

DEMOLITION OF BUNGALOW AND CONSTRUCTION OF NEW DWELLING AT 21 GREENWAY, MONKTON HEATHFIELD, AS AMENDED BY DRWGS. 1A, 2A, 5, 6 AND 8 SENT WITH LETTER DATED 11 FEBRUARY 2010, AND PROTECTED SPECIES SURVEY RECEIVED ON 12 FEBRUARY 2010, AND ADDITIONAL AMENDED PLANS NOS 9, 10 AND 11 RECEIVED ON 08 MARCH 2010.

325346.126962

Full Planning Permission

PROPOSAL

The proposal is to demolish a 3 bed 'Woolaway' bungalow, and construct a new 4 bed dwelling, with integral garage and car parking area to the front. Two bedrooms would be sited on the ground floor with a large master bedroom and second bedroom within the roof space, with two dormers to the front, and two dormers and a gable with partially enclosed balcony facing the rear/west. The proposed materials would be mainly render with brick detail and double roman tile roofing. The ridge would be in line with adjacent bungalow No 23; boundaries are shown to be 1500mm high fences. The original distance to No 23 to the north was shown to be approx 1.7m and to No 19 as 1m.

The plans have been amended to reduce the width, bring the proposal forward of the originally proposed siting, retain the existing hedge to the southern side and part eastern side, retain an element of green space with provision for tree planting. The revised plans also dimension the plans, and show the extent of a rear dormer extension which could be constructed under permitted development and revise the street elevation. The amended dwelling would be 13.33m wide by approx. 10m deep (beside No 19) and 11.5m deep (beside No 23), with the central part being 12.5m. There would be a gap of 1m to No 19 and a gap of 2.5m to No 23. The front of the garage would be approx 12.4m from the highway. The front of the main dwelling is in line with the original position of the existing bungalow. There would be space for car parking (2 spaces) in the front forecourt as well as in the integral garage. There is also a lay-by parallel to Greenway.

No 23 has 2 side windows, one to the living room and one to the kitchen/diner, both rooms have main windows facing front and rear respectively. There are no windows in the northern elevation of No 19. The revised siting of the dwelling to bring it forward is to increase light to the side window to the kitchen diner of No 23. A wildlife survey has indicated no evidence of nesting or roosting barn owls, no signs of roosting bats nor bird nests in or on the existing building. The last amendments confirms the position of the existing bungalow in relation to the new dwelling (the front is in the same position, the garage and porch project approx. 1.5m), and confirms the relative position of No 23, the distances to the edge of the highway and deletes one rear facing dormer.

SITE DESCRIPTION AND HISTORY

The site is on the western side of Greenway, with open countryside to the rear. The

dwellings on this side are mainly bungalows, although there are some two storey dwellings; there are chalet type bungalows on the opposite, side of the road. The site currently has a 3 bed Woolaway bungalow, measuring approx 11.5m in width, by 6.5m in depth on a site measuring approx. 16.83m in width by 46.4m. There is a garage/outbuilding to the rear, adjacent to the boundary with No 23. The ground level at No 23 is above No 21; No 19 and 21 have approximately the same ground level.

Residents have referred to previous applications in the area. Proposals for first floor, single and two storey extensions at 35 Greenway were refused in November 2002, the ridge being approx 7.8m high. A subsequent proposal for a first floor, single storey extension with 3 dormer windows was approved in April 2003, the ridge being approx 6.5m high.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

SCC - TRANSPORT DEVELOPMENT GROUP - This would be a replacement dwelling thus the vehicle movements would remain unchanged; the proposal uses the existing access to the highway which provides good visibility in either direction. In terms of parking, the proposed dwelling will provide an integral garage which meets the minimum internal dimensions set out the Local Transport Plan, the site will provide sufficient room for the parking of two vehicles and allow them to turn and leave in a forward gear.

WEST MONKTON PARISH COUNCIL - The Parish Council believes this proposal is out of character; the neighbouring properties are bungalows, some of which have dormers, but this proposal is over large and over width in comparison with its neighbours.

DRAINAGE ENGINEER - surface water shown to be discharged to soakaways, these to be BRD 365.

NATURE CONSERVATION & RESERVES OFFICERS - Bats may be present given the existing bungalow has tile hanging; need a wildlife survey. Comments following receipt of survey - The surveyor noted that there were opportunities for biodiversity gain in this development in the form of bird and bat boxes. In accordance with PPS9 I would like to see wildlife protected and accommodated in this development.

HERITAGE AND LANDSCAPE OFFICER - subject to retention of existing roadside boundary hedgerow and establishment of a hedgerow on the western boundary the proposals are acceptable.

WESSEX WATER - the site is within a foul sewered and water main area, points of connection required, developer to agree with WW, need for developer to check if there are any uncharted sewers or water mains close to or in the site.

Representations

A petition with 10 local residents signatures objecting on grounds that the building is too high; the dormer windows to the front are out of character with the original bungalows; the new dwelling would be out of character with the other bungalows

which are the older type; Greenway of a sort after area for the type of bungalows that are already there, something more in keeping would be acceptable.

8 letters of objection from 6 residents.

Object to demolition of bungalow and replacement by a 2 storey house; out of character with the area; roof height too high; would not be in line with other bungalows; loss of light to rooms; loss of outlook; loss of views; removal of garage will not result in more light to side windows; overlooking; it is not possible to scale from the plans; there are 2 sewer pipes between no 19 and 21, there is no indication that these will be protected; the balcony will result in loss of privacy to rear garden; unhappy that the Highways officer considers this a replacement, when it is nothing like the existing, and may have more cars; whilst the plans show the height to be the same as no 23, this has a floor level higher than the site; should be the same height as no 19; the gable end dormers are out of character with the properties in the area; loss of privacy from dormers, extending the property sideways will reduce the amount of parking available; there will be an increase in car parking given the number of bedrooms; additional parking will go on street which will be a hazard on street; children use this road to walk to/cycle to school; detract from look of road and adverse affect on people using the road; any replacement should be more in character with the area; the existing garage is predominantly asbestos construction, and its demolition presents Public Health issues; Greenway is a sought after area, this will not be in keeping with that character; overdevelopment; 'a mini-mansion' in an area of bungalows; loss of privacy to dwellings opposite; there have been 3 cars parked at the property already; previous applications in the area, which have proposed increases in roof heights and dormers, have been refused as these were out of character; precedent of other proposals being refused as these were out of character due to design, height and size.

4 letters on revised plans

The new proposals will bring the building within 2.5m of the boundary, will still result in loss of light, loss of views and privacy; plans do not look professional; bringing the house forward will result in less room for parking; the rear of the proposal looks like a factory with its different roof heights; the new house will be forward of the established line of bungalows and be even more out of character; overlooking to residents opposite will be worse now building has been moved forward; the street scene plans omit some details and thus misrepresent the scale of the proposal; the previous comments still apply, but these are made worse by the bringing forward of the proposal; the roof/dormers will be more prominent as the building is brought forward.

Previous objector still objects to amended plans; dormer window will still overlook the rear garden of No 23; still objects to loss of light; loss of outlook and loss of views; wishes to see a replacement bungalow, not the current scheme.

PLANNING POLICIES

PPS3 - Housing,
T1 - TDBCLP - Extent of Taunton,
S1 - TDBCLP - General Requirements,
S2 - TDBCLP - Design,
M4 - TDBCLP - Residential Parking Provision,

DETERMINING ISSUES AND CONSIDERATIONS

In Planning Policy terms there is no presumption to keep bungalows in the area, and street scenes often have a staggered building line. The main front line of the new building is in the same position as the original bungalow, the porch and garage will project 1.5m. Some variety in dwelling sizes already exists in the road, there are some two storey dwellings further north and south in Greenway. Any proposal should ensure that there is no material detriment to the occupiers of the immediately adjoining residents. The amended plans which move the proposal slightly towards the highway and away from No 23 should result in some increase in the amount of light and less of a loss of outlook to the side window of the kitchen/diner, when compared with the originally proposed dwelling. This is considered to be an improvement from the original submission for these residents. There is sufficient parking on site for at least 3 cars on site, the Local Plan requires 2 spaces for a four or more bed property. Whilst the originally submitted plans showed a larger area in the front of the dwelling, it was all hard surfacing, which was considered inappropriate to the area. The amended plans result in the retention of the front and side hedge, some grassed area and with provision of a new tree. In respect of the comment about the Highways Officer viewing the proposal as a replacement when it is in fact larger; the Highways Authority considers use of the land, thus this is a replacement of one dwelling by another dwelling. In terms of distances between buildings, there is no minimum distance required; the dwellings opposite the site, on the other side of the road, are set approximately 35m from the proposed dwelling. This is considered acceptable.

As regards overlooking from the proposed balcony, the side and parts of the rear facing west walls of this are shown to be solid brickwork, this it would be similar to an upper floor window. The latest amendment deletes one of the rear facing dormers, but retains one dormer nearer No 23. At present the adjoining properties are not overlooked by upper floor windows, but the side facing windows of No 23 currently overlook the application site, there is a relatively low fence and No 23 is sited on a slightly higher ground level. Thus there will be some overlooking of the gardens by the upper windows in the new dwelling, but this is not considered to be sufficient reason to refuse the proposal. Whilst the design is different to the existing building and the other dwellings in the area, this is considered to be acceptable. The Council's Environmental Health Department has been advised about the possible asbestos in the garage. In respect of previous applications in the area for dwellings or dormer extensions or other enlargements in the roof area, each application is treated on its merits, and in particular the revised proposal at No 35 was approved as a 4 bed dwelling with 3 flat roofed dormers as a part roof extension part rear extension.

In summary, the new dwelling will have rooms within the roof, and the adjoining dwellings are bungalows with no upper floors, the dwellings opposite are two storey, albeit that the rooms are within the roof space, and there are two storey dwellings on the western side of the road away from the site. The dwelling is considered to be appropriate in this area.

RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval

The proposal for this replacement dwelling is considered not to have a detrimental impact upon visual or residential amenity of the locality or the

immediate neighbours and is therefore considered acceptable and, accordingly, does not conflict with Taunton Deane Local Plan Policies S1 (General Requirements) and S2 (Design). The variety in dwelling type is considered acceptable and brings character into this area in accordance with PPS3.

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) Site Location Plan
(A3) DrNo. 1 Floor Plan
(A3) Dr No. 2 Elevation
(A4) DrNo. 3 Street Elevation
(A4) DrNo 4 Site Layout Plan
(A3) DrNo 9 Floor plan- Revised scheme
(A3) DrNo 10 Elevations- Revised scheme
(A4) DrNo 11 Site layout plan revised

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

3. Before any part of the permitted development is commenced, the hedges to be retained on the site shall be protected by a chestnut paling fence 1.5 m high, placed at a minimum distance of 2.0 m from the edge of the hedge and the fencing shall be removed only when the development has been completed. During the period of construction of the development the existing soils levels around the base of the hedges so retained shall not be altered.

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

4. 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 area in accordance with Policy S2 of the Taunton Deane Local Plan.

5. Any drive and/or turning areas hereby permitted shall be constructed so as

to be permeable and thereafter maintained as such, unless otherwise agreed in writing by the Local Planning Authority prior to the commencement of development. For the purposes of this condition permeable means either the hard surface shall be made of porous materials, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse.

Reason: To prevent the discharge of water onto the highway, in the interests of reducing the risk of flooding, in accordance with guidance contained in Planning Policy Statement 25.

6. The bathroom window, side dining room windows, toilet windows and utility room door to be installed in the southern and northern elevations of the building shall be obscure glazed and the windows shall be 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) to the satisfaction of the Local Planning Authority and shall not be modified thereafter without the prior written consent of the Local Planning Authority.

Reason: To protect the amenities of nearby dwellings in accordance with Policy S1(E) of the Taunton Deane Local Plan.

7. (i) The landscaping/planting scheme shown on the submitted plan shall be completely carried out within the first available planting season from the date of commencement of the development.

(ii) For a period of five years after the completion of the 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 other appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development makes a satisfactory contribution to the preservation and enhancement of the local character and distinctiveness of the area in accordance with Taunton Deane Local Plan Policy S2.

8. The dwelling, hereby approved shall not be occupied until space has been laid out within the site in accordance with the submitted plan for cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. The area allocated for parking and turning on the submitted plan shall be kept clear of obstruction and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted.

Reason: 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.

9. 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 modifications, no vehicular access gates shall be erected at any time unless they are set back a minimum distance of 5m behind the highway boundary and hung so as to open inwards only.

Reason: To allow a vehicle to wait off the highway while the gates are opened or closed and thus prevent an obstruction to other vehicles using the highway. In the interests of highway safety in accordance with Policy 49 of the Somerset and ENP Joint Structure Plan Review.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order) the use of the garage hereby permitted shall be limited to domestic and private needs of the occupier and shall not be used for any business or other purposes whatsoever.

Reason: In the interests of highway safety in accordance with Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review, Policy M4 of Taunton Deane Local Plan and relevant guidance in PPG13.

11. The development hereby permitted shall not be commenced until details of a strategy to protect and enhance the development for wildlife has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be based on the advice of Devon Wildlife consultant's submitted report, dated February 2010 and include:

1. Details of protective measures to avoid impacts on protected species during all stages of development;
2. Measures for the enhancement of places of rest for protected 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. The development shall not be occupied until the scheme for the maintenance and provision of the new bat and bird boxes and related accesses have been fully implemented. Thereafter the resting places and agreed accesses shall be permanently maintained

Reason: To enhance the development for protected species in accordance with PPS 9 Biodiversity and Geological Conservation.

12. 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 development of the types described in Schedule 2 Part 1 Classes A, B and/or C of the 1995 Order other than that expressly authorised by this permission shall be carried out without the further grant of planning permission.

Reason: In order to protect the character of the area and consider any potential impact on neighbouring in accordance with Policy S1(D) of the

Taunton Deane Local Plan.

13. Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Class A 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 window/dormer windows shall be installed in any elevation of the development hereby permitted without the further grant of planning permission.

Reason: To protect the amenities of adjoining residents in accordance with Policy S1(E) of the Taunton Deane Local Plan.

Notes for compliance

1. You are advised to contact the Council's Environmental Health Department in respect of the garage and dwelling prior to any demolition, in case there are any hazardous materials present.
2. It is recommended that the developer should agree with Wessex Water, prior to the commencement of any works on site, connection(s) onto Wessex Water infrastructure.
3. The developer should be aware of the importance of checking with Wessex Water to ascertain whether there may be any uncharted sewers or water mains within (or very near to) the site. If any such apparatus exists, applicants should plot the exact position on the design site layout to assess the implications (Wessex Water, Claverton Down, Bath, BA2 7WW, 01225 526000).
4. The soakaways should be constructed to BRD 365 (September 1991).
5. You are advised to have regard to the position of any drains or other underground services which may cross the site or be close to the boundaries of the site.
6. Provision should be made within the site for the disposal of surface water so as to prevent its discharge onto the highway.
7. The alteration of the access will involve construction works within the existing highway limits. These must be agreed in advance with the Highway Service Manager at Taunton Deane Area Highway Office, Burton Place, (0845 345 9155). He will be able to advise upon and issue the relevant licenses necessary under the Highways Act 1980.
8. The condition (11) relating to wildlife requires the submission of information to protect species. The Local Planning Authority will expect to see a statement clearly stating how wildlife will be protected through the development process and be provided with a mitigation proposal that will maintain favourable status for these species that may be affected by this development proposal.
9. 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.

Bat and bird boxes can be obtained from Alana Ecology, The Old Primary School, Church Street, Bishop's Castle, Shropshire SY9 5AE Tel 01588 630173 www.alanaecology.com

In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1988.

CONTACT OFFICER: Ms K Marlow Tel: 01823 356460