

38/18/0423

GADD PROPERTIES LTD

Demolition of care home and erection of 9 No. detached 4 bedroomed dwellings with associated access road and car parking at Orchard Court Nursing Home, Harp Chase, Taunton

Location: ORCHARD COURT NURSING HOME, HARP CHASE, TAUNTON,
TA1 3RY

Grid Reference: 323960.123248

Full Planning Permission

Recommendation

Recommended decision: Conditional Approval

Subject to a legal agreement to secure appropriate equipment on the nearest play area to the site

Recommended Conditions (if applicable)

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: In accordance with the provisions of Section 91 Town and Country Planning Act 1990 (as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

(A3) DrNo 2017/11/PL101 Rev E Site Layout
(A3) DrNo 2017/11/PL102 Rev A House Type A
(A3) DrNo 2017/11/PL103 Rev A House Type B
(A3) DrNo 2017/11/PL104 Rev A House Type C
(A3) DrNo 2017/11/PL105 Rev A House Type C Plot 1 Elevations
(A3) DrNo 2017/11/PL100 Site Location Plan
(A3) DrNo 2017/11/PL106 Rev B House Type C Plot 3 Elevations
(A3) 2017 11 PL107 Rev B House Type D Elevations & Floor Plans

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Prior to the construction of the building/extension samples of the materials to be used in the construction of the external surfaces of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and

thereafter maintained as such.

Reason: To safeguard the character and appearance of the building/area.

4. (i) A landscaping scheme shall be submitted to and approved in writing by the local Planning Authority prior such a scheme being implemented. The scheme shall include details of the species, siting and numbers to be planted.
- (ii) The scheme shall be completely carried out within the first available planting season from the date of commencement of the development.
- (iii) For a period of five years after the completion of each landscaping scheme, the trees and shrubs shall be protected and maintained in a healthy weed free condition and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of similar size and species.

Reason: To ensure that the proposed development does not harm the character and appearance of the area.

5.
 - i) Before development commences (including site clearance and any other preparatory works) a scheme for the protection of trees to be retained shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a plan showing the location of the protective fencing, and shall specify the type of protective fencing, all in accordance with BS 5837:2012.
 - ii) Such fencing shall be erected prior to commencement of any other site operations and at least two working days' notice shall be given to the Local Planning Authority that it has been erected.
 - iii) It shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities whatsoever shall take place within the protected areas without the prior written agreement of the Local Planning Authority.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase.

Reason for pre-commencement: To ensure no harm to trees to protect the amenity of the area.

6. The development hereby permitted shall not be commenced until details of a strategy to protect wildlife has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be based on the advice of Abricon's Phase one habitat survey dated October 2018 and Western ecology's bat emergence survey dated May 2018 and any further survey and include:
 1. Details of protective measures to include method statements to avoid impacts on protected species during all stages of development;
 2. Details of the timing of works to avoid periods of work when the species

could be harmed by disturbance

3. Measures for the retention and replacement and enhancement of places of rest for the nesting birds

Once approved the works shall be implemented in accordance with the approved details and timing of the works unless otherwise approved in writing by the Local Planning Authority and thereafter the resting places and agreed accesses for nesting birds shall be permanently maintained. The development shall not be occupied until the scheme for the maintenance and provision of the new bird boxes and related accesses have been fully implemented.

Reason: To protect wildlife and their habitats from damage bearing in mind these species are protected by law.

Reason for pre-commencement: To ensure no wildlife is harmed as a result of the development.

7. The parking space/s in the garages hereby approved shall at all times be kept available for the parking of vehicle/s and shall be kept free of obstruction for such use.

Reason: To retain adequate off-street parking provision in the interests of highway safety.

8. Details of the cycle storage facilities for 4 cycles per dwelling shall be submitted to and approved in writing prior to the occupation of the dwellings. The cycle storage facilities as approved shall be constructed and fully provided prior to the buildings being occupied, and shall thereafter be retained for those purposes.

Reason: To ensure that adequate facilities are included for the storage of cycles, in the interests of sustainable transport.

9. Prior to occupation of the dwellings, works for the disposal of surface water drainage shall be provided on the site to serve the development, hereby permitted, in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be retained and maintained in that form.

Reason: To ensure the adequate provision of drainage infrastructure and ensure no water drains onto the highway.

Notes to Applicant

1. In accordance with paragraph 38 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the applicant and

has negotiated amendments to the application to enable the grant of planning permission.

Proposal

The proposal is for the demolition of the existing nursing home and its replacement with 9 detached dwellings and garages as well as access and turning.

Site Description

The site is currently occupied by a largely single storey care home that is vacant and was unrestricted in terms of its use. It was closed in 2016 and currently does not meet the CQC requirements for modern care needs. It is surrounded by two storey residential development on all sides including the access route off Harp Chase.

Relevant Planning History

38/95/0160 - Erection of nursing home and construction of access road and associated parking on land off Shoreditch Road, Taunton – Approved - 24/7/1995
38/05/0184 - Retention of 1.8m high fence at Orchard Court, Harp Chase, Taunton – Approved - 7/7/2005
38/18/0029 - Demolition and erection of replacement two storey 78 No. bedroom care home at Orchard Court Nursing Home, Harp Chase, Taunton - Refused 26/6/18

Consultation Responses

SCC - TRANSPORT DEVELOPMENT GROUP -

The proposal is for the demolition of an existing vacant care home and the erection of 9 dwellings at the above address.

The proposal site sits off the unclassified no through Harp Chase road, which subsequently ties into the classified Shoreditch Road in the southern region of Taunton.

The development proposed would generate up to 72 vehicle movements a day however, the Highway Authority does not consider the current application would have severe traffic impact on the local highway network.

Internal layout

The following highway related comments have been made as a result of looking at submitted drawing number **2017/11/PL101** together with an untitled drawing showing the swept path analysis of an unclarified vehicle.

The applicant should be aware that it is likely that the internal layout of the site will result in the laying out of a private street, and as such under Sections 219 to 225 of the Highways Act 1980, will be subject to the Advance Payments Code. Allowances shall be made to resurface the full width of the carriageway where disturbed by the

extended construction and to overlap each construction layer of the carriageway by a minimum of 300mm. Cores may need to be taken within the existing carriageway to ascertain the depths of the bituminous macadam layers.

The proposed carriageway should be 5.5m in width as per the existing carriageway within Harp Chase and 2.0m wide footways across the frontages of plots 1-2 and 4-9.

Adoptable 2.0m wide hardened margins will be required at the ends of the turning arms within the application site.

An adoptable 17.0m forward visibility splay will be required across the carriageway bend fronting plot 1. There shall be no obstruction to visibility within the splay that exceeds a height greater than 600mm above the adjoining carriageway level.

The proposed 500mm wide adoptable service margins will need to be constructed from a bound material.

The driveway serving plot 5 should be a minimum length of 6.0m as measured from the back edge of the prospective public highway boundary.

Private surface water from all areas, including drives, will not be permitted to discharge onto the prospective public highway. Private interceptor drains must be provided to prevent this from happening.

The applicant will be required to submit a titled and scaled drawing showing the turning movements of a 11.4m 4 axle refuse vehicle (1:200 scale advised) within the proposed turning head as indicated within drawing number 2017/11/PL101.

A Section 50 licence will be required for sewer connections within or adjacent to the Highway. Licences are obtainable from (BSupport-NRSWA@somerset.gov.uk) – At least 4 weeks' notice is required.

Parking

The applicant has proposed a total of 18 vehicle parking spaces to accommodate the proposal, each dwelling to be allocated two parking spaces. However, this falls below the Somerset Parking Strategy Optimum standard of 27 vehicle spaces before visitor parking (in this instance 2 spaces). This shortfall is likely to lead to vehicles parking on the public highway. The Highway Authority recommends that this parking figure and proposed layout is revised by the applicant and an appropriate parking figure is provided.

The applicant hasn't appeared to be committed to providing a definitive figure of cycle parking spaces. Cycle parking should be provided at a rate of 1 space per bedroom. Electric car charging ports within the garages in this instance are required and recommended by the Highway Authority to accommodate each dwelling.

Drainage

No drainage details have been provided. A suitable drainage scheme will be required and approved in writing by the Local Planning Authority prior to commencement of works at the site, subject to planning consent.

Conclusion

Whilst there is no objection to the principle of the application, it is advised that the applicant revisit the following for further assessment by the Highway Authority prior to any recommendations and conditions being made.

- Provide a suitably scaled drawing (1:200 advised) of an 11.4m refuse vehicle demonstrating safe entering, manoeuvring and egressing from the site/internal layout.
- Be mindful of the comments above for the design of the proposed estate road.
- Revisit the current car parking figure and provide an appropriate number of spaces for the application.
- Commit to providing a suitable number of cycle spaces in line with the SPS.
- Commit to providing electric car charging points for each dwelling.

BIODIVERSITY - Abricon carried out a phase one habitat survey the site in January 2018 in connection with application 38/18/0029. This was updated in October 2018.

Findings were as follows

Bats.

In the initial survey, the outbuildings were not deemed suitable for bats.

Trees on site did not have potential to support bats.

However features were present on the exterior and interior of the main building that were considered to be suitable for bats so an emergence survey was carried out in May 2018 by Western Ecology in connection with application 38/18/0029 although this submitted report makes no reference to this. No bats were seen to emerge from the building and the surveyor concluded that bats are not roosting within this structure.

However this updated report states that a further activity should be undertaken.

Birds - Vegetation on site has potential to support birds. Removal of vegetation should take place outside of the bird nesting season. Provision should be made in the new build for nesting birds.

Badgers - The site provided limited habitat for badgers.

Reptiles - The site provides reptile and hedgehog habitat including potential hibernacula in the form of log and brash piles. Due to the site being left unmanaged only since 2017, no survey is required as long as site maintenance is started before spring 2019.

Subsequently clearance of vegetation should take place in a precautionary manner.

Suggested Condition for protected species:

The development hereby permitted shall not be commenced until details of a strategy to protect wildlife has been submitted to and approved in writing by the

Local Planning Authority. The strategy shall be based on the advice of Abricon's Phase one habitat survey dated October 2018 and Western ecology's bat emergence survey dated May 2018 and any further survey and include:

1. Details of protective measures to include method statements to avoid impacts on protected species during all stages of development;
2. Details of the timing of works to avoid periods of work when the species could be harmed by disturbance
3. Measures for the retention and replacement and enhancement of places of rest for the nesting birds

Once approved the works shall be implemented in accordance with the approved details and timing of the works unless otherwise approved in writing by the Local Planning Authority and thereafter the resting places and agreed accesses for nesting birds shall be permanently maintained. The development shall not be occupied until the scheme for the maintenance and provision of the new bird boxes and related accesses have been fully implemented

Reason: To protect wildlife and their habitats from damage bearing in mind these species are protected by law.

Informative Note

It should be noted that the protection afforded to species under UK and EU legislation is irrespective of the planning system and the developer should ensure that any activity they undertake on the application site (regardless of the need for planning consent) must comply with the appropriate wildlife legislation.

The condition relating to wildlife requires the submission of information to protect wildlife. The Local Planning Authority will expect to see a detailed method statement clearly stating how wildlife will be protected through the development process and to be provided with a mitigation proposal that will maintain favourable status for nesting birds that may be affected by this development proposal.

SW HERITAGE - As far as we are aware there are limited or no archaeological implications to this proposal and we therefore have no objections on archaeological grounds.

WESSEX WATER - The applicant has indicated that foul sewerage will be disposed of via the main sewer.

Rainwater running off new driveways and roofs will require consideration so as not to increase the risk of flooding. The applicant has indicated in the current application that rainwater (also referred to as "surface water") will be disposed of via soakaway.

One of our main priorities in considering a surface water strategy is to ensure that surface water flows, generated by new impermeable areas, are not connected to the foul water network which will increase the risk of sewer flooding and pollution.

You have indicated that surface water will be disposed of via soakaway.

The strategy is currently acceptable to Wessex Water, subject to agreement to

detail with the local planning authority.

The planning authority will need to be satisfied that soakaways will work and arrangements are clear for any shared obligations. Soakaways will be subject to Building Regulations. The use of soakaways currently attracts a discount in the sewerage infrastructure charge, proof of arrangements will be required when applying for foul sewerage connection.

There must be no surface water connections to the foul sewer network.

HOUSING ENABLING - The Ministerial Statement for Affordable Housing (HCWS50) issued in November 2014 states that any development of 10 units or less does not have to provide for Affordable Housing. TDBC made an executive decision in June 2016 to agree with this Government Guidance.

Based on the proposed scheme of 9 dwellings, there would therefore be no requirement for affordable housing.

LEISURE DEVELOPMENT - In accordance with TDBC adopted SADMP policy C2 and Appendix D provision for children's play should be made for the residents of these dwellings. An off-site children's play contribution of £3262 per each 2bed+ dwelling should be made. The contribution to be index linked and spent on additional play equipment within the vicinity of the development.

SOMERSET WILDLIFE TRUST - In the absence of recommendations for enhancements at this stage we would request the provision of at least two bat boxes and two bird boxes on site. We would also request that any external lighting is designed so as to minimise light pollution. Finally we would also request that all site boundaries are constructed to allow the free passage of small mammals.

TREE OFFICER - Regarding Orchard Court Nursing Home, mainly no objection from me, although I think that it would be better without plot 3, as I foresee issues with some root damage of off-site trees during construction, and issues with shading and safety concerns once this house is occupied.

The birch and off-site trees in the north-west corner should be fine. Can we have the usual condition for protection of the birch and all off-site tree roots during construction.

CHIEF FIRE OFFICER - DEVON & SOMERSET FIRE RESCUE - No comment received.

POLICE ARCHITECTURAL LIAISON OFFICER - **Sections 2, 8, 9 & 12** of the National Planning Policy Framework July 2018 refer to the importance of considering crime & disorder at the planning stage. Paragraph 127(f) states;

Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Guidance is given considering 'Crime Prevention through Environmental Design', 'Secured by Design' principles and 'Safer Places 'Lite'

Comments:-

Crime Statistics – reported crime for the area of this proposed development (within 200 metre radius of the grid reference) during the period 01/11/2017-31/10/2018 is as follows:-

Arson & Criminal Damage – 4 Offences (incl.3 criminal damage to motor vehicles)

Burglary – 1 Offence (Residential)

Public Order Offences – 3

Sexual Offences - 1

Theft – 2 Offences (incl.1 theft of pedal cycle)

Vehicle Offences – 5 (all theft from motor vehicles)

Violence Against the Person – 4 Offences

Total – 20 Offences

This averages less than 2 offences per month, which is classed as a very low level of reported crime.

Layout of Roads & Footpaths - vehicular and pedestrian routes appear to be visually open and direct and are likely to be well used enabling good resident surveillance of the street. The use of physical or psychological features i.e. surface changes by colour or texture, rumble strips and similar features within the development would help reinforce defensible space giving the impression that the area is private and deterring unauthorised access. The single entrance/exit to the development has advantages from a crime prevention perspective over through roads in that this can help frustrate the search and escape patterns of the potential offender.

Orientation of Dwellings – all the dwellings appear to overlook the street and public open spaces which allows neighbours to easily view their surroundings and also makes the potential criminal more vulnerable to detection. With the exception of Plot 1, all the proposed dwellings appear to back onto existing dwellings, which is recommended, as this restricts unlawful access to the rear of dwellings which is where the majority of burglaries occur.

Public Open Space – communal areas have the potential to generate crime, the fear of crime and ASB and should be designed to allow supervision from nearby dwellings with safe routes for users to come and go. The proposed communal areas at the entrance to the development and along the northern inner edge appear to comply with this recommendation.

Dwelling Boundaries – it is important that all boundaries between public and private space are clearly defined and it is desirable that dwelling frontages are kept open to view to assist resident surveillance of the street and public areas, so walls, fences, hedges at the front of dwellings should be kept low, maximum height 1 metre, to assist this. More vulnerable areas such as exposed side and rear gardens need more robust defensive measures such as walls, fences or hedges to a minimum height of 1.8 metres. Gates providing access to rear gardens should be the same height as adjacent fencing and lockable. This recommendation also

appears to have been incorporated into the scheme.

Car Parking – comprises on-plot garages and parking spaces, which is the police recommended option.

Landscaping/Planting - should not impede opportunities for natural surveillance and must avoid creating potential hiding places. As a general rule, where good visibility is needed, shrubs should be selected which have a mature growth height of no more than 1 metre and trees should be devoid of foliage below 2 metres, so allowing a 1 metre clear field of vision. This is particularly relevant in respect of the areas of public open space.

Street Lighting – all street lighting for adopted highways and footpaths, private estate roads and footpaths and car parking areas should comply with BS 5489:2013.

Physical Security of Dwellings – in order to comply with **Approved Document Q: Security – Dwellings**, of Building Regulations, all external doorsets providing means of access into a dwelling and ground floor or easily accessible windows and rooflights must be tested to PAS 24:2016 security standard or equivalent.

Secured by Design(SBD) – if planning permission is granted, the applicant is advised to refer to the ‘**SBD Homes 2016**’ design guide available on the Secured by Design website – www.securedbydesign.com – which provides further comprehensive guidance regarding designing out crime and the physical security of dwellings.

SOUTH WESTERN AMBULANCE SERVICE - No comment received.

Representations Received

WARD CLLR HERBERT - The application has a lot of positives for the area bringing a final definitive use of the site. Compared to the last application for a new care home which went right up to the boundaries of the site this is a far better proposition. However there do remain some issues with the proposal as it stands. The scheme does seem slightly cramped especially when you bear in mind the under supply of car parking spaces for each property. For houses of this size it is disappointing to only supply one real parking space, the garage although a space on paper is not a parking space in reality, especially when the space will quickly become more living space as can be seen at many other properties in the close. I would rather there was no garage at all and give two proper parking spaces, or ideally reduce the number of properties and seek to realign the units to give two spaces with a third space as a garage. Without adequate parking there is likely to be issues with access for the refuse collection and emergency services, which has been an issue in the close already with parked cars. The site layout in the main is sympathetic to the neighbouring properties in Tamar Avenue and Stoke Road with traditional back gardens adjoining which reduces any overlooking and helps with security. Overall I support the principle of the scheme but would like the correct allocation of parking per property.

COMMENT ON AMENDED PLAN

I have looked carefully at the amended plans and other than a few notes they have not materially changed. My concern about inadequate parking provision remains and providing cycle racks in the garages only reinforces the belief that garages are not, and will not be, used to park cars in. One real parking space for a four bedroom home is below standard and there are no provisions for visitor spaces at all, other than on street which will make the use of other driveways very difficult. Please consider revising this.

I can see that an attempt has been made to increase parking capacity which is appreciated. It is not an ideal solution to have spaces remote from the houses though and I am sure there must be potential for a better layout to still achieve the same number of plots.

Objection letters from 5 local properties raising issues of

- Overdevelopment and cramped scheme
- Insufficient parking and there should be 40.5 spaces according to Somerset Highways
- Plots 9 and 2 should be deleted
- Some parking spaces could be used by anyone
- drives inadequate
- 4 bungalows more suitable
- Loss of privacy
- overlooking
- Disturbance with more passing traffic
- Dangerous access to no.9 and garage is too close to boundary
- Increased street lighting disrupting sleep
- no children's play area
- private interceptor drains should be provided
- topographical cross sections are wrong.
- Disturbance and pollution during demolition
- Restrictive covenants on the site
- Retention of existing or bungalows would be better

3 letters of no objection

5 letters of support and request that as many trees and shrubs should be retained

1 letter of support subject to minimum off street parking

Planning Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan for Taunton Deane comprises the Taunton Deane Core Strategy (2012), the Taunton Site Allocations and Development Management Plan (2016), the Taunton Town Centre Area Action Plan (2008), Somerset Minerals Local Plan (2015), and Somerset Waste Core Strategy (2013).

Relevant policies of the development plan are listed below.

CP1 - Climate change,
CP2 - Economy,
CP4 - Housing,
CP5 - Inclusive communities,
CP6 - Transport and accessibility,
CP8 - Environment,
DM1 - General requirements,
SD1 - Presumption in favour of sustainable development,
A1 - Parking Requirements,
A2 - Travel Planning,
C2 - Provision of recreational open space,
C4 - Protection of community facilities,
D7 - Design quality,
ENV1 - Protection of trees, woodland, orchards and hedgerows,

Local finance considerations

Community Infrastructure Levy

Creation of dwellings is CIL liable.

Proposed dwellings measure approx. 1375sqm.

The application is for residential development in Taunton where the Community Infrastructure Levy (CIL) is £70 per square metre. Based on current rates, the CIL receipt for this development is approximately £96,250.00. With index linking this increases to approximately £128,000.00.

New Homes Bonus

The development of this site would result in payment to the Council of the New Homes Bonus.

1 Year Payment

Taunton Deane Borough	£9,712
Somerset County Council	£2,428

6 Year Payment

Taunton Deane Borough	£58,270
Somerset County Council	£14,567

Determining issues and considerations

The main issue here is the principle of development, the impact on the amenity of the area, parking and wildlife.

POLICY

The site lies within the built up area of Taunton is previously developed and so is a brownfield site. The NPPF encourages the use of such sites in sustainable locations which this is considered to be. Furthermore CP4 of the Core Strategy supports residential development in sustainable locations. Government guidance does not require affordable housing on sites that are not major developments and such policy cannot be applied retrospectively to adjoining land. Consequently affordable housing provision is not required on this site.

Policy C4 of the Site Allocations and Development Management Plan (SADMP) seeks to protect community facilities and the use of the site as a care home is considered to fall into that category. However the site is vacant has been for some time and it has previously been accepted that in its current form it is not viable or suitable for such a use and an alternative scheme to allow the site a viable use was refused as an overdevelopment. Consequently the current proposal for a residential scheme is considered suitable in principle given that the site is surrounded by such development.

AMENITY

The development of detached two storey dwellings raises the issue of impacts on the amenity of the surrounding dwellings. As amended plot 9 has no windows in the side elevation facing the neighbour there will be no overlooking and loss of privacy. The two storey section is set 35m way from the dwelling to the west and while there will be an element of overshadowing of the garden in the early morning, the impact of this on the amenity of the property is limited and considered an acceptable one. The properties in Tamar Avenue lie to the south and so there will be no impact on the light to the garden of these properties. The proposed plots 4 to 9 vary in garden length between 7 to 9m and the window to window distances will be in excess of 30m and so the impact on privacy and amenity is considered to be an acceptable one. Plot 3 has the shorter rear garden at 5m but a longer side garden. The window to window distances at the rear are over 26m. While there are windows at first floor level at the rear these serve bedrooms and are not considered to impact on the amenity of neighbours in the same way and the impact is considered acceptable. Plot 2 has an 8m garden and faces north towards Stoke Road. The Stoke Road properties have very long rear gardens and any window to window distance will be over 40m and even allowing for the slope of the land this is considered an acceptable distance not to warrant an objection on amenity grounds. Plot 1 backs onto the side of plot 2 and raises no amenity issues while the front of plot 1 faces the front of one of the original Harp Chase properties. However the window to window distance here is around 24m and the impact on the amenity of the front of this property is considered an acceptable one.

PARKING

The Highway Authority has raised no objection in principle and the access road and junction are considered suitable to serve the additional units. A condition is proposed to address surface water drainage and prevention of discharge to the highway. Street lighting would be controlled by the Highway Authority as part of any

road adoption and drives are a minimum 6m long.

The relevant parking policy is set out in the SADMP as policy A1. The allows for parking spaces per dwelling based on the number of bedrooms and allows for the reductions in levels of provision depending on locations and uses of individual sites. The maximum provision for 4 bedroomed properties in this location would be 3 spaces per dwelling. The proposed development is for 9 four bedroomed properties and the amended layout makes provision for at least one garage space and a parking space per unit plus an additional space for units 3 and 9 and 7 additional spaces. This equates to 27 spaces being provided for the 9 dwellings on site as well as cycle parking and an electric vehicle charging point. It is considered appropriate in light of the local concern over parking here to condition the garage use and control the provision of cycle parking.

WILDLIFE

The applicant has submitted a wildlife survey and further survey work has been carried out as the intention is to demolish the existing building. No bats were identified as roosting in the building and an appropriate condition can therefore be imposed requiring a strategy to protect wildlife on the site and incorporate any mitigation into the scheme.

OTHER MATTERS

Reference has been made to the lack of a play area on site. However this is not a requirement of planning policy given the scale of the development. The Community Leisure Officer has requested a contribution towards children's play in accordance with policy C2. However the Government Guidance is that provision for general payments in the form of tariffs for infrastructure on schemes less than 10 cannot be required. An appropriate payment for specific play equipment on the nearest play area however is considered reasonable and a legal agreement to secure this is the way to achieve this.

The land slopes from the site down to the Stoke Road properties and this has been illustrated previously. It is not considered that a further plan to clarify this is vital prior to the determination of the submitted scheme. The submitted scheme is for two storey dwellings not bungalows and a decision has to be made on this basis.

Comment has also been made with regard to the existence of covenants on the site. However these are civil matters and cannot be taken into account when determining this planning application.

CONCLUSION

The scheme as revised provides for 9 two storey dwellings together with garaging, parking and access. The residential use of this brownfield site within the built up area is considered appropriate. The impact on the amenity of neighbours is considered acceptable from the development as is the parking and the wildlife impact and subject to appropriate conditions and a legal agreement in terms of play

equipment it is considered the development is acceptable.

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

Contact Officer: Mr G Clifford