

38/2004/328

N NOTARO HOMES LTD

ERECTION OF AN ANCILLARY 42 BED RESIDENTIAL CARE HOME INCLUDING THE REMOVAL AND REPLACEMENT OF TREES INCLUDED IN TREE PRESERVATION ORDER TD 467, RED LODGE CARE HOME, HOPE CORNER LANE, TAUNTON.

22724/26911

FULL PERMISSION

PROPOSAL

Planning permissions were granted in June 1998 for the erection of 34 bed nursing home on land to the rear of the Red Lodge Nursing Home. A revised scheme was subsequently permitted and renewed as recently as June 2004. This scheme provides a courtyard design with no windows on the first floor of the west and east roof slopes to avoid any direct overlooking of the existing bungalows that surround the site on those sides. Two storey elevations looked into the courtyard. The current application is for the erection of a two- storey development with an "L" shape. The eastern section would be within 4.8 - 6 m of the boundary with adjacent properties but again it is designed to avoid windows facing the adjacent properties at first floor level. The building would involve the removal of a small group of trees located on the boundary, currently covered by a Tree Preservation Order. The two storey elevations would face south, towards the existing care home and west, towards the adjacent residential properties. Distances in excess of 35 m have been provided between the first floor windows and the rear of Red Lodge Nursing Home and distance of approximately 25 m - 39 m have been provided between first floor bed room windows and the boundary of adjacent properties. A reduced level of 19 car parking spaces are to be provided.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY views awaited. WESSEX WATER foul and surface water mains are available in the vicinity of the site. Surface water proposals will need to meet appropriate standards.

LANDSCAPE OFFICER subject to detailed landscape proposals the proposals are acceptable. The eastern boundary proposals need to be agreed before the determination as they must include replacement trees for the TPO group that are to be felled and these will have a critical impact on the eastern boundary.

4 LETTERS OF OBJECTION have been received raising the following points:- at present our garden have a high level of privacy and looking out over buildings will not be appealing; the removal of the TPO trees will have a detrimental impact on the wildlife of the area including bats, great and lesser spotted woodpeckers, tree creepers etc.; increased levels of noise from the traffic, visitors and deliveries from the site will be detrimental to our current amenity; the proposal represents a much larger building than already agreed; the additional levels of occupation will increase the sewage output of the site and create more problems for the overloaded sewer in the road; the building

would be 8.8m high and tower over the adjacent area severely reducing the open view of sky and distant trees; the boundary line between the site and Hope Corner Lane has been incorrectly shown and the building would be closer to my land than indicated; the deliveries has not included the existing levels or the existing mini bus; I regret the loss of further trees and possibly hedges from the site; Hope Corner Road is inadequate to cope with the additional traffic; the area surrounding the site comprises bungalows and this proposal will be out of keeping with its surroundings and overpower surrounding bungalows restricting their outlook; the loss of the larger tree on the eastern boundary will have a detrimental impact on the area and environment causing detriment to local views, its retention would help to screen the proposal from the surrounding bungalows; the removal of the trees is necessary to allow a higher density of development ; the trees play a key role in screening the stark development on the site and their removal would remove all privacy from the homes.

POLICY CONTEXT

Somerset and Exmoor National Park Joint Structure Plan Review the following policies are considered relevant:- Policy 49 requires proposals for development to be compatible with the existing transport infrastructure and provide safe access to roads of adequate standard within the route hierarchy and, unless the special need for and benefit of a particular development would warrant an exception, not derive access directly from a National Primary or County Route. Taunton Deane Local Plan Revised Deposit the following policies are considered especially relevant :- S1 Proposals for development should ensure that (D) the appearance and character of any affected landscape, settlement, building or street scene would not be harmed as a result of the development; (E) potential air pollution, water pollution, noise, dust, glare, heat, vibration and other forms of pollution or nuisance which could arise as a result of the development will not harm public health or safety, the amenity of individual dwellings or residential areas or other elements of the local or wider environment. Policy S2 requires development to be of a good design. Its scale, density, height, massing, layout, landscaping, colour, materials and access arrangements should (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; (F) minimise adverse impact on the environment, and existing land uses likely to be affected; H18 allows for the provision of residential care homes within walking distance of a range of community facilities provided that: (a) they are within the limits of a settlement. M3a requires 1.5 parking spaces per dwelling but would expect a significant reduction in that number for elderly persons accommodation. EN5 Development which would harm trees, woodlands, orchards, historic parklands and hedgerows of value to the area's landscape, character or wildlife will not be permitted unless adequate provision is made for tree cover to compensate for this loss. The good management of such tree cover for nature conservation purposes will be sought.

ASSESSMENT

The principle of ancillary accommodation in this location has been established with the existing planning permissions. The current proposal is designed to reflect the Victorian influences of Red Lodge. The "wing" adjacent to the eastern boundary will be approximately 5 m away from the eastern boundary and the wall will be 3.1 m high rising to 8.8 m high at a distance of 14 m away from the eastern boundary. The side of

the rear "wing" will also be adjacent to the eastern boundary and will reach a maximum height of 9.9 m at a distance of 11.4 m away from the boundary. The distances from the boundary are approximately 1m closer to the boundary than the existing permission. I consider that roof and walls of the buildings, adjacent to the eastern boundary with the gardens of the adjacent bungalows, have been carefully designed to avoid overlooking and any detriment to the privacy of the occupants of those properties. The buildings will restrict the views out from those dwellings but I do not consider that this would be to an unacceptable level. The Landscape Officer has concerns about the retention of the Poplar tree on the eastern boundary if the current permission is built and considers that it would be beneficial to remove the tree and secure its replacement with alternative, more appropriate trees along the boundary, which would, in the long run, improve the wildlife habitat of the area. Landscape plans are awaited prior to the determination of the application to ensure this is achieved. The Taunton Deane Local Plan expects a significant reduction in the levels of car parking for elderly people's accommodation. The current proposal would provide 19 spaces for the use of the whole site, including Red Lodge Nursing Home and I am awaiting further details from the applicant to enable me to assess whether this would be adequate. Proposal considered acceptable.

RECOMMENDATION

Subject to further car parking details the Development Control Manager in consultation with the Chair/ViceChair be authorised to determine and permission be GRANTED subject to conditions of time limit, materials, landscaping, no additional windows, ancillary only, walls and fences, parking and turning areas, all services underground, no services within canopies of trees to north to be hand dug, noise emissions during construction to be to acceptable levels. Notes re common boundary with garage, contact the fire officer, unlikely to agree further extensions, percolation test required, meter boxes, energy conservation, sick and disabled persons, secure by design.

REASON(S) FOR RECOMMENDATION:- The proposal is within the settlement limits of Taunton where new building is considered acceptable. The proposal is considered to be in compliance with Somerset and Exmoor National Park Structure Plan Policy 49 and Taunton Deane Local Plan Revised Deposit Policies S1, S2 and H18.

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

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