

REDLAND HOUSING ASSOCIATION

**ERECTION OF 6 DWELLINGS WITH ASSOCIATED PARKING SPACES,
ERECTION OF GARAGE AND RELOCATION OF 3 PARKING SPACES
FOLLOWING DEMOLITION OF GARAGES AT PRIORSWOOD PLACE,
DORCHESTER ROAD, TAUNTON AS AMENDED**

Grid Reference: 323364.126541

Full Planning Permission

RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval subject to the applicant entering into a Section 106 Legal Agreement to secure leisure and recreation contributions.

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 08025-100 Location Plan
(A4) DrNo 08025-101 Block Plan
(A1) DrNo 08025-102 Proposed Site Layout
(A1) DrNo 08025-103 First, Second & Roof Plans
(A1) DrNo 08025-104 Proposed Elevations & Typical Sections
(A1) DrNo 08025-105 North, South & Garage Elevations
(A1) DrNo 18953 Location of Underground Services
(A1) DrNo RHA/004/01 Rev A Topographic Survey
(A1) DrNo 08025-106 Tracking diagram and part parking layout

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

3. Only those materials specified in the application shall be used in carrying out the development hereby permitted unless otherwise agreed in writing with 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.
 - (i) Before any part of the permitted development is commenced, a landscaping scheme, which shall include details of the species, siting and numbers to be planted, shall be submitted to and approved in writing by the Local Planning Authority.
 - (ii) The scheme shall be completely carried out within the first available planting season from the date of commencement of the development, or as otherwise extended with the agreement in writing of the Local Planning Authority.
 - (iii) For a period of five years after the completion of each 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 the 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.

5. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The agreed boundary treatment shall be completed before the building(s) are occupied and thereafter maintained as such, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenities of the neighbouring residents in accordance with policy S1 of the Taunton Deane Local Plan and to ensure that the proposed development makes a satisfactory contribution to the local character and distinctiveness of the area in accordance with Taunton Deane Local Plan Policy S2.

6. Prior to the commencement of development the applicant shall investigate the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses. The applicant shall:
 - (a) Provide a written report to the Local Planning Authority which shall include details of the previous uses of the site for at least the last 100 years and a description of the current condition of the site with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may

be present on the site.

- (b) If the report indicates that contamination may be present on or under the site, or if evidence of contamination is found, a more detailed site investigation and risk assessment shall be carried out in accordance with DEFRA and Environment Agency's "Model Procedures for the Management of Land Contamination CLR11" and other authoritative guidance (or guidance/procedures which may have superseded or replaced this). A report detailing the site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority.
- (c) If the report indicates that remedial works are required, full details shall be submitted to the Local Planning Authority and approved in writing and thereafter implemented prior to the commencement of the development or at some other time that has been agreed in writing by the Local Planning Authority. On completion of any required remedial works the applicant shall provide written confirmation that the works have been completed in accordance with the agreed remediation strategy.

Reason: To ensure that land contamination can be dealt with adequately prior to the use hereby approved by the Local Planning Authority in accordance with Taunton Deane Local Plan Policy EN32.

- 7. Details of the external safety barrier between the rear footway and service yard shall be submitted to and approved in writing by the Local Planning Authority prior to completion of the dwellings and shall be provided as agreed prior to occupation and thereafter maintained.

Reason: In the interests of the safety of occupiers in accordance with policy S1 of the Taunton Deane Local Plan.

Notes for compliance

PROPOSAL

The proposal is to erect 6 affordable dwellings following the demolition of 14 garages and the erection of a new garage on land to the rear of Priorswood Place, Taunton. The housing will consist of a terrace with 2 x 2-bedroomed units, 2 x 3-bedroomed units and 2 x 4-bedroomed units. A new access onto Lyngford Lane will be provided to a parking court. 18 parking spaces are also provided together with 6 retained garages (providing 7 garages in total). Access and turning to the service yard are to be maintained.

SITE DESCRIPTION AND HISTORY

The site consists of a parking area and garage court with 20 garages (a row of 12 and a row of 8) set to the rear of flats and shops at Priorswood Place. To the south lies a service yard for the rear of the shops and a group of flats.

Previous permission for the same developer was granted for 8 flats on the former petrol service station facing Dorchester Road, Priorswood Place in May 2006 (ref. 38/05/0390).

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

SCC - TRANSPORT DEVELOPMENT GROUP –

The development will see the creation of a new access on Lyngford Lane. The access will provide a width of 6m which increases to 11m, with junction radii, at the point where it meets the adopted highway. From my site visit it was noted that there is a lighting column in close proximity to the proposed access. The applicant should understand that they are responsible for any costs resulting in the lighting column being relocated. Also they are responsible for identifying a suitable site for it to be relocated to.

At the point of access the applicant has indicated a splay of 2.4m x 60m can be achieved to the left hand side of the access. Manual for Streets indicates that in an urban area within a 30mph speed limit the minimum splay should be 2.4m x 43m. As a consequence the proposed splay is considered to be acceptable. Although it is noted that no details have been provided in regards to the achievable visibility to the north of the access. The applicant should submit further details in respect of this matter. The access will serve a parking area of 8 spaces and these would be required to be properly consolidated and surfaced with suitable drainage. A 6m gap has been provided between each set of parking bays, this is considered to be acceptable as it will allow a vehicle to turn and leave in forward gear. In addition to these 8 spaces a further 9 are being provided within the application site. This is a total of 17 spaces for the whole site. The Local Transport Plan standards state that two bedroomed units should make provision for two spaces per unit. This would account for 12 of the spaces within the site. However this does not equate for the additional 5 spaces. The applicant makes no reference to the parking provision within the submitted documents. It should be noted that pre-application discussions were held with the applicant in regards to this project. The applicant was advised at that stage that this proposal would be considered an over provision of parking.

9 spaces would be accessed via the junction of Priorswood Place with Lyngford Lane. This access is shared with commercial delivery vehicles for the parade of shops which front onto Eastwick Road and Dorchester Road. The applicant has shown a standard turning head diagram within the site. I presume this is to allow delivery vehicles to turn and leave the site in forward gear. Although I do believe the applicant has taken every opportunity to try and alleviate the issue of this proposal impacting on delivery vehicles serving the site. I would suggest that a tracking diagram is submitted to show that it is possible for a delivery vehicle to enter and turn within the site.

In conclusion although the proposed access from Lyngford Lane is considered to be acceptable further details are required in regards to the visibility splay to the north of the proposed access. Whilst further evidence would be required in relation to the ability of delivery vehicles to turn within the site. In addition to this further justification is required in relation to parking provision associated with this proposal.

LANDSCAPE LEAD - Subject to more tree and shrub planting along Lyngford Lane and details of the other landscaping the proposals are acceptable.

HOUSING ENABLING MANAGER - I fully support this application. These family homes will make good use of an existing garage site and provide good efficient housing for people in need in an area where few family homes become vacant for housing applicants and people who need transferring into more suitable accommodation who are registered on Homefinder Somerset.

LEISURE DEVELOPMENT MANAGER - In accordance with Policy C4 provision for play and active outdoor recreation should be made. A contribution of £1100 for each dwelling should be made towards facilities for active outdoor recreation and a contribution of £2200 for each 2 bed+ dwelling should be made towards children's play provision. The contributions should be index linked and would be spent in locations accessible to the occupants of the dwellings.

Representations

Objections from 9 local residents on grounds of:

- level of commercial vehicles serving the shops and lack of lorry parking,
- conflict between children and service traffic,
- loss of resident parking,
- high risk area with fear of loss of vehicles,
- no need, no local support,
- fear of losing shops,
- car park at front used like a park and ride,
- concern over blocking drain,
- loss of light,
- disturbance due to youngsters climbing fences and roofs and will increase problems of area.
- Residents have never been in favour of building here.
- New tenants given preference over Council tenants.
- Previous 225 signature petition.
- Parking not safe.
- Local views disregarded.
- 4 garages would be better than the last house proposed.

A petition against of 112 signatures has been received.

Ward Member Cllr James: I am writing in support of residents who are objecting to this application. My reasons are as follows:

Traffic - a number of commercial vehicles, including large articulated lorries, deliver goods to the shops at Priorswood Place on a regular basis. Currently they drive into the car park at the rear of the shops and then forward onto the garage forecourt where many unload goods if they require a level surface to do so, or reverse around to the right to unload. To exit the site the lorries reverse around, as they would to unload, thus allowing them to turn around. It seems from the plans that a couple of the proposed houses will take up the current garage forecourt space. I am concerned that this will stop lorries from pulling forward enough to allow a turning

circle in order to turn around and exit. By blocking up this area it may become difficult for some companies to deliver essential supplies to the shops. I think it is important that the movements of articulated lorries on this site are observed before considering granting permission for this application,

Loss of garages and parking for current residents of Priorswood Place - residents will be losing garages and parking spaces and understandably are unhappy about this. I note that a letter from Lesley Webb to Jeremy Browne MP on 16 December 2010 states that three new garages will be built yet only one is shown on the plan. Three new parking spaces (marked as 14, 15 and 16) will be created at the entrance to the site, bordering Lyngford Lane. Residents inform me that they will be reluctant to use these spaces as Priorswood Place has a problem with vandalism and these spaces are at a remote corner of the site and are not overlooked (obscure-glazed windows on the side of Dorchester House only). It would appear that 14 garages are to be lost, including 5 currently used by residents, I also calculate that 10 parking spaces will be lost, to be replaced by 7 spaces for general use (with no. 17 seemingly difficult to access) and 2 spaces for disabled use.

Consultation - residents have been opposed to this development for sometime and a petition of 225 signatures was gathered and presented to Lesley Webb, I am told around the time of the public meeting in the nearby St Peter's Church. Despite this, 1.3 in the 'Statement of Community Involvement' states 'We understand that current garage users are happy with the proposed arrangements'. Residents do not feel that they have been sufficiently consulted or their views considered. I think that there is an opportunity to provide housing on this site but with a smaller footprint and with greater consideration to access, parking and garaging for current residents.

PLANNING POLICIES

PPS1 - Delivering Sustainable Development,
PPS 1 SUPP - Planning and Climate Change,
PPS3 - Housing,
PPG13 - Transport,
PPS23 - Planning and Pollution Control,
STR1 - Sustainable Development,
STR4 - Development in Towns,
S&ENPP35 - S&ENP - Affordable Housing,
S&ENPP48 - S&ENP - Access and Parking,
S&ENPP49 - S&ENP - Transport Requirements of New Development,
S1 - TDBCLP - General Requirements,
S2 - TDBCLP - Design,
M4 - TDBCLP - Residential Parking Provision,
C4 - TDBCLP - Standards of Provision of Recreational Open Space,

DETERMINING ISSUES AND CONSIDERATIONS

The main considerations with this proposal are the suitability of the site, impacts on amenity, privacy, parking/turning and safety and the need for affordable housing.

Principle of Development

The development proposes the demolition of 14 garages and erection of a terrace of 2,3 and 4 bedroomed dwellings for rent through a Housing Association. The site lies

within the settlement limits of Taunton and in principle is considered suitable for residential use. It is in a sustainable location adjacent to a local shopping centre and thus is considered to comply with requirements in PPS1 and PPS3.

Design and Amenity

The terrace of 6 dwellings is designed to reflect the design of the flats building fronting Dorchester Road. The properties will step down in height away from the back of the shops towards Lyngford Lane. The dwellings will also be set into the ground by up to 700mm and have a ramped access for any disabled. The dwellings will also have their own defined rear gardens and are not considered to adversely impact on the amenity of the existing properties. There is over 30m window to window distance from the rear of the dwellings to the flats opposite and this distance is an acceptable one. A distance of 4.7m is retained between the end of the existing and new terrace and the only window in the new gable is a ground floor secondary window to a living room. This relationship is considered to be an acceptable one given the orientation of the site. The rear of the new dwellings will be overlooked to a degree by the existing flats, however this is not considered unusual in an urban location and is considered to be acceptable.

Parking

The site currently has 20 garage spaces plus an additional 6 parking spaces available, although none of the parking spaces are formally marked out. The garages are leased and not all are fully utilised by local residents. The scheme retains 6 garages and erects a seventh. Parking for 18 cars are also provided, including 8 off a new access from Lyngford Lane. The policy for parking in the Local Plan would require a maximum of 9 spaces for the new housing and this leaves 9 spaces for existing resident parking plus the 7 garages. The applicant intends 10 spaces for the new houses plus 8 spaces for existing residents. While some spaces are less directly overlooked than others the proposed provision on this site adjacent to the local centre is considered to be an acceptable one.

Access

The access to the site also acts as entrance/exit to the service area at the rear of the existing shops. This access is to be maintained as is a standard size turning head for lorries. A tracking diagram to illustrate turning for articulated vehicles has been submitted for approval by the Highway Authority. A response to this is currently awaited. The scheme also will include a safety barrier adjacent to the service yard between the rear garden boundaries and edge of the footway. Details of this are subject to condition. A condition for potential contamination is also recommended by the Environmental Health Officer given the proximity of this site to the former petrol service station.

Leisure and Recreation

The development proposes six new dwellings and this level of development meets the threshold for leisure and recreation provision under policy C4 of the Local Plan. As there is no space for on site provision the needs of the occupiers will need to be met through an off site contribution and this will need to be secured through a legal agreement and this forms part of the recommendation.

Conclusion

The proposed site lies within a residential area and adjacent to a local shopping centre. As such it is considered a sustainable location. The dwellings are to be built to Code 3 standard and solar technology will be utilised on south facing roof areas. The site provides an additional 6 dwellings that will be affordable for people in need and the scheme is supported by the Housing Enabling Manager. The provision of affordable housing is one of the Council's corporate priorities and the need for such provision is widely recognised. The provision of such housing has to be weighed against other material considerations. In this instance there are not considered to be any material considerations to outweigh the need and permission is recommended subject to conditions and a Section 106 agreement to secure leisure and recreation contributions.

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

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