

38/2007/138

MRS N COUCH

DEMOLITION OF ATTACHED GARAGE AND ERECTION OF TWO STOREY DWELLING ADJOINING 2 EASTBOURNE TERRACE, TAUNTON AS AMENDED BY LETTER DATED 20TH JULY, 2007 WITH ACCOMPANYING PLANS

323270/124710

FULL

PROPOSAL

The site comprises an attached garage situated on the southern side of Eastbourne Terrace. The garage is single storey with a lean-to roof. The proposal is to demolish the garage and erect a two storey 1 bedroomed dwelling. Amended plans have been submitted which show windows to the front elevation and one obscure glazed window and not rooflight to the rear elevation. There will be no windows in the side elevation. The materials will be brick walls and double roman tiles to match the adjoining property, No. 2 Eastbourne Terrace. The dwelling will be 5 m deep with a width of 3.6 m to the front and 3.3 m to the rear. The front elevation will be very slightly recessed to the adjoining terrace.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY given the location the proposed development is acceptable. Recommend conditions to ensure cycle parking.

6 LETTERS OF OBJECTION have been received raising the following issues:- overlooking garden areas; loss of privacy; loss of light; inconvenience and disturbance during construction; greater demand for resident parking spaces; existing storage of parking in the area; impact upon trade and health and safety problems to business at adjoining property; garage adjoins party wall; scaffolding would have to go on land belonging to adjoining property; digging of foundations may undermine the structure of the adjoining property; residential parking spaces already over subscribed; increase in footprint from existing garage; cycle path may be affected during construction;

4 LETTERS OF OBJECTION have been received following notification of amended plans raising the following issues:- noise from shown room window; loss of light; disputing ownership of rear section of plot; inaccurate measurements; loss of daylight to east elevation of adjoining property; impact upon parking facilities in the area; no existing party wall.

2 LETTERS OF OBJECTION FORM WARD COUNCILLORS have been received raising the following issues:- concerned with agreements with party wall owners; disputes over ownership of part of the site; inconvenience during construction including interference with use of cycle path; oversubscribed residents parking.

PRIORY COMMUNITY ASSOCIATION applicant needs to comply with Construction, Design and Management (CDM) regulations.

POLICY CONTEXT

Taunton Deane Local Plan Policies S1 - Sets out general requirements for development. S2 - provides design criteria. H2 - (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 criterion (B); (E) 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; (G) existing and proposed dwellings will enjoy adequate privacy and sunlight; M4 - parking - care free residential developments will be sought in appropriate locations such as Taunton town centre. Minimum provision of cycle parking of 1 space for a 1 bedroomed dwelling.

ASSESSMENT

The local plan encourages the development of small scale schemes which increase the housing density of the area provided visual or residential amenity is not affected. It is acknowledged that the proposed dwelling is on a small footprint and smaller than the adjoining terraced properties. However there is sufficient space for a kitchen/living area, shower room and bedroom. Visually, the dwelling is designed well to fit in with the surrounding properties. The creation of a first floor on the site will not detract from the character and appearance of the street scene.

The impact upon the amenities of surrounding residential properties is the most important consideration in this application. The amended plans, shown one obscure glazed window and one rooflight on the rear elevation, alleviate the concerns regarding overlooking and loss of privacy. Due to the orientation of the site the proposed dwelling will not overshadow the garden areas of the adjoining properties. There will be some overshadowing on the first floor window on the east elevation of No. 28 Eastbourne Road. This window is approximately 1.7 m from the western wall of the proposed dwelling.

The concerns over the party wall are a civil matter to be resolved outside of the planning process, as is ownership disputes over the land. The applicant is of the understanding that she owns the land in question and has signed the application forms accordingly. There is no justification to refuse the application on these grounds. If in the event that it is proven that the applicant does not own all of the land, a planning consent does not give the right of the applicant to build over land they do not own without consent of the owner of that land. The alleyway to the side of the proposed dwelling is not within the site boundary and there is no proposal for the dwelling to use this access. Concerns over disturbance during the construction of the development are not material planning considerations.

In respect to parking the property is situated in the town centre with good pedestrian access employment, shops and community facilities. There is also good access to public transport. As such it is not considered necessary to provide a parking space.

The site does not have any outside amenity space. Therefore cycle storage and refuse storage must be provided internally.

To conclude, the only significant consideration is the impact upon the first floor window on the East elevation of 29 Eastbourne Road. The committee need to assess the need to implement policies supporting high density housing in suitable locations against the impact upon residential amenity. On balance it is felt that the level of overshadowing from the proposed development is not significant enough to warrant and uphold a refusal.

RECOMMENDATION

Permission be GRANTED subject to conditions of time limit, materials, cycle parking, refuse storage, no further windows, obscure glazed window in rear elevation to be non-opening.

REASON(S) FOR RECOMMENDATION:- The proposal, for residential development, is located within defined settlement limits where new housing is encouraged and the development would not have a detrimental impact upon visual or residential amenity and is therefore considered acceptable. Therefore, the scheme accords with Taunton Deane Local Plan Policies S1, S2, H2 and M4.

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

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NOTES: