

THE FELLOWSHIP OF INDEPENDENT EVANGELICAL CHURCHES LTD

**ERECTION OF 1 NO. DWELLING AND GARAGE AND FORMATION OF ACCESS,
THE MANSE, FORD ROAD, WIVELISCOMBE AS AMENDED BY LETTER DATED
4TH OCTOBER, 2002 WITH ACCOMPANYING DRAWING NO. BFH/317/2A**

08490/27800

OUTLINE APPLICATION

PROPOSAL

The proposal was initially submitted as an outline application for 4 dwellings, three dwellings being served from the existing rear access to the Manse from Lion d'Angers with the 4th dwelling being served from a new access from Ford Road, off a waiting bay which would also serve the Manse via a new access. Siting and access were not reserved for future approval and the layout plan submitted indicated three linked detached dwellings and one detached dwelling. The development of the site was seen by the applicants as part of a wider project to construct a new hall and refurbish the listed church buildings at Silver Street, and subject to outline planning consent it is likely that the land would be sold to raise funds. The application has been subsequently amended to reduce the site area and provide for an outline application for the erection of one dwelling served by the new access onto Ford Road as proposed in the original proposal. The site currently forms part of the garden area for The Manse.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY (original proposal) no objection in principle to this proposed development, however, the proposed road to serve plots 1 to 3 will need to be amended if to be constructed to an adoptable standard as a shared surface. In the event of permission being granted, they would request that conditions are included to provide for a waiting bay, visibility splay 2 m back and to the extremities of the site, parking/turning and the existing access should be closed to traffic. COUNTY ARCHAEOLOGIST limited or no archaeological implications to the proposal and therefore have no objections on archaeological grounds. WESSEX WATER the development is located within a foul sewer area and points of connection will need to be agreed for the satisfactory disposal of foul flows. There are no existing public surface water sewers in the vicinity of the site and it is advised that the developer investigates alternative methods for the satisfactory disposal of surface water from the site, e.g. soakaways. Surface water should not be discharged to the foul sewer. Connection for water supply will need to be agreed.

LANDSCAPE OFFICER (original proposal) the breach in the roadside bank to provide access to the Manse and plot 4 will involve the felling of several trees including a semi mature cherry. However their removal will not be a great loss. More concerned about the possible removal of the purple maple and conifer to the rear of the site. The layout of these plots should be rethought in order to retain one or both trees. PARKS

MANAGER (original proposal) concerned that the new vehicle access will be directly in front of the only gate into the childrens kindergarten. The grass strip is 2.9 m wide and the existing path 2 m and cannot see how a footpath can be built to give access to the gate. This play area is for under five year old children and it would not be acceptable for them to leave the play area and walk onto a road or drive. LEISURE OFFICER (original proposal) please ensure that the contributions towards local play and sport as outlined in the Local Plan are secured for these houses. This can be spent with the local parish council or other suitable local organisation such as the committee running the playing field to improve the sports and play facilities in the town. ENVIRONMENTAL HEALTH OFFICER no objection.

TAUNTON DEANE DISABILITY FORUM the developer should be made aware that levels are important because Part M of the Building Regulations requires a level access to dwellings.

PARISH COUNCIL (original proposa) both the Clerk and several Councillors declared an interest in this planning application; the Lion d'Angers residents presented the Parish Council with a petition (containing 39 signatures of persons from 24 properties) against this planning application, on grounds that they understood that when they bought their houses the site would not be built on because it was church land, the new access from Lion d'Angers will constitute an added security risk to the tree houses backing onto it and will both add noise and air pollution to the previously secluded gardens and extra traffic throughout the existing estate road and the existing children's play area will no longer be safe from traffic. The existing rear access (to Lion d'Angers) is longstanding, dating back to the 1940s. Tarmac PLC, the developers of the housing at Lion d'Anger, obstructed the original access (which went through the land which is now the play area) and had to compensate the church by granting a new right of access as shown on the site plan for unrestricted vehicular and pedestrian use. This access is part tarmaced as a foot path and part grass verge over a concrete hard surface so that the whole width of the access can be used by vehicles, and the siting of the play area was approved by Taunton Deane Borough Council in full knowledge of the right of access, which has always presented a safety concern. Pollution concerns are already present when vehicles use the existing right of access. A church representative spoke at the meeting and explained that the Congregational Church buildings at Silver Street are extremely dilapidated and this development is part of the fundraising effort to raise a large sum of money needed to refurbish them. The church is actively involved in the Community and the buildings are used on a regular basis by various local organisations. The Parish Council support the development of the land, which is a natural infill site, but feel that access for additional properties should be taken off Ford Road in order to address the safety concerns of local residents. They consider that an improved access with a visibility splay onto Ford Road would improve poor visibility to the north, which affects several properties in the area, and that Taunton Deane should satisfy themselves that adequate mains sewerage infrastructure is in place to serve the site, after problems experienced at Lion D'Angers. (Amended proposal) no further comments.

12 LETTERS OF OBJECTION (to original proposal) strongly object to the proposed formation of an access to the proposed 3 dwellings off Lion d'Angers; rear access to the Manse from Lion d'Angers is rarely used; there is a designated footpath running alongside the rear access and if this footpath is retained, the access road will not be wide enough for motor vehicles unless parts of gardens or play area is taken; concern

at the safety of children playing in the area, which at the moment is a safe area; kindergarten not shown on plan; the gateway to the kindergarten would be directly onto the proposed access road; the proposed access onto Lion d'Angers will completely alter the design and balance of the estate; open plan front gardens of existing houses will front directly onto the proposed access road which will result in a dangerous situation for occupants; query where construction traffic would access the site; should be no ability for a rat run between Ford Road and Lion d'Angers; residents of the whole estate should have been informed; the drainage system here is over the maximum level already and 4 more houses will completely overload the system which could cause even more flooding; the only access should be from Ford Road; many of the parish Councillors are connected with the church and stand to benefit from the development; concern at the suggestion by the Parish Council that all the proposed dwellings should be served from Ford Road, although one additional dwelling would be acceptable; proposed access will result in noise and air pollution and an invasion of privacy to house and back garden, which would be further exacerbated by three houses facing directly into property; several mature trees will need to be felled; detrimental to the street scene; proposed dwelling would overshadow the rear windows of house and concern that windows may be put on side of proposed dwelling and cause overlooking; loss of value and if goes ahead would expect council tax to be reduced; overdevelopment. ONE LETTER OF OBJECTION TO AMENDED PLAN surprised to see that only one dwelling is now to be developed; proposed position of the dwelling would overshadow the rear of the property and would cut out a substantial amount of light; would also have objection to any windows being put on the south wall of the property as that would look directly onto the patio and into the rear of the property.

POLICY CONTEXT

Policy STR1 of the County Structure Plan contains criteria for sustainable development, including ones that (a) development should develop a pattern of land use and transport which minimises the length of journeys and the need to travel and maximises the potential for the use of public transport, cycling and walking; and (b) give priority to the continued use of previously developed land and buildings. Policy STR5 of the same plan states that development in rural centres and villages should be such as will sustain and enhance their role and will be commensurate with their size and accessibility, and appropriate to their character and physical identity. Policy WD/HO/3 of the West Deane Local Plan states that within the identified limits of settlements the development of new housing will normally be permitted provided that certain criteria are met. Policy WD/HO/7 of the same plan sets out guidelines for the design and layout of new housing developments. Policy S1 of the emerging Taunton Deane Local Plan covers general requirements, including one stating that the accessibility of the development by public transport, cycling and pedestrian networks should be consistent with its likely trip generation and minimising the need to use the car. Policy S2 of the same plan provides guidelines for the design of new developments. Policy H1 states that housing development will be permitted within defined limits of settlements provided certain criteria are met. It is considered that these criteria are met with the current proposal.

ASSESSMENT

The application was originally for the erection of 4 dwellings, 3 of which would have been served by the existing rear access to The Manse from Lion d'Angers. I had concerns about this arrangement, in particular with regard to the relationship with the adjacent kindergarten. I also had concerns about the proposed layout in terms of the pattern of development and the potential loss of privacy to the occupants of adjacent dwellings. The application has been subsequently amended to provide for one dwelling, which I consider overcomes most of the concerns of the residents and the Parish Council. On that basis I find the proposal acceptable.

RECOMMENDATION

Permission be GRANTED subject to conditions of submission of details, time limits, materials, landscaping, boundary treatment, waiting bay, visibility splay, parking/turning, meter boxes, removal of GPDO rights for garages, walls/fences and first floor windows on south elevation and closing up of existing access onto Ford Road. Notes regarding disabled access, energy/water conservation, meter boxes, CDM Regulations, contact Wessex Water, layout plan illustrative only and advice that no public surface water sewers in the vicinity.

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

CONTACT OFFICER: 356461 MR J HAMER

NOTES: