

25/2005/011

WEST OF ENGLAND DEVELOPMENTS LTD

**ERECTION OF 9 DWELLINGS AT LAND NORTH EAST OF DABINETT CLOSE, NORTON FITZWARREN (PLOTS 1 - 9) AS AMENDED BY AGENTS LETTER DATED 25TH MAY, 2005 AND DRAWING NOS. 3592/05 REV B AND 3603/05 REV B AND BADGER SURVEY RECEIVED 15TH APRIL, 2005**

19923/26108

RESERVED MATTERS

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## **PROPOSAL**

The proposal comprises the clearance of all reserved matters following previous outline application 25/2000/024. This application for nine dwellings represents the majority of the site granted outline permission with access from Dabinett Close.

The remainder of the site granted outline permission is subject to a current application (25/2005/009) for 2 dwellings with access from Valberie Close.

## **CONSULTATIONS AND REPRESENTATIONS**

COUNTY HIGHWAY AUTHORITY comments awaited. COUNTY ARCHAEOLOGIST no objections. WESSEX WATER no objections. SERC statutory and non-statutory species have been identified within 1 km of the site. SOMERSET WILDLIFE TRUST no objections subject to the mitigation measures of the wildlife survey are appropriately conditioned.

LANDSCAPE OFFICER subject to landscape details, including a boundary native hedge it should be possible to integrate the local street scene and soften its impact from the Norton Hill Fort special landscape feature. ENVIRONMENTAL HEALTH OFFICER no observations. DRAINAGE OFFICER no objections to the revised drainage details. LEISURE DEVELOPMENT OFFICER no objections.

PARISH COUNCIL object to the introduction of an agricultural access, when there is none at present, and we also object in principle to the introduction of an agricultural access through a residential area. We are concerned on the affect on wildlife, as there a colony of Slow Worms at the site-which are protected. There is also concern over the potential detrimental effect on drainage affecting the wider area. There has been a history of problems with some properties at Taylor Close and Dabinett Close flooding with run off water from the land above the site. Adequate drainage provision should be made, to ensure that the new dwellings are properly protected.

THREE LETTERS OF OBJECTION have been received raising the following issues:- construction traffic represents a clear danger to children who play in the area; significant difficulty with existing on-street parking and a clear nuisance in terms of noise, mud and dust; a formal risk assessment of the latter should be undertaken and investigate any

alternative option for temporary site access prior to permission being granted; working hours, noise, mud, dust and other antisocial activities should be restricted.; Dabinett Close is a quiet cul-de-sac with views of the fields and hills beyond that would be eroded; I was informed this was a green belt; most houses these days are two car household, the increased traffic movements would cause considerable affect; the cider factory and trading estate are being developed, surely that is enough without taking open countryside.

TWO LETTERS OF REPRESENTATION has been received raising no objections to the proposal but would like noise and disturbance from construction traffic kept to a minimum; an overlooking landing window should be obscurely glazed; and covenants be placed to maintain a quiet domestic environment that apply to the existing properties at Dabinett Close.

## **POLICY CONTEXT**

Taunton Deane Local Plan Policies are relevant:-

Policy S1 covers general requirements, including one stating that the accessibility of the development by public transport, cycling and pedestrian networks should be consistent with its likely trip generation and minimising the need to use the car. 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. Policy M4 sets out guidelines for residential parking standards. Policy EN5 states that development should not harm protected species.

Policy T15 (E) - sites allocated for residential development (Dabinett Close). A triangular site, directly north of the turning head at the end of Dabinett Close, which is part of a modern residential estate. The site currently forms the corner of a large open field which slopes down south-eastward from Norton Camp. It is separated from modern housing by wire fences to south and north-east, and by dense trees to the south-east. The western boundary is not marked by any features on the ground. The site adjoins the Norton Camp Hill Special Landscape Feature, necessitating sensitive design, layout and landscaping. No public sewers are available to the site. Discharge of foul flows to mains drainage will require an easement from all private property owners involved. Land surface water problems have been experienced. All surface water systems are private, necessitating owners consent to drain water from the site. Planning permission for the site's development was granted in March 2003.

## **ASSESSMENT**

The principle of residential development on the site has already been established by the previous outline planning permissions. The site is allocated for housing in the Local Plan and within the defined development limits of Norton Fitzwarren. The previous outline applications included a completed S106 agreement providing off-site contributions to sport facilities and play areas.

The provision of 8 semi-detached and one detached property makes the best use of the land, whilst reflecting the existing form of development at Dabinett Close. The design and character of the properties are in-keeping with those in the area, offering an appropriate choice of house types and external appearances. The design and layout of the dwellings are considered acceptable and are located sufficient distance away from neighbouring properties not to cause any detrimental overlooking or loss of light. One letter of representation has been received requesting that the first floor, south west elevation landing window of plot 9 be obscure glazed and an appropriate condition is proposed. Subject to appropriate planting the proposal would therefore not cause any detrimental loss of residential or visual amenity.

In terms of addressing the objections received, construction and associated traffic will be restricted to reasonable times by an appropriate condition. Concerns regarding on-street parking are met as the dwellings meet the appropriate parking standard and no objections have yet been raised from the Highway Authority. Other nuisance factors identified such as mud and dust etc are controlled by Environmental Health legislation.

The inclusion of an agricultural access to the surrounding field is not considered to result in any detrimental loss of residential amenity. The access between two properties would be screened from view by garden fences.

## **RECOMMENDATION**

Subject to the receipt of no adverse comments from the County Highway Authority, the Development Control Manager in consultation with the Chair/Vice Chairman be authorised to determine and permission be GRANTED subject to additional conditions regarding details to be submitted of the future maintenance and management of the drainage screens, piped system throughout the development and attenuation bund, implementation of the mitigation measures for badgers and restriction of hours of operation. Notes re compliance with the conditions of the outline permission, energy and water conservation and that separate consent from the Highway Authority is required to form the access.

REASON(S) FOR RECOMMENDATION:- The reserved matters of this development are considered to be acceptable and would not harm visual nor residential amenity. Therefore, the scheme accords with Policies S1, S2, H2, EN5, M4 and T15 of the Taunton Deane Local Plan.

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

**CONTACT OFFICER: 356586 MR R UPTON**

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