 2 and 3 of BS 5837:2012.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with Taunton Deane Local Plan Policies S2 and EN8.

7. No service trenches shall be dug within the canopy of any existing tree within the land shown edged red on the approved drawing without the prior written approval of the Local Planning Authority.

Reason: To avoid potential harm to the root system of any tree leading to possible consequential damage to its health which would be contrary to Taunton Deane Local Plan Policies EN6 and EN8.

8. Prior to commencement of trenching works within the canopy spread of existing trees all trenching works shall be agreed with the Local Planning Authority. All trenching works should be hand dug and no roots larger than 20mm in diameter should be severed without first notifying the Local Planning Authority. Good quality topsoil should be used to backfill the trench and compacted without using machinery.

Reason: To avoid potential harm to the root system of any tree leading to possible consequential damage to its health which would be contrary to Taunton Deane Local Plan Policies EN6 and EN8.

9. The applicant shall undertake all the recommendations made in Green Ecology's Preliminary Ecological Appraisal report dated June 2013 and provide mitigation for birds as recommended.

The works shall be implemented in accordance with the approved details and timing of the works, unless otherwise approved in writing by the Local Planning Authority. The development shall not be occupied until the scheme for the maintenance and provision of the new bird boxes and related accesses have been fully implemented. Thereafter the resting places and agreed accesses shall be permanently maintained.

Reason: To protect breeding birds.

10. The development shall provide for bin and cycle storage facilities, details of which shall be submitted to and agreed in writing by the Local Planning Authority. Such facilities shall be provided prior to the occupation of any dwelling to which it relates and shall thereafter be retained for those purposes.

Reason: To ensure that adequate facilities exist for the future residents of the site and 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.

11. Details of the means of disposal of surface water from the site shall be submitted to and approved in writing prior to the commencement of the development and thereafter carried out as agreed.

Reason: To ensure ensure adequate disposal of surface water to prevent flood risk in compliance with policy CP8 of the Core Strategy.

Notes to Applicant

1. It should be noted that the protection afforded to species under UK and EU legislation is irrespective of the planning system and the developer should ensure that any activity they undertake on the application site (regardless of the need for planning consent) must comply with the appropriate wildlife legislation.

The condition relating to wildlife requires a mitigation proposal that will maintain favourable status for these species that are affected by this development proposal.

Most resident nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended)

PROPOSAL

Erection of 4 two-bedroom dwellings and a garage on land off Bacon Drive. The one pair of semis will be located off the blank gable end of no.23 facing the road, while the other pair will be sited to the rear between nos. 21 and 23 with removal of garages. A single garage will also be built off the end of the bungalow at 21.

SITE DESCRIPTION AND HISTORY

The site consists of an area of open space that is grass to the side and rear of no.23 and 4 trees and a row of 6 single storey flat roofed garages to the rear of 23/25Bacon Drive.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

SCC - TRANSPORT DEVELOPMENT GROUP - comments awaited

LANDSCAPE - One C grade tree to be retained and should be unaffected by development subject to suitable tree protection on site – see arboricultural report. No details of landscaping provided but there is plenty of scope to replace those trees lost to development and provide a good quality landscape scheme.

BIODIVERSITY - The site consists of approximately 1300sqm of amenity grassland with six mature and semi mature trees and approximately 520sqm of tarmac path, road and a row of six built garages. The development will result in the felling of the

majority of trees and demolition of garages. Green Ecology carried out a Preliminary Ecological Appraisal of the site in June 2013. No evidence of protected species was found and a condition to address mitigation is suggested. Recommends condition for protected species:

HOUSING STANDARDS - All rooms must comply with HCA room size standards.

WESSEX WATER - Water and waste connections will be required to serve the development. Separate systems of drainage will be required to serve the development and no surface water connections will be permitted to the foul sewer system.

DRAINAGE ENGINEER - I note the comments made in the FRA carried out by TWP dated 13 September. In the FRA they state there are no dedicated Wessex Water sewers in the vicinity and that surface water from this proposal will be connected to the foul sewer. There are Taunton Deane Housing surface water sewers in the vicinity and these should be located so that the attenuated flows can be discharged to them. Until further details of surface water disposal are forwarded for approval I have to object to the application.

Representations

PETITION with 36 signatures against on grounds of loss of green space and parking.

27 OBJECTION raising issues of

- harm to green area and character of the area,
- increase in crime and traffic congestion,
- overlooking,
- loss of privacy,
- loss of light,
- too close to bungalows,
- housing not in keeping,
- loss of parking and more on road parking,
- drains would not be able to cope,
- the roads are not being widened and there is no visitor parking.
- loss of light due to single storey garages being replaced by a dwelling
- loss of space and overbearing impact on garden,
- loss of residents parking and carers parking,
- emergency vehicle access could be blocked,
- increase dangers at junction loss of privacy,
- loss of view, loss of open space/play area,
- loss of trees and wildlife
- and noise

PLANNING POLICIES

NPPF - National Planning Policy Framework,

DM1 - TD CORE STRATEGY - GENERAL REQUIREMENTS,
CP4 - TD CORE STRATEGY - HOUSING,
CP1 - TD CORE STRAT. CLIMATE CHANGE,
CP8 - CP 8 ENVIRONMENT,
M4 - TDBCLP - Residential Parking Provision,

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)	£4,316
Somerset County Council (Upper Tier Authority)	£1,079

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 proposal provides new Council Housing on the site of existing open space and 6 garages and involves the construction of a two pairs of semi detached two storey dwellings and the provision of 9 parking spaces. The main issues are amenity, parking and drainage.

The proposed dwellings are two pairs of semis, one adjacent to the gable end of number 23 and one pair to the rear of numbers 23 and 25. The properties would have two bedrooms and finished in render and brick with a tiled roof . they would have exterior bin and cycle storage in the gardens. While they have relatively short gardens of 6 or 7m they have over 30m window to window distances from the rear of the properties and over 24m at the front which is adequate to safeguard privacy. Similarly there is around 15m to the end of gardens opposite plots 3 and 4 and this is considered sufficient not to cause any undue overlooking of amenity space. The design has no windows in the gables and there will be no loss of amenity or privacy to gardens as a result. There will be a degree of overshadowing of gardens from plots 3 and 4 however this is not considered so severe to be overbearing and a reason for refusal and the assessment in terms of the impact on number 21 has been carried out to demonstrate there will be no undue shadowing issue to the front of this bungalow.

The scheme provides for 8 parking spaces and a replacement garage space for the 4 dwellings and 6 demolished garages. This is considered sufficient to serve the site given retained Local Plan policy M4, although there is a lot of local concern over parking and congestion. The access roads are considered suitable for the modest scale of development here and there is not considered to be grounds to refuse the scheme in terms of access and parking.

The site does not lie within a flood risk zone and the proposed drainage scheme indicated disposal to existing Wessex Water sewers after attenuation of surface water flows. The Council's Drainage Officer has raised objection as he considers there to be existing surface water sewers in the vicinity which could be utilised. The surface water disposal was specified in Wessex Water's response to be via a separate system and clarification of any alternative is awaited in writing from them. In order to suitably address this issue a condition in respect of surface water disposal is proposed.

The Landscape Officer is satisfied that there is scope to provide a scheme which will compensate for the trees lost and this can be conditioned as can the wildlife mitigation in light of the limited impact identified by the Biodiversity Officer. The scheme will clearly have an impact on the existing green area, however this is not specifically protected from development and the proposal will provide for much needed affordable housing. A smaller area of informal open space would be retained, however the open character of this corner would be lost and replaced with a smaller enclosed area with some car parking to the side. It is considered that the change in character of the area is not so great that it would be unacceptable or cause significant harm that would outweigh the benefits of the development.

In summary the impact of the development is considered an acceptable one in terms of amenity, parking, landscape, wildlife and drainage and would provide much needed affordable housing in a sustainable location and it is therefore supported.

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

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