

38/2004/361

GADD HOMES LTD

ERECTION OF PART 2, PART 3 STOREY BUILDING ACCOMMODATING 22 FLATS AND SEPARATE BUILDING COMPRISING 2 FLATS AND PROVISION OF GARAGING AT 2 PRIORY AVENUE, TAUNTON AS AMENDED BY APPLICANTS LETTER DATED 2ND SEPTEMBER, 2004 AND DRAWINGS ATTACHED THERETO

23031/24881

FULL PERMISSION

PROPOSAL

The site comprises a vehicle repair garage located on the corner of Priory Avenue and Gyffarde Street and opposite the County Cricket Ground. Immediately to the west lies the large Malthouse building, whilst development to the east along Priory Avenue is more domestic in scale. Gyffarde Street comprises late 19th century terraced housing. An earlier proposal on this site which incorporated partly four storeys of accommodation was referred to this Committee on 16th June, 2004 and refused on the grounds that by reason of its scale height and massing the building represented an overdevelopment of the site and would detract from the established character and appearance of the locality. An appeal has been lodged, but is currently held in abeyance pending the outcome of this revised proposal.

The revised proposal as submitted retained a small element of four storey accommodation, although this has subsequently been deleted. However, the number of units has been maintained by creating two coach houses within the courtyard to the rear of the building. Vehicular access to garages and parking, together with maintenance of an access to the St John Ambulance HQ is provided via an archway to Priory Avenue.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY 1. The highway details shown on the submitted Drawing A2003-76 PL102 Revision B are acceptable. In the event of planning permission being granted I would recommend that the following conditions are imposed:- 2. The area allocated for parking on the submitted plan shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted. 3. Before the dwellings hereby permitted are first occupied a properly consolidated and surfaced access shall be constructed (not loose stone or gravel), details of which shall have been submitted to and approved by the Local Planning Authority. 4. The proposed access shall be constructed in accordance with details shown on the submitted plan, drawing No A2003-76 PL102 Revision B, and shall be available for use before the occupation of the dwellings hereby approved. 5. Any entrance gates erected shall be hung to open inwards and shall be set back a minimum distance of 4.5 m from the carriageway edge. 6. The gradient of the proposed access shall not be steeper than 1-in-10. 7. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved by the Local Planning Authority. Such drainage shall be provided prior to the access first being brought into

use. 8. The access 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 access. Note: Having regard to the powers of the Highway Authority under the Highways Act 1980 the applicant is advised that a Section 184 Permit must be obtained from the Highway Service Manager, Taunton Deane Area, Burton Place, Taunton, Somerset, TAI 4 HE. Application for such a Permit should be made at least three weeks before access works are intended to commence.

COUNTY ARCHAEOLOGIST the site lies within an Area of High Archaeological Potential as defined by the Local Plan (Policy EN24). It is within the area of the medieval priory and archaeological investigations have revealed that this is the lay cemetery. Indeed a skeleton was discovered recently (last week) on an adjacent site. It is very likely that further burials are located on this proposal site. For this reason I recommend that the applicant be asked to provide further information on any archaeological remains on the site prior to the determination of this application. This is likely to require a field evaluation.

WESSEX WATER The development is located within a sewered area, with foul, surface water and combined sewers available. According to our records, there is a public combined sewer crossing the site. Please find enclosed a copy of our sewer records indicating the approximate position of the apparatus. Wessex Water normally 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. It is recommended that a condition or informative is placed on any consent to require the developer to protect the integrity of Wessex systems and agree prior to the commencement of works on site, any arrangements for the protection of infrastructure crossing the site. The developer must agree in writing prior to the commencement of works on site, any arrangements for the protection of our infrastructure crossing the site. The developer has proposed to dispose of surface water to the main sewer. It will be necessary, if required, for the developer to agree points of connection onto our systems, for the satisfactory disposal of foul flows and surface water flows generated by the proposal. The connection point can be agreed at the detailed design stage. With respect to water supply, there are water mains within the vicinity of the proposal. Again, connection can be agreed at the design stage. It is further recommended that the developer should agree with Wessex Water, prior to the commencement of any works on site, a point of connection onto Wessex systems.

POLICE ARCHITECTURAL LIAISON OFFICER no adverse comments to make.

ENVIRONMENTAL HEALTH OFFICER suggests condition relating to contamination.
LEISURE DEVELOPMENT OFFICER requests £806 for sport and £1,250 for play per dwelling to be spent on improving the provision for recreation in the local area.

3 LETTERS OF OBJECTION received to proposals as originally submitted on the grounds that there should be no more than three storeys; increased traffic generation; loss of light and privacy.

A letter has also been received from ST JOHN AMBULANCE setting out the following concerns:- further to our right of way, we note that the clearance height of the proposed archway through which our Ambulances will have to pass to traverse the access road to our property appears to be only 3 m, whereas the overall height of our ambulances is 2.95 m. We are concerned that this small margin is not sufficient to ensure safety and avoid accidental damage to both vehicles and the new building fabric.

POLICY CONTEXT

New residential development needs to be assessed against the criteria set out in Policy H1 of the Taunton Deane Local Plan Revised Deposit. Housing development will be permitted within defined limits of settlements, provided that: (A) there is safe and convenient access by bus, or on foot to facilities and employment. In the case of proposals of a significant scale, bus or walking access to a town centre or rural centre will be required, taking account of any off-site works proposed in accordance with criteria (B); (B) necessary provision is made for off-site public transport, cycling and pedestrian facilities and highway improvements to cater safely for the expected number of trips generated by the development and minimise the proportion of car trips; (C) traffic calming, pedestrian, cycle and bus measures are incorporated where necessary to give priority to safe and convenient access and circulation by means other than the car; (E) the layout allows people with impaired mobility or a disability safe and convenient access and movement to and between dwellings by careful positioning of potential obstructions, ramps, dropped kerbs, textured surfaces and reserved car parking; (G) small scale schemes in existing residential areas will increase the development density of these areas without individually or cumulatively eroding their character or residential amenity; (H) a coherent approach to the overall design is adopted, including layout, landscaping, building designs, materials, open spaces and circulation routes, to create locally distinctive developments well related to their surroundings; and (I) existing and proposed dwellings will enjoy adequate privacy and sunlight. (J) on housing developments and conversions of a substantial scale a reasonable mix and balance of housing types and sizes be incorporated to cater for a range of housing needs particularly those low cost housing types which are under represented in the current stock.

ASSESSMENT

The principle of the site for a residential use is not disputed and a terrace wrapping around the corner of Priory Avenue into Gyffarde Street is considered an appropriate treatment. The level of on site car parking shown is above the Council's requirement for such a central location and the Highway Authority does not raise objection to the access proposed. The determining factor in this case is the appropriateness of the scheme in terms of its scale, height and massing. It is concluded that the removal of the fourth storey brings the building closer in proportion to the domestic buildings surrounding to an extent that justifies permission. Outstanding issues relating to archaeology and access to the St John Ambulance HQ will need to be resolved before permission is granted. A S.106 agreement will also be required in relation to sport and recreation (the number of units is one below that would trigger a requirement for affordable housing).

RECOMMENDATION

Subject to the resolution of issues relating to archaeology; ambulance access and a Section 106 Agreement in respect of sport and recreation the Development Control Manager in consultation with the Chair/Vice Chair be authorised to determine and permission be GRANTED subject to conditions of time limit, materials, rainwater goods, hardsurfacing, mortar, landscaping, walls and fences, access point, gates, garages, parking, cycle parking, completion, site levels, meter boxes, removal of buildings,

archaeological programme, aerials, contamination. Notes re surface water, compliance, footway crossing, S.106 Agreement, disables access and CDM Regs.

Should outstanding matters not be resolved by 20th October, 2004 the Development Control Manager in consultation with the Chair/Vice Chair be authorised to REFUSE permission.

REASON(S) FOR THE RECOMMENDATION:- The proposed building is appropriate to the locality in terms of its massing, form and general design. The proposal will not cause demonstrable harm to the amenities of existing residents nearby. The proposal therefore accords with Taunton Deane Local Plan Revised Deposit Policies S1, S2 and H1.

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

CONTACT OFFICER: 356464 MR T BURTON

NOTES: