

38/2004/260

SOMERSET COUNTY COUNCIL

ERECTION OF TWO STOREY COMMUNITY BUILDING WITH ASSOCIATED PARKING ON LAND TO REAR OF ST PETERS CLOSE, LYNGFORD PARK, TAUNTON (AMENDED PROPOSAL) AS AMENDED BY LETTER DATED 19TH JULY, 2004 WITH ATTACHED DRAWINGS

23431/26411

FULL PERMISSION

PROPOSAL

Planning permission was granted in last year for the erection of a building for Surestart adjacent to the library within Lyngford Park. The building made use of the sloping land to provide an 'under-storey' to allow for any future expansion needs of the unit. The proposal included a widening of St Peters Close to provide an adequate access to the site for servicing and staff. The current application proposes the erection of the same building but it has been relocated 1 m to the southeast (nearer to the footpath from St Peters Close into the park). In addition the building would now utilise the 'under-storey' to provide an additional full day care nursery. The additional facility has necessitated the provision of a larger outdoor play area and this would result in a larger area of land that would need to be fenced off from the main park for security reasons. The current proposal also alters the proposed access. It is now proposed to access the parking area from Eastwick Road, via the existing vehicular access to the library. The proposal would provide 10 replacement parking spaces for the library and 8 parking spaces for the Surestart staff. The Surestart site would have gates that could be closed preventing any misuse should the general public attempt to park there.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY views awaited

LANDSCAPE OFFICER no objection subject to the submission of a detailed landscape scheme. LEISURE AND RECREATION OFFICER it is considered that the community benefits of the proposal will be greater than the loss of public open space as the lease of the land requires a contribution towards new toilet facilities in a safer location and the use of the facilities but local clubs outside of the Surestart or County Council operating hours.

4 LETTERS OF OBJECTION has been received raising the following points:- the proposal does not include details of the siting of the replacement toilets; the use of the existing library car park and access would disrupt the use of the library and cause an unacceptable hazard to pedestrians and Traffic on Eastwick Road; 30-50 daily movements to and from the site are expected and the narrow entrance with only 8 parking spaces will create a significant traffic and safety hazard; 8 staff parking spaces will be insufficient; library users will have to park on the opposite side of the road and cross the busy road to use the facility; one disabled space is inadequate; there are no proposals to restrict on site parking to staff only and there is no provision for on site

parking for users leading to congestion; the proposal will exacerbate existing parking problems associated with the local shops and library; the Church's open plan parking area is likely to be used by Surestart customers leading to restrictions for parking at the church and reducing the availability of the church to its parishioners and local community; additional parking pressure would result in a safety hazard for users of the church; mains drain for 60 and 62 Eastwick Road cross the site; the only reason for the amended proposal is the delay in the legal transfer of land from the church; it was only after the church approached the applicants that terms of agreement were agreed earlier this year; if work does not commence in this financial year then funding will be lost; an interim arrangement could be agreed prior to the final transfer of the land from the church; there has been inadequate publicity of the proposal locally and any decision may be illegal.

POLICY CONTEXT

Somerset and Exmoor National Park Structure Plan Review Policies STR1

Development in Somerset and the Exmoor National Park should be of high quality, good design and reflect local distinctiveness; STR4 New development should be focused on the Towns where provision for such development should be made in accordance with their role and function, individual characteristics and constraints. Priority should be given to the re-use of previously developed land and to the encouragement of mixed-use development. Policy 49 Proposals for development should be compatible with the existing transport infrastructure, or, if not, provision should be made for acceptable improvements. Taunton Deane Local Plan Revised Deposit the following policies are considered to be relevant:- S1 (A) additional road traffic arising, taking account of any road improvements involved, would not lead to overloading of access roads, road safety problems or environmental degradation by fumes, noise, vibrations or visual impact; (B) the accessibility of the development by public transport, cycling and pedestrian networks would be consistent with its likely trip generation and minimising the need to use the car; (D) the appearance and character of any affected landscape, settlement, building or street scene would not be harmed as a result of the development; S2 Development must (A) reinforce the local character and distinctiveness of the area, including the landscape setting of the site and any settlement, street scene and building involved; (E) include measures to reduce crime; (F) minimise adverse impact on the environment, and existing land uses likely to be affected. C3 Proposals involving the loss of recreational open space, including allotments, public, private and school/college playing fields, sports grounds and children's play areas will not be permitted unless: (A) there is an excess of good quality recreational open space of the type which would be lost, sufficient to meet local demand; or (B) the proposed development provides recreational or community benefit greater than the long term recreational value of the open space that would be lost; or (C) equivalent provision in a convenient location is made to at least an equal standard and with equal community benefit.

