

52/2004/001

SWAN HILL HOMES LTD

**ERECTION OF 12 DWELLINGS ON SITE OF NEW BARN (TO BE DEMOLISHED)
AND FORMATION OF ACCESS THERETO, 41 COMEYTROWE LANE, TAUNTON
AS AMENDED BY DRAWINGS ATTACHED TO APG ARCHITECT'S LETTER DATED
2ND MARCH, 2004**

20821/23575

RESERVED MATTERS

PROPOSAL

The site comprises a substantial dwelling set in almost half a hectare of garden. The site is currently largely screened from Comeytrowe Lane by a belt of trees. To the rear of the house is a very large beech tree, which is subject to a Tree Preservation Order. Outline permission for the demolition of the house and the principle of residential development of the site was granted in July 2003.

This reserved matters application was originally submitted for fourteen dwellings and included the felling of the beech tree. Following concerns over the loss of the tree and the impact of three storey dwellings close to the rear boundary of the site, revised proposals have been submitted reducing the number of houses to twelve, whilst also retaining the tree. However, four three-storey dwellings are retained, two either side of the access point and two towards the centre of the site.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY the access is in the correct position and adequate visibility can be achieved. However, there are deficiencies in the internal layout. WESSEX WATER no objections. POLICE ARCHITECTURAL LIAISON OFFICER the rear gardens of several, if not most, of the properties appear to be open, or insecure, to the front or the side. Statistics show that the majority of dwelling burglaries occur where access is gained at the rear. Therefore, I would recommend that fencing and lockable gates, to 1.8 m in height, should be installed where necessary to secure the rear gardens. These gates should be installed as close to the front building line as possible to allow greatest natural surveillance and avoid hiding places. ENVIRONMENTAL HEALTH OFFICER suggests note re construction noise. LANDSCAPE OFFICER (to original proposal involving felling of beech tree) the Tree Preservation Order tree has significant amenity value and I do not consider that the proposed replacement trees would equal that amenity either when planted or in the longer term and would therefore not have the potential stature of the Beech. The eastern boundary treatment should be planned to provide a landscape corridor to the open spaces to the south east through management of the existing vegetation and where necessary new hedgerow and tree planting on a bank. The frontage planting and layout provide some scope for landscape treatment subject to details. Overall the density of the proposed housing does not allow for a good landscaping scheme for the site. ARCHITECTURAL ADVISOR (on original

scheme) the site is fronting onto Comeytrove Lane, which forms the northern boundary, and slopes away to the south, where a retaining wall 2.0-3.0 m high forms the boundary. The site is surrounded by predominantly 1970/1980's 2 storey low density housing, built mainly of brick/render with tiled roofs. The proposed new development is 14 no. detached/semi-detached houses. Four semi-detached houses, which relate to the existing houses at either end of the Comeytrove Lane frontage, with 2 no. 3-storey Gateway Houses flanking the new central access road, which serves the remainder of the site, comprising 2/3 storey detached houses, with south facing private gardens. The plot widths are quite narrow (11.0 m average) but have greater depth which, with the 2/3 storey massing, produces a fairly tight urban design of higher density. I am concerned at the close proximity of the 2/3 storey Gateway Houses with the semi-detached Houses each side. The 1.0 m gap seems mean, and access to the garages of Plots 3 and 4 from the shared access road would, in my view, be difficult. However, it is the overlooking factor of the avenue of houses to the south of the site, Plot Nos. 10, 11, 12 and 13, that particularly concerns me. Although the second storey rooms are partially within the roof, I consider that the overlooking of the private rear gardens of the existing houses nos. 21, 23 and 25 Glasses Mead from the first and second floor balconies of these houses is unacceptable, when you draw in the site lines, over the retaining wall (cross section D-D). Similarly, the overlooking of the rear garden areas to nos. 15/17 Glasses Mead by plot No. 9, main window master bedroom is also unacceptable, and to a lesser extent no. 39 Comeytrove Lane by plot No. 14. The general design of the houses and proposed use of materials - brick and render with tiled roofs, overhanging eaves, hips, bonnet hips, etc would blend in with the general character of the area and adjoining houses.

PARISH COUNCIL (original comments) - (1)the plans are not accurate and plans 2 and 3 do not "tie-up" with plans 4 and 5. Plans 4 and 5 only add up to 12 dwellings and the plot numbers and house types H1 to H4 do not link up properly with plans 1 to 4. (2) the proposed 3 storey dwellings on 10 of the 14 plots are totally out of keeping with the prominent location of the site, the sloping nature of the site and the surrounding area and properties. They would be an intrusion in the area and overbearing because of their height and multiple roof structures. The balconies on the dwellings at the bottom of the site are an intrusion to surrounding properties and their privacy, especially those below them in Glasses Mead and six dwellings so close together at the bottom of the site is over development. It would appear that the only way that a site of this size could accommodate 14 dwellings is to have 3 storey dwellings, because of the reduced ground floor space required and in view of the other problems this creates, the Council feel that this is unacceptable. (3) as stated in their letter of 15 May 2003 the Council feel strongly that 14 dwellings are too many for the site, its density, size and physical characteristics. As mentioned in 2 above, if the only way to get 14 dwellings is by having 10 of them 3 storey, then it is over development and unacceptable. In addition, the Council would like to make the following comments/observations:- (4) in view of the previous and present (well documented) problems of traffic and road safety in Comeytrove Lane, especially towards Galmington Road, where there are no pavements, the Council would be pleased if the Developer could be asked to contribute towards a suitable scheme, to assist with the safety of pedestrians and cyclists. (5) the colour of the roof-tiles should be in keeping and should not be a visual intrusion to the area, in view of the prominent position of the site (6) although the Council are pleased with the suggestion for the mature trees to be planted in the centre of the site, they would like to ask if more native species could be considered, as these would seem to be

more appropriate. (7) every care should be made to ensure that associated works, e.g. pavements, street lighting, at the site are in keeping with and blend in with the surrounding area and properties. (8) the Parish Council would be pleased if they could be consulted over a suitable street name for the new development. In view of the above, the Council would be pleased if you would let them have any views that you have on the proposed development, especially as the Council can consider the application again, if necessary, at their next meeting on 1st March, 2003. (Comments on Revised Proposal) - at their meeting held on 15 March 2004, the Parish Council agreed to oppose the above application on the following grounds:- (1)for the second time, the Design Report and the plans are not accurate. (2) although the number of 3 storey dwellings has been reduced, the Council are still totally opposed to any 3 storey dwellings on the site because they are out of keeping with the prominent location of the site, the sloping nature of the site and the surrounding area and properties. They would be an intrusion in the area and overbearing because of their height and multiple roof structures. (3)although the 4 dwellings at the bottom of the site have been reduced to 2 storey, they should still have no balconies, on the first floor level, at the rear of the dwellings (one of the plans shows a balcony). (4) the 4 dwellings, especially plots 9 and 10, are too close to the wall and properties at the rear in Glasses Mead, which have an adverse affect on the privacy of these houses because they are being overlooked from above, on a steep slope. (5) although the number of dwellings has been reduced from 14 to 12, the Council feel that this has only been done to accommodate the retention of the TPO tree. The area taken for the 12 dwellings appears in fact, to be the same area as the previous 14 dwellings were on. In effect, the density of the site has not changed and 12 dwellings are too many for the site, its size and physical characteristics. The proposed dwellings are still too close together, especially at the bottom of the site and it is therefore, over development of the site and unacceptable. (6)the Council feel that the road into the site should be constructed to an adoptable standard and that it should be adopted by the Local Highway Authority. The Council feel that if the road is adopted, it removes any possible problems in the future from the possible lack of maintenance or safety issues. (7) the Council feel that if the TPO tree remains and the small surrounding area becomes a grassed open space, then they should both be adopted and taken over for future maintenance by Taunton Deane Borough Council. Again, this would prevent any possible problems over ownership and maintenance from occurring in the future. The Council would still like their comments/observations numbers 4 to 8 in their letter to you dated 6 February 2004 taken into account.

16 LETTERS AND E-MAILS RECEIVED OBJECTING TO 14 DWELLINGS raising following concerns:- impact of increased traffic flows and need to calm Comeytrowe Lane: three storeys out of keeping with area particularly on an elevated site; overlooking of houses in Glasses Mead; tree should be retained; gateway houses should be reduced to two-storeys; need to protect bat colony; over development; balconies will overlook; balconies, railings and porthole windows not traditional in this area; need to keep screening along boundaries; gardens too small; boundary fences will cause loss of light to neighbouring properties; new lawn should be retained and incorporated into scheme; three access points are inappropriate therefore intensity of dwellings will be oppressive; with be visible from long distance.

ONE LETTER OF SUPPORT has been received.

ONE E-MAIL RECEIVED OBJECTING TO REVISED PROPOSALS on grounds that area under tree will be a dumping ground; remaining three-storey buildings should be reduced to two-storey.

POLICY CONTEXT

Taunton Deane Local Plan Revised Deposit Policy S2 gives advice on design as follows:- Development must be of a good design. Its scale, density, height, massing, layout, landscaping, colour, materials and access arrangements will be assessed to ensure that the proposal will, where reasonable and feasible:- (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; (B) incorporate existing site features of environmental importance; (C) reinforce nature conservation interest; (D) minimise the creation of waste in construction and incorporate recycled and waste materials; (E) include measures to reduce crime; (F) minimise adverse impact on the environment, and existing land uses likely to be affected; (G) include facilities to encourage recycling; (H) make full and effective use of the site; and (I) subject to negotiation with developers, incorporate public art. Policy H1 gives criteria for new housing; Housing development will be permitted within defined limits of settlements, provided that:- (A) there is safe and convenient access by 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. Policy EN5 gives protection to trees that contribute to an area's landscape or wildlife character. Policy S1 provides general criteria for all new development, including criterion (E) that the amenity of existing dwellings and the local environment will not be harmed.

ASSESSMENT

The principle of development has been established and it is not therefore now possible to insist upon the retention of the existing house.

The beech tree is an important feature in the landscape. The applicant's commissioned an arboricultural report, which has confirmed that it is neither dead, dying nor dangerous. The applicants have therefore accepted the Landscape Officers' advice that it should be retained, which has resulted in the deletion of two houses from the original scheme. The design style is different from that surrounding and for this reason specific architectural advice was sought. As can be seen above, the conclusion of the Council's advisor is that the houses will satisfactorily blend into the area. The key issue therefore is to balance the need to maximise development of this brownfield site, with maintaining the suburban character currently found in this area and protecting the amenities of nearby residents. Whilst it was considered that three storey houses (particularly with balconies) at the rear of the site would be unneighbourly for existing properties in Glasses Mead, it is not considered that three-storey development is inappropriate elsewhere on the site. Whilst revised details of the internal layout are awaited, the County Highways Authority do not object to the arrangements in principle. Concerns in respect of maintenance of the area surrounding the tree are understood and clarification in this respect has been sought.

RECOMMENDATION

Subject to corrections to annotation of plans, revised highway layout and clarification in respect of area surrounding tree, the Chief Planning Officer in consultation with the Chair/Vice Chair be authorised to determine and permission be GRANTED subject to conditions of materials, landscaping, protection of trees, walls and fences, service trenches, garages and meter boxes. Notes re: surface water, street naming, S106, bats Part M construction, noise, compliance, highway drainage and other conditions.

REASON(S) FOR RECOMMENDATION:- The proposal represents a suitable reuse of this previously developed site in accordance with Taunton Deane Local Plan Revised Deposit Policy H1. The design proposed is considered acceptable in accordance with Policy S1 whilst the amenities of nearby occupiers are maintained.

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

CONTACT OFFICER: 356464 MR T BURTON

NOTES:

