

52/2004/037

MR B FEAR

**ERECTION OF A DWELLING TO THE REAR OF 9 JEFFREYS WAY, TAUNTON.**

20058/23664

OUTLINE APPLICATION

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**PROPOSAL**

Outline planning permission was refused by the Committee in June 2003 for the erection of one dwelling in the rear garden of 9 Jeffreys Way. The current application is a resubmission of this outline proposal and contains a sketch scheme to illustrate how a two storey dwelling could be accommodated on the site. The sketch scheme indicates a dwelling on part of the rear garden that measures 14.2 m wide x 25 m deep. The plot would provide a 10 m rear garden for the proposed dwelling with a 5.8 - 7.6 m rear garden for the existing dwelling. The site would be accessed off a new access onto Jeffreys Way to the south of 27 Jeffreys Way.

**CONSULTATIONS AND REPRESENTATIONS**

COUNTY HIGHWAY AUTHORITY no objection.

DRAINAGE OFFICER no observations.

PARISH COUNCIL support this application.

22 LETTERS OF OBJECTION have been received from residents of Jeffreys Way raising the following points:- the proposal represents an over development of the site out of keeping with the area; Jeffreys Way consists of large 4/5 bed-roomed dwellings with good sized gardens containing many trees and shrubs; average densities have been selective and should reflect the whole of Jeffreys Way in general the plots are larger and the comparison to densities of the bungalows in Highfield is not relevant; ;the proposal would interfere with neighbours privacy and overlook adjacent gardens; the proposal, if allowed, would set a precedent for similar dwellings in the area contrary to the character and amenity of the area; the proposal would be overdevelopment contrary to the Local Plan; the proposal would project in front of the established building line contrary to the existing dwellings; this is not for the benefit of the occupier of the dwelling like an extension or granny flat, but merely a speculative development; it is incompatible with the plan of the area; we chose to live in this area due to its spacious layout; a covenant on the deeds precludes further development; the remaining back garden for number 9 would be too small; the proposal would be cramped; development of the site would lead to a loss of tree and shrubs that enhance the character of the area; our dwelling also has space for an additional dwelling but we considered it our responsibility to the locality and our neighbours not to encourage/allow development there; there appears to be some artistic license in the drawing the base span of a high boundary hedge , the angle of the plot to the road; a 12 foot high boundary hedge is unrealistic; there are some errors of detail in the application, No. 52 Jeffreys Way was never part of the plot of No. 7 it was sold and developed as a separate plot from the

beginning, No. 19 Jeffreys Way has a 19 m frontage, the illustration drawing is not to scale and is misleading, surface water should not be disposed of via surface water drains, the proposed plot has a depth of 23 m not 25 m, trees would need to be felled to provide access, it does not comply with Taunton Deane Local Plan policy H1 (G) & (I) as it will erode the character of the area and amenity of residents; an additional dwelling would affect house values; the access will be very close to a junction of these narrow roads and will be unsafe for vehicles and pedestrians; the additional traffic would result in less space and more demand for on street parking in an already congested area; there would be unacceptable disturbance to traffic, dust and noise during construction;

5 LETTERS OF SUPPORT have been received from residents of Buckland St Mary, Staple Fitzpaine, Blagdon Hill, Corfe and Chilliswood Crescent in Taunton:- there is an on-going demand for dwellings like this; the proposal would fit in well with the locality, this is a sustainable site and should be encouraged; the proposal is well designed and will not have a detrimental impact on the street scene or neighbours; the proposal is in line with Government policy to provide additional houses; the proposal will allow development without harming the countryside.

## **POLICY CONTEXT**

Somerset and Exmoor National Park Joint Structure Plan Review the following policies are considered relevant:- Policy STR1 requires all development within Somerset to reflect local distinctiveness, to allow development that minimizes the length of journeys and the need to travel and maximizes the potential use for public transport, cycling and walking, to give priority to previously developed areas; 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 (A) additional road traffic would not lead to overloading of access roads or road safety problems; (B) the accessibility of the site for public transport, walking, cycling, and pedestrians would minimise 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 (F) the health, safety, or amenity of any occupants or users of the development will not be harmed by any pollution or nuisance arising from an existing or committed use. 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; (E) include measures to reduce crime; (F) minimise adverse impact on the environment, and existing land uses likely to be affected; (H) make full and effective use of the site; Policy H1 allows housing development within Taunton subject to the following criteria (A) there should be and convenient access by bus, or on foot to

facilities and employment (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 (I) existing and proposed dwellings will enjoy adequate privacy and sunlight. M3a requires adequate parking for new dwellings.

The proposal is within an established, low density, residential area. It is important for the development to be in character with the existing development and to ensure that adequate levels of privacy and amenity are maintained for the existing properties and provided for the new dwelling. In this case I consider that the proposal would be out of keeping with the area and would be detrimental to the privacy and amenity of the existing dwellings.

## **ASSESSMENT**

The proposed development would result in a reduction in the rear garden of the existing dwelling from 20 m to 6 m. The agent for the development considers that 6 m from the rear of the existing dwelling to the proposal would allow sufficient breathing space between dwellings. I disagree and consider that this close proximity would result in unacceptable levels of overlooking to the detriment of the amenity and privacy of occupiers of both dwellings. The area is characterised by low density development that comprises large dwellings with commensurately large plot sizes and I consider that the proposal would result in a relatively cramped development that would appear out of keeping with the area. Proposal considered unacceptable.

## **RECOMMENDATION**

Permission be REFUSED for the reasons of over development of the site, detrimental impact on the privacy and amenity of the surrounding properties.

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

**CONTACT OFFICER: 356467 MRS J MOORE**

NOTES: