

38/13/0438

TAUNTON DEANE BOROUGH COUNCIL

**ERECTION OF 4 No TWO BEDROOMED DWELLINGS AND 1 No GARAGE ON LAND AT BACON DRIVE, TAUNTON (RESUBMISSION OF 38/13/0370)**

Location: LAND AT BACON DRIVE, TAUNTON

Grid Reference: 324552.124111

Full Planning Permission

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**RECOMMENDATION AND REASON(S)**

Recommended Decision: Conditional Approval subject to no further comments raising new issues by 16 December the Growth & Development Manager be authorised to determine in consultation with the Chair/Vice Chair

**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 Rev A Location Plan  
(A3) DrNo3237/008 Rev A Proposed Floor Plans  
(A3) DrNo 3237/011 Proposed Garage  
(A3) DrNo 3237/010 Rev A Site and Roof Plan  
(A3) DrNo 3237/007 Rev G Site Layout  
(A3) DrNo 3237/006 Rev B Proposed Elevations  
(A1) DrNo 13.220/005 Rev B Drainage Strategy  
(A1) Digital Survey Plan

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. 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.
2. 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 for the Taunton Deane Area at The Highways Depot, Burton Place, Taunton; Tel No 0845 345 9155. Application for such a permit should be made at least four weeks before access works are intended to commence.

## **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.

A previous similar scheme (38/13/0370) was recently withdrawn to issues with the highway.

## **CONSULTATION AND REPRESENTATION RESPONSES**

### **Consultees**

*SCC - TRANSPORT DEVELOPMENT GROUP* - The site is situated within an existing residential area, in a location where there is pedestrian footway and street lighting present. Bacon Drive, essentially a residential cul-de-sac and is subject to a 30mph speed limit and is designated as an unclassified highway.

It was noted from on site observations that vehicle speeds are likely to be lower than the allocation limit due to numerous vehicles parked on the adopted highway in this location.

Vehicular access is to be provided in the form of vehicle parking bays in a 'communal' arrangement. It is considered that adequate vehicular visibility for vehicles emerging onto Bacon Drive, specifically, at the north of the site can be achieved. This is a location where MfS (Manual for Streets) guidance is considered appropriate, given the likely level of vehicle speeds and movements in this location.

The formation of this parking arrangement would require that dropped kerbing would need to be installed. It should be noted that a Section 184 licence would need to be obtained from the Area Highway Service Manager for the Taunton Deane Area, who is contactable on Tel: 08453 459155.

With regards to vehicle movements/traffic generation, TRICS (Trip Rate Information Computer Systems) estimates that vehicle movements for a single residential unit are approximately 6-8 movement per day.

Therefore, the proposed development is likely to generate approximately 24-32 vehicle movements per day, which would result in approximately a maximum of 2.312 vehicle movements within the peak hour. It is considered that whilst that development will result in an increase in vehicle movements to the surrounding highway network, Bacon Drive can accommodate the proposal.

Drawing No. 3237/010, details the proposed parking arrangements for the development site. Taunton has been identified as a 'Zone A' for vehicle parking provision. Drawing No. 3237/008, indicates that the proposed dwellings are to be provided with two bedrooms per unit which would result in the provision one space per dwelling, which is acceptable as it is commensurate with the Somerset County Council - Parking Strategy.

It is noted that five additional vehicle parking spaces have been provided. The proposal will see the demolition of 6 existing garages, to which it is considered that the provision of five parking spaces (one a garage) is acceptable. It is noted that there will be a loss of one space. However, it is not considered that this would result in a detrimental effect on the existing highway network in this location.

In addition, as part of the newly adopted Parking Strategy, new residential dwellings need to provide a minimum of one cycle space/storage facility per bedroom. These are based on dimensions of 2m x 1m or show provision within the site to allow the occupiers of the proposed dwellings to use alternative sustainable modes of transportation, this has been shown on the submitted drawing 3237/010.

As a result, in the event of permission being granted, I would recommend that the following conditions are imposed:-

The accesses hereby permitted shall not be brought into use until drop kerbs have been installed at the carriageway edge and a vehicle cross-over constructed across the footway fronting the site for the width of the accesses.

The area allocated for parking on the submitted plan, drawing number 3237/010, shall be kept clear of obstruction at all times and shall not be used other than for the parking of vehicles in connection with the

development hereby permitted.

*LANDSCAPE* - See previous comments - 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* - See previous comments - The application is for the erection of 4 two bed roomed dwellings and one garage on land at Bacon Drive, Taunton. The site consists of approx 1300m<sup>2</sup> of amenity grassland with six mature and semi mature trees and approximately 520m<sup>2</sup> of tarmac path, road and a row of six brick built garages. The development will result in the felling of the majority of trees and the demolition of the existing garages.

Green Ecology carried out a Preliminary Ecological Appraisal of the site in June 2013. Findings of the survey are as follows

Badgers - The surveyor found no evidence of badgers on site.

Bats - The surveyor found no evidence of bats on site.

Birds - The trees on site have potential to support nesting birds. I agree that all clearance work should be carried out outside of the bird nesting season. I support the recommendation to erect bird boxes on site

Reptiles - The grassland is closely mown so there is no cover for reptiles or amphibians.

Recommends condition for protected species.

*WESSEX WATER* - New water supply and waste water connections will be required. Wessex Water are responsible for formerly private sewers and an appropriate survey should be carried out and the applicant should contact the sewer protection team for advice.

*DRAINAGE ENGINEER* -

## **Representations**

1 letter raising NO COMMENTS.

*At the time of the report no additional comments had been received. However on the previous scheme that was the same design and had been withdrawn there were the following comments*

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

27 OBJECTIONS 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
- 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 of numbers 23 and 25 from plots 3 and 4 however there is 14m from the rear of these properties to the new gable end and this is not considered so severe to be overbearing and a reason for refusal. An assessment in terms of the impact on number 21 has also 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 the Highway Authority is satisfied with the scheme and there is not considered to be grounds to refuse the scheme in terms of access and parking. The two highway conditions suggested are considered unnecessary

The site does not lie within a flood risk zone and the proposed drainage scheme indicates disposal to existing surface water network after attenuation of surface water flows. The Council's Drainage Officer considers the existing surface water sewers in the vicinity should be utilised. In order to suitably address this issue a condition in respect of surface water disposal is proposed. Foul water will be disposed off through Wessex Water systems.

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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