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DUNDRY DEVELOPMENTS & INVESTMENTS LTD

**CONVERSION OF MILL BUILDING (FORMER HAYMANS COALYARD WAREHOUSE) AND EXTENSION TO FORM 21 TWO BED APARTMENTS AND FORMATION OF 32 CAR PARKING SPACES AND BIKE LOCKERS FOR 42 BIKES, HAYMANS MILL, PAYTON ROAD, WESTFORD, WELLINGTON AS AMENDED BY LETTER DATED 12TH OCTOBER, 2007 WITH ACCOMPANYING DRAWING NOS. 05040-111A, 112A, 113A, 116 AND 117 AND BAT AND NEWT REPORTS RECEIVED ON 15TH OCTOBER, 2007**

312045/120286

FULL

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## **PROPOSAL**

The proposal provides for the conversion and extension of the former Haymans Mill to form 21 two bedroom flats. 32 car parking spaces are proposed, together with bike lockers for 42 bikes. The application was accompanied by a Design and Access Statement, a Bat Report, a Structural Report, a Traffic Report, a Geoenvironmental Assessment Report and a Flood Risk Assessment. The building and land is currently vacant, being last used as a coal merchant's yard and warehouse. The extension is to be constructed in stone and render to match the existing building. The roof materials will be slate. There is an extant planning permission for the demolition of the building and the erection of a new building to provide 14 flats. There was also a previous permission in 2001, now lapsed, for the conversion of the building to 14 flats. However, highway improvements proposed at that time associated with that planning permission to the site have now been carried out as a consequence of another development nearby. These have improved visibility to the west at the junction between the public highway, Payton Road, and the private road Rackfield. They have also improved width and forward visibility on Rackfield.

## **CONSULTATIONS AND REPRESENTATIONS**

COUNTY HIGHWAY AUTHORITY there is no objection in principle to residential development, as precedent has been established through previous permitted applications on this site, and the site is within the defined development limits. It should be noted that previous permissions were for conversion, and then a replacement building, albeit that numbers were contained. This application however increases the number of units, and therefore the level of traffic on Rackfield. Given the number of dwellings in Westford, existing and permitted, the additional seven (over and above that already permitted on this site) does not constitute a significant increase, and I feel that this is the maximum that the site can accommodate whilst still providing an adequate level of parking provision. As such there is no objection in principle to the scheme as submitted. The scheme provides a level of parking that is in line with LTP2 Policy as well as ample secure cycle storage and as such this is an acceptable arrangement. The Highway Authority has concern with regard to the access for the proposal, both at the entrance to the site, and between the adopted

highway and the site. Rackfield is poorly surfaced, and the increase in the number of units will inevitably lead to an increase in traffic movements on a surface that is not of a standard suitable to accommodate the additional traffic. As such, it is essential that Rackfield is consolidated and surfaced to a standard that is suitable for the level of use that the proposal will generate. In addition, it is essential that there is adequate visibility provided at the point of access. It is necessary for visibility splays of 2.4 m x 33 m to be provided at the point of access, with no obstruction to visibility greater than 900 mm above adjoining road level. I understand that the gravel area to the north of the existing building, is proposed as a parking court for three vehicles, and that this area is used locally for larger vehicles to pass within Rackfield. It would therefore be of benefit for this area to be hard surfaced, and its use as a passing area retained. The proposed parking spaces are clear of this passing facility, and should not therefore interfere with this function. Given all of the above, I would recommend that should the development be permitted, the following conditions be attached to the consent: (i) the parking and turning areas shown on the submitted plan, shall be consolidated and surfaced (not loose stone or gravel) details of which shall have been submitted to and approved in writing by the Local Planning Authority; (ii) there shall be no obstruction to visibility greater than 900 mm above adjoining road level, forward of a line drawn 2.4m back from Rackfield on the centre line of the access, extending to a point 33 m to the north of the access at the nearside carriageway edge, and 2.4 m back an parallel to Rackfield to the south of the access for the extent of the site frontage. Such visibility shall be fully provided before the dwellings hereby permitted are first occupied, and shall thereafter be maintained at all times; and (iii) before the dwellings hereby permitted are first occupied, the surface of Rackfield shall be consolidated and surfaced between the site access and the existing highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority. If it is not possible to condition that the surface of Rackfield is surfaced, then the Highway Authority may have cause to object to this application on the basis of increased traffic on an access that is not of adequate standard to serve the development proposed.

ENVIRONMENT AGENCY objects to the proposal because the Flood Risk Assessment (FRA) is unsatisfactory and thus flood risk has not sufficiently been taken into account. There is no consideration as to how surface water drainage from the site will be dealt with. The surface water drainage scheme must meet certain criteria, including meeting the 1 in 100 year plus climate change standard. The use of Sustainable Drainage Systems (SuDs) for surface water drainage on the site should be investigated. It appears that, based on the submitted documents, that appropriate risk assessment has been carried out with regard to ground contamination. If the Agency's objection to the proposal subsequently be overcome, the Agency would seek conditions re no construction vehicles to cross or work directly in a river, fuel storage bunding, oil interceptor, scheme for the improvement / extension of the existing sewage disposal works. The actual line of the culvert shown on the site and its condition should be determined and a S106 Agreement drawn up to ensure that the structure is maintained in future. Various informative notes recommended for inclusion on any permission. WESSEX WATER necessary for the developer to agree points of connection for foul drainage, and water supply. There are no existing public/separate surface water sewers in the vicinity, so the use of soakaways should be investigated. SOMERSET INDUSTRIAL ARCHAEOLOGICAL SOCIETY pleased that the proposals have reverted to conversion of the existing buildings rather than demolition. Supported the original

scheme for conversion, but objected to the subsequent proposals which involved demolition. The warehouse is historically significant and provides important landscape evidence of a major local industry. The current application retains the essential features of the buildings in terms of shape and size. Hope that changes to fenestration are kept to a minimum consistent with realistic conversion. The building was part of a large integrated woollen factory operated by Elworthy Brothers & Co. Whilst not on the scale of the Fox Bros. Establishment elsewhere in Wellington, nevertheless Elworthys was a large factory which made a major contribution to the development of the area. In its heyday around 1900 the factory employed some 400 people. Haymans warehouse dates from the 1820s and is one of the oldest buildings on the site. In its early years, it was probably not a warehouse but part of the main mill and was powered by water taken from the main mill leat. It is possible that the building is an early local example of 'fireproof' construction. The building therefore has historical and architectural significance and a good case could be made for its listing. In favour of the current scheme and have no objection to the addition of the new building if that makes retention of the historic buildings more viable. Archaeological recording of the building and its surroundings should be a planning condition. FIRE SAFETY OFFICER observations with regard to means of escape, access for appliances and water supplies NATURAL ENGLAND full species survey should be carried out.

LANDSCAPE OFFICER subject to suitable landscape detailing it should be possible to provide landscape mitigation. NATURE CONSERVATION OFFICER no evidence found of great crested newts so conclude that the species will not pose constraints on the proposal. Bat report concludes that one or two bats roost in the building. Suggests that the bat report recommendations are implemented and condition imposed. RIGHTS OF WAY OFFICER no observations to make. DRAINAGE OFFICER a condition should be attached to any approval given that no works commence on site until a scheme for the provision of surface water drainage works has been submitted and approved. This should include details of the existing culvert passing through the site and ascertain the extent of its purpose and current condition. The use of SuDs should be investigated and form part of any proposed surface water disposal system. HOUSING OFFICER as this is a newly submitted application for more numbers I would be happy to accept 4 x 2 bed houses for low cost outright purchase at 40% below market value. LEISURE DEVELOPMENT MANAGER there is an existing S106 on this site requiring a contribution of £18,784 based on 14 dwellings at 2004 cost. For 21 dwellings at 2007 costings, the contribution should be £58,968. Given that a signed S106 Agreement exists, the applicant should contribute for the additional 7 dwellings at the current rates, an additional sum of £19,656.

WELLINGTON TOWN COUNCIL - Views awaited

EIGHT LETTERS OF OBJECTION have been received raising the following issues:- this development along with others already approved or pending will add close to 100 dwellings in Westford, using the existing roads to and from Westford, mainly through Rockwell Green; roads unsuitable for the likely increase in traffic; doubt that letters of protest will even be considered; we no longer have a democracy so may as well go to a Unitary Council; Councillors should be held legally responsible for any decisions they make, particularly with regard to any safety aspects; risk of flooding at

the Westford Stream; money for leisure improvements will not benefit Westford; bored children, particularly teenagers will roam the area looking for something to occupy them; existing private road is poorly drained and maintained; proposal is very unsympathetic towards the adjacent residential properties with overlooking and loss of privacy; flats are too small and cramped; inadequate parking for visitors will result in overspill parking in Rackfield, which will cause more access problems and threaten the ongoing use for pedestrians and cyclists; private road should be adopted; lack of proper drainage connection; large farm vehicles will not be able to pass the corner of the building along the private road now that the new housing development opposite is proceeding will result in closure of farm as feed trucks, tractors, livestock vehicles and other large farm traffic will be prevented from accessing Rackfield; will also prevent delivery and removal vehicles accessing the other houses on Rackfield; sustainability of the bus service through Rockwell Green if the traffic congestion increases; a higher quality existing planning permission exists; traffic risks faced by children on way to school; design lacks synergy with surrounding houses; a mixed development would be better suited to the area; development for single occupancy is misplaced on the rural edge of Wellington; residents likely to be car users; developer is seeking to maximise profits; gross overdevelopment of site; direct effect on amenity value of adjacent properties and will be oppressive and overbearing; drastically changes the nature of the building and its relationship with Westford House and would be detrimental to the surroundings of this listed building; the proposal is capable of housing twice as many people as the previously approved schemes; will be to the detriment of the area; building has suffered considerably from neglect with the roof covering being removed and question whether it is still structurally safe; brick wall on railway bridge should be replaced with railings.

ONE FURTHER LETTER from existing objector on the amended plans raising the following issues:- revised plans do not overcome overlooking/loss of privacy issue; does not address traffic issues – sustainability of bus service, will restrict access to properties in Rackfield and Brook Farm further down the track and no provision for visitor/overflow parking resulting in illegal parking on Rackfield;

## **POLICY CONTEXT**

Somerset and Exmoor National Park Joint Structure Plan Review Policy STR1 on sustainable development is relevant. Part of this policy requires the development of a pattern of land use and transport which minimises the length of journeys and the need to travel and maximises the potential for the use of public transport, cycling and walking.

Taunton Deane Local Plan Policy S1 sets out general requirements for new developments. Policy S2 of the same plan provides guidelines for the design of new developments. Policy H2 states that housing development will be permitted within defined limits of settlements provided certain criteria are met. It is considered that these criteria are met with the current proposal.

## **ASSESSMENT**

The Transport Statement submitted with the application notes that the site is within easy reach of a range of services and facilities by a range of means of transport including walking, cycling, and bus. The proposed site access would be to an appropriate standard, with adequate visibility. The proposed development provides for 32 off street car parking spaces which is considered adequate to meet the needs of the development. Two secure cycle spaces will be provided per flat. The Statement concludes that the local highway network is capable of accommodating the traffic that would be generated by the proposed development. The County Highway Authority has no objection to the proposed development, subject to Rackfield being resurfaced, adequate parking and turning being provided and adequate visibility being provided. The applicant's solicitor has confirmed that there are appropriate rights in place to resurface Rackfield. Amended plans have been received which overcomes to my satisfaction any overlooking of the residential properties to the north and east. A Section 106 to provide for affordable housing and leisure contributions is required by way of one of the recommended conditions.

The amended plans address the potential overlooking issue in relation to residential properties to the north by the use of obscure glazed directional louvres both horizontal and vertical. This eliminates overlooking from certain windows and retains the integrity of the external appearance as well as taking account of the comfort of occupants of the new apartments. The other windows are considered to be far enough from the boundaries with the residential properties not to result in unacceptable overlooking.

Further wildlife surveys have been carried out and the Nature Conservation Officer is satisfied with the results.

The possibility of spot listing the building has been considered previously and it has not been considered that the building meets the relevant criteria. Furthermore there is an extant planning permission which allows for its demolition.

On this basis, I consider the proposal to be acceptable.

## **RECOMMENDATION**

Subject to the further views of the Environment Agency and the applicant entering into a Section 106 Agreement to secure the provision of 4 two bed units for low cost outright purchase at 40% below market value and a contribution of £38,440 towards improvements towards local leisure facilities, the Development 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, foul and surface water details, landscaping (hard and soft), boundary treatment, parking, visibility splays, surfacing of Rackfield, meter boxes, obscure glazing and louvers on north and east elevations in accordance with approved plans, removal of GPDO rights for ancillary buildings and fencing, strategy for the protection of bats, area to north of building to be hard surfaced and retained as a passing place, record of building and surroundings and contaminated land remediation strategy, Notes re disabled access, energy/water efficiency measures, meter boxes, encroachment, CDM Regulations, S106, contact Fire Officer, contact Wessex Water, surface water drainage and contaminated land.

**REASON(S) FOR RECOMMENDATION:-**

The proposal is considered not to have a detrimental impact upon visual or residential amenity and is therefore considered acceptable and, accordingly, does not conflict with Taunton Deane Local Plan Policies S1 and S2.

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

**CONTACT OFFICER: 356461 MR J HAMER**

NOTES: