

34/2006/014

MR W J CHANNING

ERECTION OF 2 NEW SEMI DETACHED DWELLINGS AT LAND BETWEEN 17 AND 21 CRESSWELL AVENUE, TAUNTON, AS AMPLIFIED BY AGENTS LETTER RECEIVED 15TH JUNE, 2006, TREE SURVEY DRAWING NO. 6634/06/2, LETTER DATED 24TH JUNE, 2006 AND DRAWING NO. 6634/06/1A AND LETTER DATED 27TH SEPTEMBER, 2006 AND DRAWING NO. 6634/06/1B, AND FURTHER AMENDED BY AGENT'S LETTER DATED 29TH SEPTEMBER, 2006 AND DRAWING NO. 6634/06/1B

321530/126187

FULL

PROPOSAL

The proposal relates to the erection of two semi-detached dwellings at this vacant site between 17 and 21 Creswell Avenue. The dwellings incorporate hipped roofs and utilise matching bricks and tiles to those used on neighbouring dwellings.

The plans have been amended twice during the course of the application due to consultation responses. Firstly the dwellings were brought forward, south, 2 m in response to the Landscape Officers comments in relation to nearby trees subject to Tree Preservation Orders (TPO's). Secondly, the garage of the westernmost dwelling was integrated with the dwelling and single storey accommodation to the rear projecting 1 m northward in order to achieve appropriate parking space sizes.

Permission was refused on this site for two dwellings in 2000, application 34/2000/003, dated 27th April, 2000 on the grounds of overdevelopment of the site resulting in a cramped form of appearance.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY objected to the first set of amended drawings due to insufficient room for parking in front of the garage of the western most dwelling. This however can be overcome to provide 5.5 m between the back of the footway and the front of the garage. NATURAL ENGLAND (formerly English Nature) no objections. The proposals set out in the Badger survey are sufficient to mitigate any impact to local Badger populations.

LANDSCAPE OFFICER no objection to the amended plans. Although it was originally recommended to bring the dwellings 2 m forward, the rear projection of the westernmost dwelling, 1 m northward, should not detrimentally affect tree roots of protected trees. NATURE CONSERVATION AND RESERVES OFFICER no objections. The development on this site will mean the relocation of the Badger sett on the site. This would have to be done under licence from English Nature. Pending further comment from English Nature the following conditions should be applied requiring the submission of details for a strategy for the protection of Badgers.

PARISH COUNCIL (in response to the originally submitted application) has no objection to this site being developed but considers the erection of two semi-detached four bedroom dwellings to be out of scale on this site for the following reasons:- The infilling should be similar to the adjacent buildings and there are no semi-detached houses on this estate; the impact of a building of this size is not in keeping with the existing houses; the plot size is slightly less than No. 21 and slightly greater than No.17. However, when this is divided between the two semis the garden area for each is significantly less than adjacent; a single detached house would be preferred and more appropriate. (in response to the first set of amended drawings) With reference to the amendments to the above planning application, detailed in your letter dated 4th July, the moving of the buildings 2m does not effect our comments e-mailed to you on 5th June which we would like to still stand. (in response to the second set of amended drawings) Object, comments as before.

TWO LETTERS OF OBJECTION have been received in response to the originally submitted application raising the following issues:- the proposal will seriously affect the wildlife on the site; we would like assurances that the trees will be preserved; the dwellings will affect our views towards Staplegrove; space is very limited for two dwellings; access to main road is difficult and made worse by the increase in volume of traffic; two properties are being put on plots that accommodate only one equivalent plot size in the area; we are concerned that the new build will come very close to our boundary, this will impact on our privacy, light and the general look of the area; we are concerned that the Badgers will come into the new dwellings gardens.

TWO LETTER OF REPRESENTATION have been received in response to the originally submitted application raising the following observations:- I am not convinced that the Badger report is accurate as the numbers of Badgers on site varies greatly; a condition retaining the corridor of veteran trees should be imposed as bats and all forms of wildlife in the area use them; the site has been overgrown until the Council ordered it to be cleared; the development will mean that fly tipping will stop and the area no longer affected by the unsightly overgrown empty site; the Badger sett, bats, TPO's and other wildlife should be protected; concerns regards vehicle access sight lines; please ensure that there is sufficient visibility from our own property to allow good visibility between it and Nos. 15 and 17 for vehicles entering and leaving; please allow sufficient parking so that neighbours drives are not obstructed; we trust that the dwellings will be built to the highest standards of construction and energy efficiency/insulation and fit in architecturally.

ONE LETTER OF OBJECTION has been received in response to the first set of amended drawings raising the following issues:- as a result of moving the dwellings forward to create an acceptable distance from the protected trees they are now well ahead of our building frontage at No. 17, consequently the proposed houses would definitely be overlooking in relation to No. 17; there would also be some loss of natural light to the frontage of our house; access/egress would be even more hazardous. A single dwelling would be more appropriate.

ONE LETTER OF OBJECTION has been received in response to the second set of amended drawings raising the following issues:- as a result of the changes the dwellings would lose symmetry whilst previous objections remain.

POLICY CONTEXT

Taunton Deane Local Plan Policies S1 (general requirements), S2 (design), H2 (housing), EN5 (protected species) EN6, (protection of trees) and M4 (parking requirements are relevant to this proposal.

ASSESSMENT

The site is located within defined settlement limits and therefore there is a presumption in favour of development on the site. The main issue regarding this application appears to be whether two dwellings on the site are considered to overdevelop the site, resulting in a cramped form of appearance. Previous application 34/2000/003 was refused for the latter reasons and therefore to reach an alternative recommendation, new material considerations or policy must have come to light. The previous refusal was made before the current PPG3 guidance was adopted, which now encourages higher densities provided the character of the area is respected. In this instance two plots approximately (the site is slightly tapered) measuring 10 m x 40 m would be formed. Looking at a plan of the area it is evident that the plots will be of a similar size to those in the area. There are also four semi-detached properties within 80 m of the application site. Although the neighbouring property to the west is of 1 ½ storey construction, the majority of properties in the area are of full, two storey construction. The proposal is therefore considered to satisfactorily reflect the current built form of the area.

In specific design terms the proposed materials would match those used on neighbouring properties. Cresswell Avenue incorporates a variety of house designs and the proposed design would appear to reflect the character of the area. Hipped roofs are proposed to reduce the bulk of the dwellings in relation to immediately neighbouring properties and are considered appropriate. The dwellings are also staggered slightly to break up the roofslope and walls. The revised plans show differing garage treatments due to the required parking space requirements however the two designs are not considered to contrast each other unacceptably. Given the age of the estate a number of single storey porches and garages have evolved in the area with differing styles. The visual amenity and street scene will therefore not be detrimentally affected.

No windows serving habitable rooms are proposed in the gable ends of the dwellings and first floor bedroom windows face the rear garden as is the same situation with most rear facing first floor windows along Cresswell Avenue. The proposal would therefore not appear to cause any undue overlooking of neighbouring properties. The proposed dwellings are located more or less in line with the neighbouring 17 and 21 Cresswell Avenue. Considering the aspect of the dwellings in relation to neighbouring properties no detrimental overshadowing would appear to be caused. The sizes of the proposed dwellings are consistent with the area and would not appear to result in an overbearing relationship with neighbouring properties. The first floor bedroom window in the west elevation of 21 Cresswell Avenue will face the

dwellings but will be slightly forward of the building line and therefore maintaining the majority of its views. Furthermore the latter first floor bedroom window of No. 21 is served by a second window facing south. The residential amenity of the area will therefore not be detrimentally affected.

The second set of revised plans show a distance of 5.5 m for a parking space in front of the garage. Parking and visibility requirements whilst entering/exiting the site are in line with the Highway Authority requirements.

Natural England (formerly English Nature) and the Nature Conservation and Reserves Officer have raised no objections to the proposed wildlife mitigation measures that will involve the creation of an artificial badger sett. The landscape officer is satisfied that no protected trees will be detrimentally harmed.

RECOMMENDATION

Permission be GRANTED subject to conditions of time limit, materials, landscaping, boundary treatments, parking, prevention of surface water to the highway, dropping of curbs, visibility, the recommendations of the wildlife survey shall be carried out, details of Badger protection measures, no site clearance works between 1st March and 31st July, no further extensions, no further outbuildings and obscure glazing to east and west first floor windows. Note re connection to the highway.

REASON(S) FOR RECOMMENDATION:- The proposal, for residential development, is located within defined settlement limits where new housing is encouraged and the development would not have a detrimental impact upon visual or residential amenity and would not detrimentally harm protected trees or wildlife species. Therefore, the scheme accords with Taunton Deane Local Plan Policies S1, S2, H2, EN5, EN6 and M4.

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: