

43/14/0058

CATER DAY ARCHITECTS

ERECTION OF 4 NO. 2 BEDROOM DWELLINGS TO THE REAR OF 14 HIGH STREET, WELLINGTON

Location: LAND TO THE REAR OF 14 HIGH STREET, WELLINGTON

Grid Reference: 313970.120663

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:

(A3) DrNo 001 Site, Location and Roof Plan
(A1) DrNo 002 Ground Floor Plan as Proposed
(A1) DrNo 003 rev A First Floor Plan as Proposed
(A1) DrNo 004 Cross Section as Proposed
(A1) DrNo 005 Elevations as Proposed
(A1) DRNo 006 Drainage Plan

Reason: For the avoidance of doubt and in the interests of proper planning.

3. The development hereby permitted shall not be commenced until details of a strategy to protect wildlife has been submitted to and approved in writing by the Local Planning Authority. The strategy shall include:

- Details of protective measures to include method statements to avoid impacts on protected species during all stages of development;
- Details of the timing of works to avoid periods of work when the species could be harmed by disturbance;
- Measures for the retention and replacement and enhancement of

places of rest for the species.

Once approved 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 and thereafter the resting places and agreed accesses for wildlife shall be permanently maintained. The development shall not be occupied until the scheme for the maintenance and provision of the new resting places and related accesses have been fully implemented

Reason: To protect wildlife and their habitats from damage and to accommodate wildlife within the development.

4. Prior to their installation, samples of the materials to be used in the construction of the external surfaces of the building and the hard surfaces within the site of the development hereby permitted shall be 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.

5. Prior to the occupation of the dwellings hereby permitted, the surface water drainage scheme indicated on drawing 006 hereby permitted shall be fully implemented unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that adequate provision is made for the disposal of surface water.

6. Prior to the occupation of the dwellings hereby permitted, the parking area indicated on drawing 002 hereby permitted shall be laid out and marked in accordance with that drawing and further details showing the method of marking out the parking spaces that shall previously have been submitted to and approved in writing by the Local Planning Authority. Once provided, the parking area shall thereafter be maintained as such in accordance with those details.

Reason: To ensure that parking is arranged in such a way as to facilitate on-site turning and that the method of marking out the spaces does not detract from the character and appearance of the conservation area or the setting of nearby listed buildings.

7. Prior to the occupation of each of the dwellings hereby permitted, provision shall be made for the secure storage of two cycles for each dwelling in accordance with details that shall previously have been submitted to and

approved in writing by the Local Planning Authority. Once provided, the cycle provision shall thereafter be maintained as such.

Reason: To encourage travel to the site by means other than the private car.

8. 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 or new windows shall be added to/inserted into the dwellings hereby permitted other than that expressly authorised by this permission shall be carried out without the further grant of planning permission.

Reason: To protect the amenities of nearby residents and to safeguard the character and appearance of the Conservation Area and the settings of nearby listed buildings.

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 and has imposed planning conditions to enable the grant of planning permission.

PROPOSAL

This application seeks full planning permission for the erection of 4no. 2 bedroom dwellings. They would be built as terraced dwellings, but arranged in a horseshoe shape around a small central courtyard. The dwellings would be finished in a mixture of red brick and render under a slate roof. Storage for bins would be provided to the front and sheds within the private gardens would include cycle storage.

The drawings indicate that parking could be provided for 4 cars.

SITE DESCRIPTION AND HISTORY

The site comprises an area of land to the rear of 14 High Street Wellington. It is accessed via a low, narrow arch from High Street, under no. 12. The part of the site giving access to the site includes two brick-built warehouse buildings and is likely to be a former Burgage plot associated with number 14 or 16. To the north western end of the plot – closest to High Street – an area is given over to parking, currently used by Stags estate agents for their staff. To the southeast, beyond the application site is a parcel that appears to be given over to private/domestic parking and a small garden area, albeit detached from whichever dwelling it serves.

The main part of the site, proposed for development of the dwellings themselves, sits to the northwest of the narrow Burgage Plot – behind number 16-18 High Street and the Friends meeting house, but accessed only from within the site. An existing

wall that forms the old Burgage Plot boundary would be incorporated into the development with access to the dwellings remaining through this gap.

To the northeast, a public footpath runs alongside the site boundary connecting High Street and Brooks Place/Scotts Lane.

The site has previously received planning permission for the development of up to 8 dwellings:

In 2008, applications 43/08/0121 and 43/08/0122 respectively granted permission for the erection of 2 flats on the site of the building now proposed to be retained on the site and 6 flats on the site of the currently proposed dwellings. These permissions were renewed in 2011 (applications 43/11/0123 and 43/11/0124 respectively) and expire on 10th October 2015.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

WELLINGTON TOWN COUNCIL - Concern was expressed regarding the availability of car parking for the proposed development and access on to High Street.

Recommended that permission be GRANTED subject to no objection from the Highway Authority.

HERITAGE - This site is in a sensitive position, behind a number of Listed Buildings along the High Street. It is, however, (just) outside of the Conservation Area boundary. In the context of this area of town it is difficult to argue that the proposals would have a negative impact on the character, appearance or setting of the designated heritage assets.

SCC - DEVELOPMENT CONTROL ARCHAEOLOGIST –

BIODIVERSITY - Wildlife surveys had previously been carried out on the site in 2008 and 2011 when no evidence of bats was found although the surveyor conceded that birds have used the building .It would be useful to have sight of these surveys.

As the habitat on site remains the same and the site is of limited ecological value, an assessment of the biodiversity of the site has been included in the Design and Access statement rather than a separate survey being carried out.

I support the findings of the assessment and am pleased that the intention is that site clearance and demolition will be undertaken by hand at the appropriate time of year.

In accordance with NPPF, I would like to see wildlife protected and accommodated

in this development

A condition is recommended.

SCC - TRANSPORT DEVELOPMENT GROUP - The site has been subject to numerous planning applications for a residential use (43/07/0113, 43/08/0122, 43/11/0124/REX). Planning application 43/07/0113 sought the erection six dwellings; a decision of conditional approval was issued on the 6th December 2007 by the Local Planning Authority. The Highway Authority recommended a suitable condition for the provision of cycle storage accommodation. The site was then subject to planning applications 43/08/0122 and 43/11/0124; extant permissions.

It is noted that the previous planning applications were 'car-free'.

The current planning application seeks the erection of four; two-bedroom; dwellings and vehicle parking. My comments are made from onsite observations (22nd July 2014) and the information submitted supporting the planning application.

Site Location – Rear of 14 High Street, Wellington

The site is located within the centre of Wellington to which vehicular access is obtained via High Street a Class 2 highway to which a 30mph speed limit applies. Pedestrian footway and street lighting is available either side of the carriageway.

Having consulted Planweb 3.5.5, I can confirm that there has been a recorded accident within the last five years directly opposite the development access:

Ref: 101000555 date: 16/01/2010 – V1 (Vehicle 1) was travelling along the High Street when a young female pedestrian ran in front of it. V1 hit pedestrian causing injury.

Whilst the above mentioned accident is not in connection with the development access it should be noted that High Street is well utilised pedestrian route and the introduction of new/additional vehicular movements in this location is likely to exacerbate the situation.

Access Arrangements – Rear of 14 High Street, Wellington

The vehicular access is sub-standard in terms of width and visibility (Two-way vehicular flow is not possible and pedestrian visibility is not available – in a location where pedestrian movement is considered high).

No information has been submitted indicating the previous use of the site and therefore it is considered that the proposal will result in the intensification of an existing sub-standard access onto High Street.

For the scheme to be considered acceptable by the Highway Authority it is recommended that the parking provision for the scheme is removed and the suitable cycle storage facilities are made available onsite.

Parking Provision – Rear of 14 High Street, Wellington

The Somerset County Council adopted Parking Strategy (September 2013), states the following provision for new residential dwellings, to which Wellington has been identified as a 'Zone B' region for vehicle parking [requiring 2 spaces per bedroom]...

Parking provision onsite does not adhere to the standards within the Somerset County Council – Parking Strategy. I am not aware of any information submitted supporting the planning application to justify a reduction in vehicle parking for the proposed development.

The site is situated within the centre of Wellington where there are suitable services and facilities within walking distance to consider that a 'car-free' or reduction in vehicle parking could be applied to the proposal. However, the Highway Authority no longer provides comments upon sustainability; therefore it is a matter for the Local Planning Authority to decide whether a 'car-free' development in this location is considered to be acceptable in sustainable planning terms.

Additionally as High Street is a designated Class 1 (Classified) highway segregated vehicle turning is required, the area for parking and turning on Drawing No. 006 is contrived as it is likely to lead to excessive manoeuvres when exiting the site (Turning within the site needs to be provided so that vehicles can enter, turn and leave all within a three point turn: if any more movements are required then it is likely that drivers will just reverse into/out of the site. A vehicle turning area would need to be segregated from the parking area within land controlled by the applicant); this would result in vehicles having to reverse approximately 70metres onto a classified highway, which is considered detrimental to highway safety.

Given the previous applications it would be considered acceptable for the development to be considered 'car-free' given the town centre location and the accessibility to suitable services, facilities and public transport links within walking distances. As a result the Highway Authority requires the vehicle parking element of the scheme is removed and replaced with suitable cycle storage facilities. If these amendments to the scheme are not forthcoming, the Highway Authority would recommend refusal of the planning application.

ENVIRONMENTAL PROTECTION CONTAMINATED LAND – No comments received.

Representations

2 letters of SUPPORT raising the following comments:

- It is time these disused brownfield sites in the town centre were improved.
- The scheme looks attractive and should give four good quality homes if highways can be persuaded to give the go-ahead over such a narrow entrance.

Although being 'broadly in support' one of the representations raises concern over the access with the following comments:

- It is wrong to say that there are 4 parking spaces. The hard standing may fit 3 cars, but it is not often used.
- There will be additional vehicle movement through the blind narrow exit directly onto Wellington High Street.
- Query whether the access will be adopted and how it will be maintained.
- Access from Clifford Terrace or Scott's Lane would be preferable.

PLANNING POLICIES

W7 - TDBCLP - Primary Shopping Area,
 W8 - TDBCLP - Restrictions on Change of Use from Class A3,
 W1 - TDBCLP - Extent of Wellington,
 STR2 - Towns,
 STR4 - Development in Towns,
 EN14 - TDBCLP - Conservation Areas,
 EN23 - TDBCLP - Areas of High Archaeological Potential,

LOCAL FINANCE CONSIDERATIONS

The application is for residential development within the settlement limit of Wellington where the Community Infrastructure Levy (CIL) is £0 per square metre. Based on current rates, there would not be a CIL receipt for this development.

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)	£4,474

DETERMINING ISSUES AND CONSIDERATIONS

The site is located in the centre of Wellington where the development is acceptable in principle. The main issues in the consideration of this application are the impact on neighbouring property, the impact on heritage assets and the impact on the local highway network.

Neighbouring property

The most affected dwellings are the 3-storey dwellings in Cubits Place immediately off the south-western site boundary.

The development proposes just one ground floor window facing Cubits Place and it is not considered to cause any unacceptable overlooking. There are a couple of first floor windows in projecting bays a little further back, but these are very small and would only serve bathrooms. A larger bathroom window also sits back within the courtyard of the proposed dwellings, but at 19.5m from Cubits Place and predominantly overlooking the courtyard, it is not considered that any adverse overlooking would result even if the future occupiers chose to install plain glass in this location.

The scheme has also been designed so as not to overlook the Friends Meeting House to the northwest, nor the other proposed dwellings at close range across the courtyard. There are first floor windows in the southeast elevation, but these will predominantly overlook the public footpath; it is not considered that there would be a significant impact on the amenity of the private garden area that lies off the site to the southeast.

With regard to these matters, the impact on neighbouring dwellings is considered to be acceptable.

Heritage assets

The part of the site to be developed lies just outside the Wellington Conservation Area – the access is within. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act requires that special regard is paid to the desirability of preserving or enhancing the character and appearance of the conservation area when deciding whether to grant planning permission.

Whilst the site is outside the conservation area itself, it does appear to form part of the historic Burgage plot pattern characteristic of central Wellington. The development largely seeks to preserve the status quo here, retaining the strong walls that define the plots within the site. Indeed, it is proposed to build the dwelling into these walls, clearly retaining their visual presence in the site. The loss of the small brick built building is not considered that harm the character and appearance of the conservation area.

The buildings fronting High Street are listed. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act requires that special regard is paid to the desirability of preserving the listed building, its setting and any features of historic or architectural interest when deciding whether to grant planning permission. This land was probably former curtilage to the listed buildings. However, whilst the boundary walls are largely retained, it generally takes on a detached character and appearance, and no longer reads as part of or contributes positively to their settings'. Indeed, the Friends Meeting House is itself in clearly defined 'backland' and the development site does not obviously impact upon its setting. It is considered that the settings of the various nearby listed buildings would be preserved by the development.

Design

The development proposes a fairly modern design approach, with clean lines between the changes in material and fenestration. The use of projecting bays and narrow slit windows in their returns is considered to be an imaginative approach to prevent overlooking on a tightly constrained site. The use of red brick and, in particular slate roofs, is representative of the local vernacular as is render and the retention of the stone wall is welcomed. The inclusion of some timber cladding adds a modern twist to the development. Subject to final clarification over proposed materials, the application is considered to be acceptable in design terms.

Highways

The application proposes 4 parking spaces within the application site; previous proposals for the development of the site have provided no on-site parking. The Local Highway Authority have raised objection to the proposal in that they consider that the increase in traffic would cause a detriment to highway, particularly pedestrian, safety. The Town Council raise no objection provided that the Highway Authority are happy with the arrangement – and by extension would appear to object to the proposal in light of Highways' comments.

The highways position is understandable given that the access is very poor indeed – it is narrow and the tunnel through which one must pass to access and exit the site is flanked by buildings that are built right on the back edge of the footway. Pedestrian visibility is practically non-existent as a consequence and vehicular visibility is poor and often hampered by parked cars.

The existing traffic generation of the site is unclear. The applicant's agent suggests that the site has historically been used for parking and the previous owner was a builder/carpenter. It is suggested that the builders operated from the site with a van and pick-up truck. He has produced an up-to-date 'Yell.com' entry showing that the site has Goodways Builders listed at the address and states that the premises is registered as business premises. Certainly the existing building has a set of garage doors installed with a 'no parking' sign which would appear to indicate that the building was in use for parking and that parking regularly occurred on the adjoining land to some degree. Unfortunately, it is now impossible to determine the historic use, but there would be nothing to stop the continued use for parking continuing, nor some form of business use within the buildings together with their own traffic generation. Given the Yellow Pages entry, it further appears that business could be carried on without permission; it appears that up to four cars could be parked on the site and this is commensurate with the proposed level of use. Given the location of the site, the use of the car for accessing day to day services would be unlikely and this would reduce potential traffic movements from the site.

In addition to the historic and potential traffic generation of the site, it should also be noted that the access also serves adjoining land either end of the site – the private residential parking to the southeast and commercial parking for Stags estate agents to the northwest. There is already a certain amount of traffic that uses the access on a daily basis and, therefore, even with the uncertainties over the historic use of the site, it is unlikely that the increase in traffic over the access as a whole would be significant.

The Highway Authority have also raised concern that the standard turning head could not be accommodated on site and, therefore, vehicles are unlikely to be able to undertake a 3 point turn. This is noted, but is considered that it would be possible to turn on the site, even if this took more than the accepted 3 manoeuvres on some occasions. Given the length of access from the highway it is unlikely that residents would seek to reverse and, importantly, given the very limited visibility and nature of High Street it is hard to believe that any car driver would seek to reverse back through the tunnel and onto the highway.

With regard to these matters, it is considered unlikely that the proposed development would not have an unacceptable impact on highway safety.

Other matters

The site has the potential to accommodate wildlife, both in the unkempt scrubland and within the buildings. Whilst no survey has been submitted with this application, previous surveys have consistently indicated that there is limited wildlife on the site. Nevertheless, given the passage of time, it is possible that wildlife occupies the site and it is recommended that a condition is imposed that requires a further up to date survey and submission of a mitigation strategy.

The development proposes to incorporate underground surface water attenuation with some infiltration. This is considered to be appropriate in this location.

Conclusion

The development is considered to be acceptable in principle and would not impact on the amenities of nearby property nor heritage assets in the vicinity. With regard to the existing and historic uses of the site, it is unlikely that the development would have an adverse impact on highway safety sufficient to warrant refusal of the application. On balance, the proposal is considered to be acceptable and 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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