

52/2005/044

CAVANNA HOMES (SOUTHWEST) LTD

ERECTION OF 18 DWELLINGS FORMATION OF ACCESS AND DEMOLITION OF DWELLING AT NEW BARN, 41 COMEYTROWE LANE, TAUNTON, AS AMENDED BY LETTER DATED 15TH DECEMBER, 2005 AND PLANS 04-52-50A, 51A, 52A & 53A, AND LETTER AND PLAN DATED 6TH JANUARY, 2006 AND LETTER DATED 10TH JANUARY, 2006 AND PLAN 04/52-47B AND DATED DATED 13TH JANUARY, 2006 AND PLANS 04/52/47C AND 52B

20825/23576

RESERVED MATTERS

PROPOSAL

The proposal is a reserved matters application for 18 dwellings following the granting of an outline permission for residential development in July 2003. The scheme involves the demolition of the existing dwelling on site and the provision of a central access (which was approved as part of the outline permission). The housing consists of terraces of 3 bedroom two storey properties fronting the highway with parking courts set to the rear. There are two detached garage blocks, one with a flat above set to the rear of a substantial tree which is the subject of a Tree Preservation Order and a separate block which also provides for the bat roost provision.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY as the application is a reserved matters application it relates to the outline application 52/2003/014, which set out conditions including highway conditions relating to the provision of footways, visibility splays and a suitable internal highway layout. The plans submitted with the present application are generally acceptable. However there are some minor details with regard to the internal layout which will need alteration prior to construction, probably during the Section 38 stage of the process. In conclusion there is no objection in principle to the development and provided the details are amended prior to construction then there is no highway objection to the proposal. WESSEX WATER the development is located in a sewered area with foul and surface water sewers available. The proposal is to dispose of surface water to existing surface water drains. It will be necessary to agree a point of connection to our systems. The site is subject to an adoption agreement under Section 104 of the Water Industry Act 1991. There is a public water main near the site and normally a 3 m easement either side is required for maintenance and repair. An informative should be placed on any consent to ensure the protection of any infrastructure, which should be agreed prior to the development commencing.

LANDSCAPE OFFICER my main concerns are that the impact on the proposals on the street scene being too far forward and not allowing enough room for significant tree planting. There should be scope for significant tree planting in front of plots 10-12 to help soften the impact of the development from Comeytrowe Lane. There is limited scope for boundary treatment (hedgerow and trees) especially on the eastern side and the south where the properties will be prominent because of the existing retaining wall.

The access to plot 13 will affect the roots of the protected Beech tree and will not meet the guidance on the proximity dwellings to trees. The amended plans show an improvement to the root protection area with the revised layout but otherwise no change in my original comments. In addition the southern boundary needs careful landscape consideration as it is on higher ground and prominent in the local landscape.

PARISH COUNCIL accept that residential development will take place on this site but it was decided to oppose the application as presented for the following reasons and/or until further information is provided and agreed on a number of issues. (1) the Council feel strongly that the density is far too high with 18 dwellings; that the 4 blocks give a terraced effect and are not in keeping with the surrounding area. However, the Council are pleased to see the complete removal of the 3 storey houses and are generally pleased with the size of the houses, which hopefully will make them more affordable within the Parish. The proposed plan would also severely limit any future extensions or alterations to the properties. (2) the Council would like to see the houses on the frontage of the site more in line with the building line of the existing properties on either side of the development. This would be made easier to do, if the number of houses proposed on the site was reduced. (3) the Council would be interested to know what affect the additional traffic from the development will have on Comeytrove Lane? You will be aware of the problems of this Lane, especially the speed and volume of traffic, and our previous discussions with the Highway Authority, over many years, are well documented. (4) the Council would like to know, what roads/pavements/footpaths within the new development the Highway Authority will adopt? The Council would feel that for future maintenance and upkeep the majority should be adopted. (5) the Council would like to know what street lighting will go on the site and the exact number and location of the columns? (6) the Council would like to know who will be responsible for the future maintenance of the amenity space around the TPO tree and the tree itself and the other small garden/amenity areas around the site that do not appear to be part of individual properties? The Council feel that all amenity spaces on the site should be the responsibility of Taunton Deane Borough Council, in the same way as other open spaces. The Council are pleased that the tree is to be kept and feel that it should be properly maintained in the future. (7) the location plan and house type plan are not the same for Property 8. The rear stepped line of the property does not match. (8)the Council are concerned that a number of the properties do not have any way of 'getting to and from the rear garden without going through the property itself and that they do not therefore have, either side access or rear access. This will raise other issues, especially when "wheelie bins" are introduced, because these would have to be sited in front of the property all the time, which would be unsightly and unhygienic. (9) the Council are concerned that access to the rear of Properties 1 and 2 are through the car parking spaces of Properties 3 and 4. How would they gain access, especially with their "wheelie bins", from their rear gardens, if cars/vans were actually parked in the parking spaces? (10) the Council would like to know if it is the intention to keep the car parking spaces as they are in the future and what would happen if an owner of a property applied for planning permission to have a garage on one or both of their parking spaces. (11) the Council would like to know what is planned for the boundaries on both sides of the site. Will the existing hedgerows be maintained or enhanced or will fencing be erected? Who will be legally responsible for the hedgerows or fences in the future?

10 LETTERS OF OBJECTION have been received raising the following issues:- 18 dwellings with 36 cars being excessive; effect on infrastructure of area; limited visibility;

traffic pressure will be compounded; there will be parking on Comeytrove Lane; increase in traffic on narrow lane; lack of pavement and speeding traffic will create risk for pedestrians; traffic calming and parking restrictions should be imposed along the Lane; low cost housing is out of character with properties in the area; it will de-value housing; the design will be an eye-sore in an attractive area; this is town centre development in a suburban location; this is an attempt to maximise profits; plot 14 is out of character and will result in overlooking and loss of privacy with living areas on the first floor and garaging below; concern over loss of outlook; overlooking and 21 m not adequate distance on a slope; plots 5-13 could be turned sideways and not face Glasses Mead; concern over emergency service access; refuse bin provision; cars parked will block access to numbers 1 and 2; two blocks of terraces will stand out as most houses have gaps between and are detached or semis; density of 42 dwellings per hectare too great; concern over the loss of an historic building.

1 LETTER OF CONCERN received requesting a suitably high boundary fence to address privacy .

POLICY CONTEXT

RPG10 - Regional Planning Guidance for the South West.

Somerset and Exmoor National Park Joint Structure Plan Review Policies STR1 - Sustainable Development, STR4 - Development in Towns, POLICY 1 - Nature Conservation, POLICY 33 - Provision for Housing, POLICY 48 - Access and Parking.

Taunton Deane Local Plan Policies S1 - General Requirements, S2 - Design, H2 Housing development will be permitted within defined limits of settlements, provided that: (A) there is safe and convenient access by bus 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 criterion (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; (D) 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; (E) 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; (F) 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; (G) existing and proposed dwellings will enjoy adequate privacy and sunlight; and (H) on housing developments and conversions of a substantial scale a reasonable mix and balance of housing types and

sizes be incorporated to cater for a range of housing needs, particularly those low-cost housing types which are under-represented in the current stock,. M4 - Parking, EN5 - Protected Species.

ASSESSMENT

The proposal is for the erection of 17 two storey dwellings and one flat above a garage on this site of approximately 0.4 hectare. Outline permission was previously granted for the principle of residential development with a central access in 2003. An application for 12 detached dwellings was refused in 2004 for reasons of inadequate access roads and visibility and the overbearing nature of the development which included an element of three storey construction. The current scheme is for the erection of 18 units designed in 4 terraces with parking for each unit and the retention of the protected beech tree on the site. The main issues are the design and layout, privacy and overlooking issues and the impact on highway safety.

The layout is constrained by the need to maintain the beech tree to the rear which has a TPO and the need to provide a central access off Comeytrowe Lane. The layout provides for two terraces either side of the access to the site with low walls to act as defensible space and to prevent parking on the verges at the front. Provision of front boundary walling also restricts access to the front of dwellings to discourage parking.

The dwellings will be constructed in brick with tiled roofs and two main bricks are proposed one for the development fronting the Lane and one within the site. A comprehensive landscaping scheme for the site has yet to be finalised but will include planting facing the turning head as well as at the rear of the site. Protection of the roots of the TPO tree has also been included in the design. Where rear access is not provided to an individual plot provision for exterior bin storage is intended. Parking is provided on the basis of 30 spaces for 18 units which is considered to comply with the policy requirements.

The properties on the western side of the site will have gardens of around 8 m and the window to window distance with Glasses Mead is approximately 20 m. This is considered adequate with new boundary fencing and landscape planting in between. A similar situation exists to the south of the site. Although the land drops away here the distance of the new dwellings from the boundary and the height of the boundary wall is considered sufficient to adequately address privacy issues. The concern was initially with plot 13 as this is closest to the rear boundary and has accommodation on the first floor only. To address this the internal layout has been amended as well as the external elevations to ensure only high level windows and rooflights and an obscure glazed window.

The Highway Authority has raised no objection to the proposed development. The central access complies with the outline scheme and has the maximum available visibility within the site to either side. The access, road and turning head are provided to adoptable standard.

The outline permission required a bat survey to be carried out. The outcome of this has identified a bat roost within the existing building and in order to provide suitable mitigation alternative roost provision has to be provided. This is intended within a garage block to be erected on site and a condition is considered necessary to ensure this is provided before the existing building is demolished. A management company is to be set up to be responsible for the maintenance and upkeep of the protected tree and grass areas not privately owned.

In summary the design and layout of the site is considered to comply with both PPG3 and Regional Guidance in terms of densities. While this is a higher density than the adjacent sites the impact in terms of the impact on the character of the area is considered acceptable. The impact of the dwellings on adjacent properties is also considered to comply with policy H2 of the Local Plan and the highway access is considered acceptable. The application is therefore recommended for approval.

RECOMMENDATION

Subject to no further representations raising new issues by ... the Development Control Manager in consultation with the Chair/Vice Chair be authorised to determine and details be APPROVED subject to conditions of provision of alternative bat roost prior to demolition, retention of front boundary walls, no garages, appearance of bin enclosures. Notes re compliance with outstanding conditions and Section 106.

REASON(S) FOR RECOMMENDATION:- The proposed development is considered acceptable and to comply with Taunton Deane Local Plan Policies S1, S2, H2, M4 and EN5 and material considerations do not indicate otherwise.

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

CONTACT OFFICER: 356398 MR G CLIFFORD

NOTES: