

KINGSTON ROAD CAR SALES

**ERECTION OF TWO, ONE BEDROOM FLATS AT LAND OFF 99 STATION ROAD, TAUNTON**

Grid Reference: 322677.125286

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**RECOMMENDATION AND REASON(S)**

Recommended Decision: Conditional Approval

The proposal, for residential development, is located within defined settlement limits where the principle of new housing is considered acceptable. The proposed access would be satisfactory and the development would not have a detrimental impact on the amenity of surrounding residential properties in accordance with Somerset and Exmoor National Park Joint Structure Plan Review Policies STR4 and 49 and Taunton Deane Local Plan Policies S1 (General Requirements), S2 (Design), and M4 (Residential Parking Provision).

**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) DrNo B4990\_01A Site Location Plan  
(A1) DrNo B4990\_02 Existing Block Plan & Elevations  
(A1) DrNo.B4990\_A Proposed Block Plan, Plans & Elevations

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

3. 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 existing building in accordance with Policy S2 of the Taunton Deane Local Plan.

4. No dwelling shall be occupied until space has been laid out within the site in accordance with the submitted plan for 1 bicycle per dwelling to be parked.

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.

4. 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 the east or north elevations 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.

5. None of the dwellings shall be occupied until details of the surface water drainage works have been submitted to and approved in writing by the Local Planning Authority and all agreed drainage works completed in accordance with those details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent discharge into nearby water courses in accordance with Policy EN26 of the Taunton Deane Local Plan.

6. Prior to the occupation of the dwellings hereby permitted a plan showing the details of a safe access route into and out of the site, and details of a sign to inform residents of the route, shall be submitted to and approved in writing by the Local Planning Authority and provided on site. The safe access route shall thereafter be retained in accordance with the plan.

Reason: To ensure a safe access route for future occupants in accordance with the requirements of PPS 25 Development and Flood Risk

7. Finished floor levels shall be no lower than 15.3m AOD.

Reason: In order to ensure that the development is set above the 1 in 100 year plus climate change levels in accordance with the requirements of PPS25 Development and Flood Risk

## Notes for compliance

- . As the site is located within flood zone 2 and 3 areas you should consider the incorporation of flood resistant techniques in the construction of the flats examples of which include:- Concrete floor with waterproof membranes; Sealed service ducts; electrical and other plant to be located at a raised level; high level electrical sockets.
- . The developer is advised of the need to protect the integrity of Wessex Water systems and agree prior to the commencement of works on site, any arrangements for the protection of infrastructure crossing the site with Wessex Water.

## PROPOSAL

The initial proposal was for the erection of a three storey building for the provision of 6 flats. This has now been revised and the application is now for the erection of a building for the provision of two flats on land to the rear of 99 Station Road (similar scheme to that approved in 1995). The site measures 8.3m x 23.5m (approx) and the building would be a minimum of 10m from the rear boundary with 99 Station Road. The building would be a traditional two storey brick and slate construction with the gable facing the access road which lies to the west of the site. The access road is single width and serves the rear of a number of properties as well as a number of business premises that front onto the access. Each unit would have secure cycle storage at the rear with a shared amenity area adjacent to the rear of 99 Station Road. The front doors to the flats would be located to the south of the building in order to avoid opening onto the access road.

## SITE DESCRIPTION AND HISTORY

The site is located to the rear of 99 Station Road. The single width access road runs to the west of the site. It is a no through road which comes off from Whitehall to the north. Planning permission was granted for a similar scheme in 1995 and expired in August 2010 (after the submission of this current application).

38/2005/0248 Erection of two dwellings on land to the rear of 99/101 Station Road Taunton.

## CONSULTATION AND REPRESENTATION RESPONSES

### Consultees

*SCC - TRANSPORT DEVELOPMENT GROUP* - The proposal is located in a highly accessible location and is in close proximity to town centre and the services and facilities provided therein and a car free development would therefore be acceptable. No objection subject to the provision of cycle parking

*DRAINAGE ENGINEER* - no objection subject to the submission and approval of surface water drainage works.

*ENVIRONMENT AGENCY* - the development must be carried out in strict accordance with the submitted Flood Risk Assessment

*WESSEX WATER* - Foul and surface water sewers are available and connections thereto will need to be agreed with WW prior to the commencement of works on site. Records indicate that a sewer crosses the site. A three meter easement is normally required on either side of the pipe the developer has indicated and diversion or protection works may need to be agreed. The developer has indicated the use of a sustainable drainage system.

*LEISURE DEVELOPMENT MANAGER* - no comments

## **Representations**

Cllr Mrs Sue Lees objects:

This area of Station Road is already congested and in my opinion this would only aggravate the situation. There are problems with parking in Whitehall and to have further traffic wishing to park there would be unreasonable for the residents.

I am pleased, however, to see that the application is now for 2 flats instead of the original 6 but still am of the opinion that this is overcrowding.

Cllr Horsley objects:

I am pleased that the applicant has backed down from endeavouring to squeeze 6 1-bedroom flats into this congested space and gone back to providing 2 flats only. However I am still opposed to the application as the local councillor for the 2 main reasons

a) congestion on a site that will diminish the space and impinge on neighbours especially the occupants of Pennys Cottage and

b) for the additional vehicular movement it will bring with the extra problem of exacerbating the already almost intolerable parking in Whitehall. Members of Planning Committee should be aware that extra stress will occur when the NIDR is being built and even when it is completed there will be big problems of access to and from Whitehall to Station Road. For these reasons I oppose this

In total 17 letters of objection have been received raising the following objections to the amended proposal:-

- The additional dwellings will result in increased demand for the limited parking available in the area causing chaos for existing residents
- The rear access road has a commercial character unsuitable for additional residential properties
- The proposal would result in more traffic using the rear access road likely to result in the emergency access to properties being blocked and cause chaos for existing businesses that rely on the unimpeded use of their rear access
- The rear access is used for loading and unloading for shops and businesses located on Station Road and as access for flats above the shops. Parking is already under heavy demand and additional dwellings will make this worse
- The lane is in near constant use by delivery lorries, refuse lorries, motorbikes and cycles being delivered to the repair shop by car and trailer and it is an

- unsuitable position for any more residential properties
- There are no footpaths along the road and if the residents do not have cars they will have to use the highway which is in near constant use by heavy vehicles and it will not be safe
- The land should be used to provide parking for the area
- Whilst the proposal offers cycle storage for residents where will visitors park?
- Although the Transport comments suggest this is an ideal location for car free development, the Taunton Strategy Review recognises that there is a high propensity to make short trips to the town centre by car the and this development is likely to result in occupants with cars, adding to the demand for the limited parking in the area
- Whitehall is a no through road and vehicles have to turn at various times day and night to leave the road
- Construction traffic will increase CO2 emissions in the area
- The use of the access road by heavy vehicles will result in more potholes at a cost of repair to the tax payer
- The turning area in Windsor Place is heavily used by delivery vehicles and cars and additional vehicles in the area will exacerbate the existing, unsatisfactory, situation further
- If approved the permission would act as a precedent for similar developments exacerbating the existing problems of the area
- The noise and dust from construction will have a detrimental impact on the amenity of existing residents
- The proposed dwellings would be too close to existing commercial properties and would result in a negative impact on those businesses as well as poor amenity for residents
- Overdevelopment of the site
- The drainage to the front of Whitehall is already under duress and there is a constant smell in the road especially in the summer months,
- The site has no lighting
- It may attract unsavoury people from pubs and takeaways late at night, reducing the security of the area and downgrading Whitehall

Additional comments received for 6 flat scheme

- The proposed three storey building is too high and would be dwarf most of the surrounding buildings and create overlooking that would remove all privacy for those neighbours
- At least 10 parking spaces should be provide to cater for 6 flats

In addition a petition of 17 signatures from Whitehall has been submitted (5 of which have written in separately and are referred to above).

## **PLANNING POLICIES**

F1 - TTCAAP - Developments within the Floodplain,  
 T1 - TDBCLP - Extent of Taunton,  
 STR2 - Towns,  
 STR4 - Development in Towns,  
 M2 - TDBCLP - Non-residential Car Parking Outside Taun & Well,  
 M4 - TDBCLP - Residential Parking Provision,  
 EN28 - TDBCLP - Development and Flood Risk,  
 PPS25 - Development and Flood Risk,

S1 - TDBCLP - General Requirements,  
S2 - TDBCLP - Design,

## **DETERMINING ISSUES AND CONSIDERATIONS**

Planning permission was granted in 1995 for the erection of a two storey building to provide two flats with associated cycle parking. This proposal has been amended and is now for a similar scale of development. The scheme has been designed so that all windows face the road to the west of to the south with no openings on the north or east in order to avoid any overlooking of residential properties. The building has a traditional design and would use brick and slate in keeping with the area. The front entrances to the flats would be located to the south of the buildings where there would be a pathway proving pedestrian access for flats to the rear and avoiding opening directly onto the roadway, which could be dangerous.

The scheme includes the provision of cycle parking, in accordance with the parking requirements for a site in such close proximity to the town centre and a shared amenity area for shared use by the residents of the flats. There is no policy requirement for the provision of off street car parking to serve the units.

The area has a mixed residential and commercial character with another residential property further to the south, on the same side of the access as the current proposal and a range of commercial properties fronting onto the access. The roadway is also used as rear access to properties fronting Station Road and provides rear access to some of the properties in Albermarle Road.

The main objection to the proposal relates to the possible increase in demand, generated by the occupants of the flats, for the limited residents' parking spaces that are available in Whitehall. The site is located in close proximity to the town centre where a range of facilities and services are available. In such locations it is not considered necessary for residents to have cars in order to travel as they may walk or use public transport. As a result Taunton Deane Local Plan policy M4 merely requires the provision of secure cycle parking to encourage residents to adopt a more sustainable mode of travel. Regarding the level and type of use of the rear access way this is mostly of a commercial nature and whilst busy in the day is much less so in the evening when the main occupation of the flats is most likely. I accept that the traffic may result in high levels of noise and activity along the lane but the requirement for a noise report and mitigation scheme should ensure adequate amenity for occupants.

Taking into account the history of the site and the Taunton Deane Local Plan policies I consider that the proposal is acceptable.

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

**CONTACT OFFICER: Mrs J Moore Tel: 01823 356467**