M1 Non-residential developments will be permitted provided that they cater safely for the expected number of trips generated or attracted by them and: (A) the on-site parking provision does not exceed the maxima set out in policy M2; (B) cycle, pedestrian and public transport facilities are provided sufficient to cater safely and conveniently for those trips with no car parking provision; and (C) provision is made for the movement needs of staff, customers and other visitors with impaired mobility or disabilities by

careful positioning of potential obstructions, ramps, dropped kerbs, textured surfaces and reserved car parking.

M2 Outside the settlement limits of Taunton and Wellington, the maximum permitted level of car parking for new non - residential developments will be the standards contained in PPG13 and RPG10. Within the Taunton Central Area and elsewhere within the settlement limits of Taunton and Wellington, parking provision will be limited to the following percentages of the PPG13 maxima: (i) Taunton Central Area 80% Retailing (class A), leisure (class D2), Cinemas and conference facilities. 60% employment (class B), Higher and Further Education, Hospitals, Stadia. (ii) Taunton and Wellington settlement limits 80%. Retailing (class A), leisure (class D2), Cinemas and conference facilities. 60 - 80% Employment (class B), Higher and Further Education, Hospitals, Stadia.

Policy C3 Proposals involving the loss of recreational open space, including allotments, public, private and school/college playing fields, sports grounds and children's play areas will not be permitted unless:- (A) there is an excess of good quality recreational open space of the type which would be lost, sufficient to meet local demand; or (B) the proposed development provides recreational or community benefit greater than the long term recreational value of the open space that would be lost; or (C) equivalent provision in a convenient location is made to at least an equal standard and with equal community benefit; or (D) in the case of school or college playing fields only: the land is needed for development of school buildings and/or associated facilities, and adequate playing fields to meet statutory requirements would be retained or provided.

ASSESSMENT

The principle of the building has been established by the previous planning permission granted in December 2003. The use of the under-storey would increase the intensity of the use but the previous scheme allowed for such uses in the future. Due to the new day care nursery additional outdoor play area would be required. Part of this would be provided on land between the building and the library but the proposal also incorporates an additional play area to the south west of the building in an arch that links to the corner of the play area. The Leisure and Recreation Officer has commented that the community benefits outweigh the loss of the open space on this occasion. This application now proposes access from Eastwick Road via the Library car park. The County Highway Authority views are still awaited and their comments thereon will be forwarded on the update sheet. The proposal maintains the provision of 8 parking spaces for the use Surestart. The Taunton Deane Local Plan requires the provision of a maximum number of parking spaces equivalent to 60% of the anticipated need. In this case there would be a requirement for 9 spaces to serve the equivalent of 15 full time members of staff. In addition the staff would be able to park in the Priorswood Youth Centre car park in Selworthy Road, which is under used during the proposed opening hours. In the circumstances I consider the proposed level of parking to be acceptable.

RECOMMENDATION

Subject to the receipt of acceptable amended plans and no objections by the County Highway Authority the Development Control Manager in consultation with the Chair/Vice Chair be authorised to determine and permission be GRANTED subject to conditions of time limit, materials, staff parking only, access, car parking and servicing prior to commencement of use, provision of replacement car parking for the library prior to useful details of car parking and servicing areas; details of replacement toilet facilities and timescale for provision prior to commencement; community use (D1) only; trees to be retained and their protection; boundary treatment; landscaping; removal of GDPO rights for fences/walls

REASON(S) FOR RECOMMENDATION:- The proposal will not cause demonstrable harm to the amenities of nearby properties. Levels of parking provision are considered acceptable and community benefits outweigh the loss of public open space. The proposal therefore accords with Somerset and Exmoor National Park Joint Structure Plan Review Policies STR4 and 45 and Taunton Deane Local Plan Revised Deposit Policies S1, M1, M2 and C3.

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: