

Application Details	
Application Reference Number:	38/23/0098
Application Type:	Full Planning Permission
Earliest decision date:	05 May 2023
Expiry Date	01 June 2023
Extension of time	
Decision Level	Committee
Description:	Construction of additional parking space with rearranged pedestrian access at 22 Wilton Street, Taunton
Site Address:	22 WILTON STREET, TAUNTON, TA1 3JR
Parish:	38 – Taunton Town Council
Conservation Area:	NA
Somerset Levels and Moors RAMSAR Catchment Area:	Within
AONB:	NA
Case Officer:	Briony Waterman
Agent:	Mr Chris Corrish
Applicant:	MR H FARBAHI
Committee Date:	20 June 2023
Reason for reporting application to Committee	Applicant is a local Councillor

1. Recommendation

1.1 That permission be GRANTED subject to conditions.

2. Executive Summary of key reasons for recommendation

2.1 The proposal is for the construction of additional parking space with rearranged pedestrian access. The proposal is not considered to have a detrimental impact upon the visual amenity of the area or living conditions of nearby residents. It is therefore considered to comply with the policies in the development plan.

3. Planning Obligations and conditions and informatives

3.1 Conditions (full text in appendix 1)

3.1.1 Time limit – 3 years

3.1.2 Drawing numbers

3.2 Informatives (bullet point only)

3.2.1 Proactive Statement

3.3 Obligations

NA

4. Proposed development, site and surroundings

4.1 Details of proposal

Construction of an additional parking space with rearranged pedestrian access. The plans show a single storey extension to the rear, this is permitted development and does not form part of this application.

4.2 Sites and surroundings

The site is within a residential area with properties set back and above the highway. An access runs to the side of the property leading to the rear and garaging of several other properties. There are a number of other properties within the vicinity that have created off street parking to the front. The site does not lie within any areas of special designations.

5. Planning (and enforcement) history

No relevant history.

6. Environmental Impact Assessment

NA

7. Habitats Regulations Assessment

The site lies within the catchment area for the Somerset Moors and Levels Ramsar site. As competent authority it has been determined that a project level appropriate assessment under the Conservation of Habitats and Species Regulations 2017 is not required as the Council is satisfied that as the proposed development is an extension to an existing dwelling it does not increase nutrient loadings at the catchment's waste water treatment works. The Council is satisfied that there will be no additional impact on the Ramsar site (either alone or in combination with other

plans or projects) pursuant to Regulation 63(1) of the Habitats Regulations 2017.

8. Consultation and Representations

Statutory consultees (the submitted comments are available in full on the Council's website).

8.1 Date of consultation: 06 April 2023

8.2 Date of revised consultation (if applicable): NA

8.3 Press Date: NA

8.4 Site Notice Date: A site notice was posted out to the applicant on the 6th April 2023, however the LPA has not had confirmation that it was displayed. However, the statutory duty to advertise has still been met as the application went into the local paper and neighbour letters were sent out.

8.5 **Statutory Consultees** the following were consulted:

Consultee	Comment	Officer Comment
SCC - TRANSPORT DEVELOPMENT GROUP	Standing advice	See para 10.1.2.
Taunton Town Council	No comment	Noted

8.6 **Internal Consultees** the following were consulted:

Consultee	Comment	Officer comment
NA		

8.7 Local representations

Neighbour notification letters were sent in accordance with the Council's Adopted Statement of Community Involvement.

Six letters have been received making the following comments (summarised):

Objections	Officer comment
Greater vehicular access will be followed by unsympathetic development	Each case is determined on its own merits and this application cannot be influenced by what may or may not happen in the future.

Increased vehicular access will cause loss of enjoyment of garden	See para 10.1.4
No reason to increase vehicular access	The access is being widened which would not necessarily increase vehicle movements.
Remove the last traces of what was once a wildlife area	The land to be used to widen is garden land with no special environmental protection.
Widening of the drive will cause disruption	Noted. See para 10.1.4
No planning notice outside the property	See 8.4
Visibility is poor and parked cars restrict it further	See para 10.1.2
Cars scrape the bottom because of the steep gradient	The gradient of the drive is not changing.
Widening only the bottom half will not solve the problem	Noted
Potential increases the traffic from any development would result in more loss of parking	The current application is for the widening of a drive with no further development proposed.
Cars regularly exceed the speed limit	Noted
Since 2011 the street has lost 4 parking spaces making parking more difficult	Whilst spaces have been lost on street they have been created as "off street"
Loss of disabled space	If a disabled space is required these can be requested through the Highway Authority
Widening of the drive will cause disruption	Noted.
Potentially resulting in damage to property and boundary retaining wall of neighbouring properties	Applicant is reminded that any works should not cause any damage to neighbouring properties and measures should be in place to protect people and property.
Right of access to the garages to the rear would not be possible during the works	The applicant is reminded of the rights of way of those who use and access the site.
Square meterage of no 22 will be reduced as would the access down the side	Noted, however the land is within the applicants ownership.
Removed many trees	Trees weren't subject to any protection orders
An officer should visit the site	Site visit was done on the 4th May 2023
Land rises sharply to the door	noted

Path to attached property would be shortened and the incline increased	Applicant is reminded of the rights of way of neighbours and with any other landowners
Path to the front is the only access to number 20	Applicant is reminded to maintain the rights of access to other properties.
Be a steep drop down to the parking	Applicant is reminded of the need to ensure the area is safe
Access could be treacherous in icy weather	Noted, not a material consideration
New retaining wall needed in front of number 20	Applicant is reminded that the development should not have a detrimental impact upon the stability of neighbouring properties.
Garage and parking space to the rear, could make this bigger to accommodate more parking	Can only determine the application which has been submitted.
Extension at the rear no details of height	see para 10.1.5
Concerns over extension blocking light	see para 10.1.5
Concerns over house prices	not a material consideration
Visibility spays - submitted plans show 2.4m x 14m to the south and 2.4mx 25m to the north. the recommendation is 43m in both directions, therefore the distances available in this case are significantly below the recommended	See para 10.1.2
The proposal involves the alteration of a driveway so 4.1.1 and 4.1.2 of the Highways Standing Advice applies, serves more than 2 dwellings and visibility splays are not in accordance with the Manual for Streets,	see para 10.1.2
No evidence has been submitted by the applicant to demonstrate that the existing splays are acceptable.	See para 10.1.2
Proposed access road widening is proposed to be 4.5m for the first 6.8m, however the relevant Standing Advice guidance states that for a driveway that serves more than one dwelling should be 5m wide	See para 10.1.2
No swept path analysis has been submitted demonstrating how a vehicle	See para 10.1.2

would enter and exit the proposed parking bay given that the proposed width of the widened private access road would only be 4,5m wide normally a 6m aisle width is required to the rear of a 4.8m x 2.4m car parking space to be able to turn in and out of that space.	
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9. Relevant planning policies and Guidance

Section 70(2) of the Town and Country Planning Act 1990, as amended ("the 1990 Act), requires that in determining any planning applications regard is to be had to the provisions of the Development Plan, so far as is material to the application and to any other material planning considerations Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) ("the 2004 Act") requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The site lies in the former Taunton Deane area. The Development Plan comprises the Taunton Deane Core Strategy (2012), the Taunton Site Allocations and Development Management Plan (SADMP) (2016), the Taunton Town Centre Area Action Plan (2008), Somerset Minerals Local Plan (2015) and Somerset Waste Core Strategy (2013).

Both the Taunton Deane Core Strategy and the West Somerset Local Plan to 2032 were subject to review and the Council undertook public consultation in January 2020 on the Council's issues and options for a new Local Plan covering the whole District. Since then the new unitary authority for Somerset (Somerset Council) was formed on 1 April 2023 and as part of this reorganisation a Structural Change Order was agreed. The Structural Change Order requires the new Somerset authority to prepare a local plan within 5 years of vesting day.

Relevant policies of the development plan in the assessment of this application are listed below:

DM1 - General requirements,
DM4 - Design,
D5 - Extensions to dwellings,

Supplementary Planning Documents

Public Realm Design Guide for the Garden Town, December 2021

District Wide Design Guide, December 2021

Other relevant policy documents:

Somerset West and Taunton Council's Climate Positive Planning: Interim Guidance Statement on Planning for the Climate Emergency (March 2022).

Neighbourhood plans:

NA

9.1 National Planning Policy Framework

The proposal is considered to accord with the general principles of the NPPF.

10. Material Planning Considerations

The main planning issues relevant in the assessment of this application are as follows:

10.1.1 The principle of development

The proposal is to widen an existing access and to create an additional parking space for an existing residential property within the built up area of Taunton. Policy DM1(d) of the Taunton Deane Core Strategy states that “the appearance and character of any affected landscape, settlement, building or street scene would not be unacceptably harmed by the development”. The proposal is not considered to have a significant impact upon the street scene and therefore the proposal is considered to meet the requirements of DM1 of the Taunton Deane Core Strategy and is considered acceptable in principle.

A single storey rear extension is shown on the plans. Further information on the extension was sought from the agent who has provided further information clarifying that the proposed extension projects 3m from the rear. This is permitted development under Schedule 2, Part 1, Class A of the General Permitted Development Order which allows for modest extensions to residential properties without needing planning permission.

10.1.2 Highways

There have been several comments relating to the proposals not meeting the requirements of the Highways Standing Advice Guidance document. It is noted that this would be the case if a new driveway were to be created, however the proposal is for the alteration of an existing driveway which would result in the widening of a substandard access. The proposals are considered an improvement on the existing and whilst the visibility splays cannot be met, the proposal increases the limited visibility currently available.

There have been a number of comments relating to the loss of off street-parking

however the proposal is parallel to the kerb and the proposed plans shows the retention of the disabled parking space.

In conclusion whilst it is noted that the proposals do not meet the required standards of the Highways Standing Advice document it offers a betterment to the existing situation.

10.1.3 Visual amenity

Several properties along Wilton Street have already created off street parking to the front of their properties. It is considered the addition of a parking space, new retaining walls and the widening of the access would not form an incongruous feature within the streetscene and therefore not have a detrimental impact upon the visual amenity of the area.

10.1.4 Residential amenity

There have been several comments raised about the impact this would have on the neighbouring properties, however it is considered that the addition of a parking space to the front of number 22 and the widening of the access would not have a detrimental impact upon the residential amenity of the neighbouring properties. Comments received from a neighbour mention that the drive would increase vehicle movements which would impact on the enjoyment of the garden, however the widening of the access does not create any further parking spaces to the rear of the properties and is not considered to increase vehicle movements.

In conclusion the proposal is not considered to be detrimental to the amenity of the neighbouring properties although it is recognised that there may be some disruption during the construction phase and the applicant is reminded to maintain, as far as possible, any rights of way during the construction phase.

10.1.5 Additional comments

Comments have been raised relating to the possibility that permitting the current application would allow for further development to the rear of the plot in the future. , However, this application is only to widen the existing access lane and to create one off road parking space and any future proposals would be considered on their merits at that time.

11 Local Finance Considerations

11.1 Community Infrastructure Levy

NA

12 Planning balance and conclusion

12.1 The general effect of paragraph 11 of the NPPF is that, in the absence of relevant or up-to-date development plan policies, the balance is tilted in favour of the grant of permission, except where the policies within the NPPF that protect areas or assets of particular importance provides a "*clear reason for refusing the development proposed*" or where the benefits of the proposed development are "*significantly and demonstrably*" outweighed by the adverse impacts when assessed against the policies in the NPPF taken as a whole. In this case the LPA has confirmed there a 5YHLS.

12.2 For the reasons set out above, having regard to all the matters raised, it is therefore recommended that planning permission is granted subject to conditions.

In preparing this report the planning officer has considered fully the implications and requirements of the Human Rights Act 1998 and the Equality Act 2010.

Appendix 1 – Planning Conditions and Informatives

Conditions

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 LOC01 Location & Block Plans

(A3) DrNo PL01 Planning Layout

(A3) DrNo DS01 Drive Section and Elevation

(A3) DrNo ST01 Street Elevation

(A3) DrNo 04 Proposed Elevation

(A3) DrNo 03 Proposed Floor Plans

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

Notes to applicant.

1. In accordance with paragraph 38 of the National Planning Policy Framework 21 the Council has worked in a positive and creative way and has imposed planning conditions to enable the grant of planning permission.