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RLS ESTATES LTD/J25 LTD/ MARBLE HOME LTD

**ERECTION OF TWO STOREY BUILDING COMPRISING 8 NO. FLATS WITH ASSOCIATED COMMUNAL AREAS, BICYCLE PARKING AND BIN STORAGE AT FORMER ROBARTON ADULT SCHOOL, HARCOURT STREET, TAUNTON AS AMENDED BY LETTER DATED 8TH MAY, 2007**

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FULL

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**PROPOSAL**

The proposal is to erect a two storey development providing eight one bedroomed flats on the site of the former Rowbarton Adult Centre. The building was last used in 2005 and was in a poor physical state, functionally and economically obsolete and has since been demolished. The site is close to the town centre and in easy walking distance of shops, the train station and other public transport. The flats will be one bedroom units built in brick with a slate roof and the block will follow the built form of residential development in Salisbury Street.

**CONSULTATIONS AND REPRESENTATIONS**

COUNTY HIGHWAY AUTHORITY whilst I note the considerable public concern over lack of parking in the area the existing use of the site has the scope for generating significant traffic movements which would likely result in a significant parking demand at various times of day. Further the proposal is for one bedroomed flats. Such units would be more attractive to single persons rather than families and consequently less likely to be car owners. The site is located close to the town centre, the rail station and other facilities where development without car parking is acceptable. Other developments that provide flats of one, two and more bedrooms, again without car parking, have been granted planning permission in the area. Consequently this development with no car parking provision can be considered acceptable. In the event of permission being granted I would recommend a condition to provide adequate sheltered, secure cycle parking. The application states provision will be made for 8 cycles but the designated building appears too small. ENVIRONMENT AGENCY concern over asbestos shards on site and recommend remediation condition. WESSEX WATER the development is located in a foul sewer area and the developer will need to agree a point of connection. There may be a sewer crossing the site that due to its age could be deemed a public sewer. Wessex is currently reviewing data on these sewers to update its records. Public sewerage apparatus is covered by a statutory easement and no new building will normally be allowed within a minimum of 3 m of the apparatus. The developer has proposed to dispose of surface water to 'existing'. As there are no separate surface water sewers in the vicinity, it is advised the developer investigate alternative methods of disposal e.g. soakaways. Surface water should not be discharged to the foul sewer and the Council should be satisfied with any arrangement for disposal of surface water.

LANDSCAPE OFFICER a tight squeeze but I have no objections. Good to see two trees will be planted on the road frontage. I think towards the rear of the site there will only be space for one small tree. I suggest a Sorbus aria x hostii. FORWARD PLAN the principle of a residential development without on-site parking provision in this location is generally acceptable, although local shortage of on-street parking capacity may be an issue, and the views of the Highway Authority should be taken into account and may indicate that the proposal is not acceptable. In view of the wide range of alternative facilities within reasonable distance for community activities the loss of a site that was formerly used for such activities is acceptable in policy terms. LEISURE DEVELOPMENT TEAM in accordance with Local Plan policy C4 provision for active recreation must be made. An off site sum should be sought towards improving local outdoor sports facilities for the benefit of the occupants of the new development. I require a contribution of £859 (index linked) per dwelling for this purpose.

37 LETTERS OF OBJECTION have been received raising the following issues:- no off street parking and parking problems in the surrounding area with narrowing of the streets; problems for service vehicles, emergency services and waste collections; 8 flats could mean a potential 16 more vehicles plus visitors; no more properties should be built without parking facilities; it is naive to think residents will not own a car; the development will exacerbate servicing of the nearby off-licence, it will add vehicles to already congested streets, creating further displacement of cars; the Local Plan advises that "the impact of potential displace car parking on adjoining residential or commercial areas will be a key consideration"; congestion of already busy sub-standard junctions on Greenway Road and Kingston Road; if allowed parking problems will cause trouble for families, elderly and young professionals as can't park near home; concern over location of the bin store, bins may block entrances and cause hygiene problem; bin and bike store could be swapped; overlooking of courtyard from first floor windows, loss of privacy, sunlight, a two storey structure will have a greater impact and it should be single storey as before; on site parking would also cause problems as dropped kerbs would limit parking; in trust for use as an adult school, loss of community hall use and use by dance school; noise, disturbance and pollution during construction works would affect quality of life; overdevelopment of the site, adverse effect on the environment contrary to policy H2(E), the development does not relate well to its surroundings contrary to policy H2(F), and the building will be a substantial height over and above the building it replaces and existing and proposed dwellings would not enjoy adequate privacy and sunlight contrary to policy H2(G); the development will cause difficulties for emergency vehicle access.

## **POLICY CONTEXT**

RPG10 - Regional Planning Guidance for the South West Policy HO 5: Previously Developed Land

Somerset and Exmoor National Park Joint Structure Plan Review Policies STR1 - Sustainable Development, STR4 - Development in Towns, Policy 33 - Provision for Housing, Policy 48 - Access and Parking.

Taunton Deane Local Plan Policies S1 - General Requirements, S2 - Design , H2 - Housing in Settlements, M4 - Residential Parking Requirements, C4 - Open Space Requirements.

## **ASSESSMENT**

This proposal to erect 8 flats on this vacant brownfield site on Harcourt Street raises the following issues:- the impact on the character of the area, the impact on neighbouring amenity, the suitability of the residential use, parking provision and contamination.

The proposal provides a two storey building on a triangular plot of land that backs onto properties in Greenway Road. The design reflects the two storey character of the properties in the surrounding area and is to be built in materials which also reflect this. The building is set back approximately 0.5 m from the road frontage and the boundary with the street is defined by a low brick wall and railings. This design is considered an acceptable one and is considered to increase the density while not detrimentally affecting the character of the area and so complies with policy H2(E) and (F).

The building has been carefully designed so its main windows are orientated to the front, with blank gable ends and first floor windows at the rear are largely limited to serving circulation space in the stair and lobbies as well as shower rooms. The exceptions to this are kitchen windows which are set 10 m off the rear boundaries and maintain standard window to window distances. The building is orientated to the north of the Greenway Road properties and is not considered to have a significant adverse impact in terms of loss of light or privacy and so the proposal complies with policy H2(G).

The original use of the site was an Adult Centre set up under a charitable trust in 1910. The building was last used in 2005 and has since been demolished. One letter has raised concern over this. There are alternative facilities in close proximity at St Andrews and Staplegrove and in policy terms there is no objection to the alternative use now proposed. There were concerns raised that the demolished building contained asbestos and the Environment Agency had been advised of this. A condition concerning remediation has been suggested, however having discussed the issue with Environmental Health there is other legislation which covers the removal and disposal of such waste and the provision of a note to address the matter is considered the appropriate means of dealing with this.

The development comprises 8 flats and this means that a contribution for leisure and recreation provision is required under policy C4. The normal means to secure this off site provision from the developer is through a Section 106 legal agreement which forms part of the recommendation in this instance.

The main issue at contention is the provision of no car parking spaces to serve the proposed flats. There were no off road parking to serve the original use on the site and that use would have generated traffic and parking in the area. The flats are one bedroomed units and the Highway Authority consider the site and location is appropriate for a development with cycle parking only. A condition is proposed to

address the provision of adequate cycle parking. The policy in the Local Plan allows for car free developments in certain circumstances such as within or adjoining the town centre. The displacement of parking is a consideration here. However, the Highway Authority haven't objected on the basis of the number and size of the units and there have been a number of cases where the Authority have tried to resist such schemes without car parking in similar locations off Greenway Road and Cheddon Road. In these instances appeals have been allowed for development without car parking.

## **RECOMMENDATION**

Subject to a Section 106 Agreement for leisure and recreation contributions permission be GRANTED subject to conditions of time limit, materials, landscaping, limited obscure glaze first floor windows in east elevation, details of cycle and bin storage, meter boxes, colour of railings, combined aerial, surface water details. Note re contamination.

**REASON(S) FOR RECOMMENDATION:-** The development is considered not to harm the amenity and privacy of neighbours and is considered to comply with Taunton Deane Local Plan policies S1, S2, H2, M4 and C4.

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

**CONTACT OFFICER: 356468 MR M HICKS**

NOTES: