

38/2004/492

STRONGVOX

ERECTION OF 33 DWELLINGS (3 X 1 BED FLATS AND 30 X 1 BED MICRO FLATS) WITH LANDSCAPING AND ASSOCIATED WORKS AT WOOD STREET, TAUNTON.

22520/24806

FULL PERMISSION

PROPOSAL

This proposal is for the erection of 33 "micro" flats contained within a three and a two-storey building (each flat measures approximately 8.5 m x 3.5 m and provides 1 bedroom with a combined kitchen/living room and a bathroom). The site comprises a triangular piece (0.16 ha) of grassed open land that is to the rear of Greenbrook Terrace and opposite to the Lidl Supermarket. To the east of the site lies the new section of Wood Street that currently provides access to Lidl's and the Council's car park and will form the approximate route of the inner relief road (third Way) in the future. The ground floor level of the site is raised above the properties in Greenbrook Terrace by approximately 0.5 m. There is no car parking on site but the proposal includes the provision of 100% cycle storage for use by the occupants of the flats there is an arched access to the rear for pedestrian and cycle access to the flats and cycle storage. Land to the rear of the flats would provide a landscaped communal area. The flats have been designed to reflect a terrace of houses and propose brick and tile materials with decorative railings along the road frontage that would form an enclosure to the street scene and avoid any direct pedestrian access from the highway. To enable servicing of the flats the applicants propose to provide a lay-by adjacent to the north east boundary of the site and this will necessitate the realignment of the pavement and highway. In June 2001, the Committee resolved to grant permission for the erection of 14 one bed roomed flats subject to a section 106 agreement being completed. The application site was removed from sale and the application withdrawn.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY I have no objection to the application in principle but there are a few matters of detail on which I would wish to comment. The application as submitted includes the bus/loading bay as originally envisaged on the alignment of the Inner Relief Road (IRR). This lay-by does not currently exist and is therefore assumed to form part of the development proposal but I note that it does not form part of the red line denoting the application area on the submitted drawings. You should also be aware that the submitted plans do not accurately reflect the width of the public highway. The plans scale at 14.5 m whereas our records indicate it to be in the order of 19 m. You will be aware that the historic IRR no longer forms part of the Taunton Transport Strategy and the Third Way route has been adopted. This includes a revised alignment of the road and land uses such as the provision of a theatre on the current Lidi site. The land use elements would require a revised alignment of the road in this location although this is not necessary for the provision of the Third Way in pure transport terms. The applicants should however be aware that the Third Way proposals would potentially provide for a slightly enlarged development site, subject to (possible but not necessary)

stopping up of the existing highway and any discussions with the land-owner to whom the stopped up highway would revert. The Third Way scheme includes the provision of a bus bay in a revised location with a Toucan crossing to enable safe crossing of the road. This is on a direct route to the town centre from the development site and a contribution to its provision should be sought from the prospective developers and form part of a time limited S106 Agreement. The short stay loading bay, and revised footway, shown on drawing 648/01, will need to form part of the application and be dedicated as highway through a legal Agreement. The associated Traffic Regulation orders to control parking in the lay-by will also form part of that Agreement. If there is not a S106 then the provision of these works should be covered by a Grampian style condition, but an agreement will be required with the highway authority: No occupation of dwellings shall take place until the provision of the lay-by, associated footway and TRO have been carried out in accordance with a S278 Agreement with the Highway Authority. A condition should also be imposed that no windows or doors should be capable of opening such that they obstruct the public footway and the eastern elevations should be fully noise insulated and double glazed so that noise impact from the Third Way is minimized. COUNTY ARCHAEOLOGIST no objection. WESSEX WATER there is no records of surface water sewers in the vicinity of the proposal and additional information is required from the applicant to ascertain the proposed drainage. Foul sewers and mains water supply are available in the vicinity of the proposal. ENVIRONMENT AGENCY views awaited

LANDSCAPE OFFICER CONSERVATION OFFICER the scale of the proposal is totally unrepresentative of the area. Two storey should be advocated as this reflects the nearby development. The buildings should address the road even if the pedestrian access' are to the rear. There are also concerns about the un-neighbourly scale and rear fenestration. ENVIRONMENTAL HEALTH OFFICER no objection subject to conditions on hours of construction and contaminated land. HOUSING OFFICER this is a prime site in the centre of Taunton and a social housing contribution of 35% is required. DRAINAGE OFFICER there are no surface water sewers in the area and additional drainage details should be submitted prior to determination, to establish the drainage proposals. LEISURE AND RECREATION OFFICER A contribution of £770 is required for off site provision of local recreation, the development is in the heart of the Cultural Quarter and paragraphs 6.42 - 6.46 require the provision of 1% of the development cost towards the delivery of this proposal.

2 LETTERS OF OBJECTION have been received including one from the Greenbrook Terrace residents group raising the following issues:- three storey development is completely out of keeping with the character of the area; three storey would impinge on the residential amenity of adjacent occupants; the rear accesses to the flats would overlook the rear of existing residential properties and have a detrimental impact on their privacy and amenity; the 21 m window to window distances depend on the absence of bedrooms from the rear extension of Greenbrook Terrace, this is not the case there are at least 5 properties with windows that are closer; the use of the land to the rear of the flats for communal open space would lead to reduced security and additional noise disturbance for occupants of Greenbrook Terrace as the boundary wall is relatively low; the lack of off street parking will exacerbate the existing problems of on street parking in the area, it is unrealistic to suppose occupants will not own cars; the site lies within a high risk zone for flooding and new development should not be allowed until sufficient flood risk management schemes are in place; the flats are to be sold on

the open market and this may result in undesirables moving into the properties so heightening the danger to the security of the adjacent dwellings; the erection of a three storey development will restrict the natural light entering the rear of the adjacent properties eroding the existing levels of amenity; the development will result in a devaluation in our property and would require compensation at the very least.

POLICY CONTEXT

Taunton Deane Local Plan, the following policies are considered relevant:- S1 criteria are especially important, S2 design criteria; H1 Housing development will be permitted within defined limits of settlements, provided that: (A) there is safe and convenient access by bus or on foot to facilities and employment. In the case of proposals of a significant scale, bus or walking access to a town centre or rural centre will be required, taking account of any off-site works proposed in accordance with criteria (B); (B) necessary provision is made for off-site public transport, cycling and pedestrian facilities and highway improvements to cater safely for the expected number of trips generated by the development and minimise the proportion of car trips; (C) traffic calming, pedestrian, cycle and bus measures are incorporated where necessary to give priority to safe and convenient access and circulation by means other than the car; (E) the layout allows people with impaired mobility or a disability safe and convenient access and movement to and between dwellings by careful positioning of potential obstructions, ramps, dropped kerbs, textured surfaces and reserved car parking; (G) small scale schemes in existing residential areas will increase the development density of these areas without individually or cumulatively eroding their character or residential amenity; (H) a coherent approach to the overall design is adopted, including layout, landscaping, building designs, materials, open spaces and circulation routes, to create locally distinctive developments well related to their surroundings; and (I) existing and proposed dwellings will enjoy adequate privacy and sunlight. (J) on housing developments and conversions of a substantial scale a reasonable mix and balance of housing types and sizes be incorporated to cater for a range of housing needs particularly those low cost housing types which are under represented in the current stock.

H12 On housing sites which meet the following criteria, the provision of affordable dwellings will be sought: (A) within Taunton and Wellington, the site is at least 1.0 hectare in size or is proposed for at least 25 dwellings. M3a; C4 recreation requirements; EN30 On land liable to flood development proposals will not be permitted unless, having regard to any flood defence or other mitigation measures incorporated within the development: (A) The development would not be affected by intrusion of flood water for the appropriate design flood event; (B) the capacity of available flood storage would not be reduced; (C) flood water and flows would not be impeded; (D) flooding risks elsewhere would not be increased; and (E) the maintenance and integrity of existing flood defences would not be impeded; EN31 flooding due to development; En34 Contaminated land; T35a Wood street allocation - A site of 1.4 hectares at Wood Street as shown on the Proposals Map is allocated for mixed use town centre redevelopment, to include residential and one or more of the following uses: retail, food and drink, offices, leisure and/or entertainment facilities. Development will be permitted provided that; (A) existing footpath linkages to The River Tone walkway are retained and enhanced, or replacement linkages of equivalent convenience are provided; (B) the proposal enhances the setting of The River Tone; (C) the proposal provides car parking

for general usage by town centre shoppers, as well as customers, of any retail development; (D) an archaeological survey is undertaken. In association with the development, the following will be sought: (E) contributions towards both necessary and related off site works required to improve highway safety within the vicinity of the site, as well as contributions towards related elements of the Transport Strategy, the implementation of which will improve the overall accessibility of the site and relieve levels of vehicular congestion within the town centre. Accordingly, the proposal will be expected to deliver the section of Inner Relief Road between Bridge Street and the north bank of the River Tone.

The Taunton Vision document identifies the provision of the Tangier and cultural core in this area of Taunton. The plans suggest the provision of a theatre on a site opposite, adjacent to the River Tone. In this document the "inner relief road" proposals are amended to provide a "Third Way" where a new vehicular crossing is constructed improving access from Wellington Road to Bridge Street. The Third Way involves a realignment to the proposed road to minimise the impact on the environment whilst maximising opportunities for development. The realignment would result in additional land adjacent to the application site and its delivery would not be compromised by this development.

ASSESSMENT

The site lies within the central area of Taunton in close proximity to shops, services and alternative means of travel and is in an ideal location for sustainable development. The site itself has a restricted size and its development requires careful consideration in terms of its impact on the amenity and privacy of the existing residents. In this case the applicants have designed the building to avoid overlooking of the rear of the existing dwellings but the external stair accesses would have an open view of the properties and is not acceptable. The surrounding area is characterised by two storey residential development and single-storey commercial development and as a result, I consider the provision of a three-storey block to be out of keeping with the area. In addition, I consider that the bulk of the building would be likely to have an overbearing impact on the amenity of the existing properties. (In coming to this view I have taken into account the Committee resolution to grant planning permission for 14 flats in 2001 and have considered the advantages of providing additional space between the rear wall of the flats and the existing dwellings). The applicants have therefore been requested to amend their scheme to take account of the above views and details of a two storey scheme is now awaited that will be in keeping with the surrounding area and provide adequate protection against overlooking from the balconies. The boundary walls will provide a degree of separation between the existing and proposed development and I consider these to be adequate provided they are properly maintained. In view of the County Highway concerns, the applicants are re-measuring the site and adjacent roads to ensure all of the plans are accurate. Existing proposal considered unacceptable comments on amended scheme will be reported in the update sheet.

RECOMMENDATION

Subject to the receipt of no objections from the Environment Agency and the provision of drainage details and amended plans, reducing the height of the building no objections raising new issues on the amended plans and a Section 106 agreement regarding highway works and contributions to local recreational provision, 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, hard and soft landscaping, drainage, double glazing, no external lighting, fencing/ boundary walls, restricted noise during construction, contaminated land, cycle parking, erection of railings, no windows doors to overhang the highway and rear access balconies obscure glazed. Notes re energy and water conservation, disabled persons and contaminated land.

REASON(S) FOR RECOMMENDATION:- The proposed residential development is located within Taunton Town centre and conforms to Taunton Deane Local Plan Policies S1, S2, H1 M3a, C4, EN34.

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: