



PLANNING COMMITTEE

YOU ARE REQUESTED TO ATTEND A MEETING OF THE PLANNING COMMITTEE TO BE HELD IN THE PRINCIPAL COMMITTEE ROOM, THE DEANE HOUSE, BELVEDERE ROAD, TAUNTON ON WEDNESDAY 21 AUGUST 2002 AT 17:00.

(RESERVE DATE : THURSDAY 22 AUGUST 2002 AT 16:00)

AGENDA

1. Minutes
2. Apologies
3. Public Question Time
4. BISHOPS LYDEARD - 06/2002/035
CONVERSION OF CHAPEL TO PUBLIC HOUSE, FUNCTION ROOM, SHOP AND 2 NO. FLATS, ST LUKES CHAPEL, COTFORD ST LUKE AS AMENDED BY PLAN RECEIVED ON 2ND JULY, 2002 AND FAXED DRAWING DATED 17TH JULY, 2002
5. BISHOPS LYDEARD - 06/2002/036LB
CONVERSION OF CHAPEL TO PUBLIC HOUSE, FUNCTION ROOM, SHOP AND 2 NO. FLATS, ST LUKES CHAPEL, COTFORD ST LUKE.
6. CHURCHSTANTON - 10/2002/014
ERECTION OF REAR CONSERVATORY AT 23 FAIRFIELD GREEN, CHURCHINFORD.
7. CREECH ST MICHAEL - 14/2002/013
CONVERSION OF FORMER PUMPING STATION TO FORM DWELLING AT CHARLTON ENGINE HOUSE, CREECH ST MICHAEL AS AMENDED BY AGENTS LETTER DATED 20TH JULY, 2002 AND ATTACHED PLAN NOS. 01/111/04A AND 01/111/03A AND ATTACHED PHOTOGRAPH
8. CREECH ST MICHAEL - 14/2002/023
CONVERSION OF AGRICULTURAL BARN TO FORM A DWELLING AND ANCILLARY GARAGE AT HAM FARM, CREECH ST MICHAEL.
9. FITZHEAD - 17/2002/003
ERECTION OF GENERAL PURPOSE CATTLE SHED AND SPECIALIST CALF REARING SHED ON LAND PART MANOR FARM SOUTH OF BREWERS FARM BUILDINGS, FITZHEAD.

10. FITZHEAD - 17/2002/004
ERECTION OF AGRICULTURAL DWELLING ON LAND PART
MANOR FARM SOUTH OF BREWERS FARM BUILDINGS,
FITZHEAD.
11. LANGFORD BUDVILLE - 21/2002/010
ERECTION OF A FIRST FLOOR EXTENSION TO THE REAR
OF LITTLE PIPPEN, LANGFORD BUDVILLE (AMENDED
SCHEME).
12. MILVERTON - 23/2002/008
USE OF LAND TO SITE ONE MOBILE HOME FOR
RESIDENTIAL PURPOSES AND USE OF OUTBUILDINGS
FOR DOMESTIC PURPOSES, HIGH PARK VIEW,
MILVERTON AS AMENDED BY LETTERS DATED 13TH,
21ST AND 26TH JUNE, 2002 WITH ACCOMPANYING
INFORMATION
13. NORTH CURRY - 24/2002/019
CONVERSION OF BARNs TO FORM 3 RESIDENTIAL UNITS
AT LISTOCK FARM, HELLAND AS AMENDED BY AGENTS
LETTER AND ATTACHED PLANS DATED ...
14. PITMINSTER - 30/2002/013
PERMANENT USE OF LAND AS SITE FOR RESIDENTIAL
MOBILE HOME AND TWO TOWING CARAVANS FOR A
SINGLE FAMILY'S OCCUPATION AND ERECTION OF
UTILITIES BLOCK AND RETENTION OF TWO LAMP
STANDARDS AT FOSGROVE PADDOCK, SHOREDITCH AS
AMENDED BY MRS SMITH BENDELL'S LETTER DATED
27TH JULY, 2002
15. TAUNTON - 38/2002/162
ERECTION OF THREE AND TWO STOREY BLOCK TO
PROVIDE RECEPTION, ADMINISTRATION AREA, CANTEEN
AND TEACHING FACILITIES AT SOMERSET COLLEGE OF
ARTS AND TECHNOLOGY AT WELLINGTON ROAD,
TAUNTON AS AMENDED BY DRAWINGS ATTACHED TO
AGENTS LETTER DATED 28TH MAY, 2002 AND SCOTT
WILSON'S LETTER DATED 8TH AUGUST, 2002
16. TAUNTON - 38/2002/171
ERECTION OF SINGLE DWELLING ON LAND ADJACENT
TO 55 ALDER CLOSE, TAUNTON AS AMENDED BY PLAN
ATTACHED TO AGENTS LETTER DATED 21ST MAY, 2002
17. TAUNTON - 38/2002/250
ERECTION OF A HOSPITAL ONCOLOGY CENTRE
COMPRISING TREATMENT AREAS AND WARDS ON LAND
ADJACENT TO MUSGROVE ROAD TOGETHER WITH TWO
DECK CAR PARK ON LAND TO NORTH OF HOVELAND
LANE, MUSGROVE PARK HOSPITAL, TAUNTON.
18. TAUNTON - 38/2002/259
CONVERSION OF FIRST AND SECOND FLOORS TO FORM

FOUR FLATS AND PROVISION OF PARKING AREA TO REAR AT NO 1 EAST REACH, TAUNTON AS AMENDED BY AGENTS LETTER DATED 8TH AUGUST, 2002 AND DRAWING 0214/2

19. TAUNTON - 38/2002/267LB
INSTALLATION OF AIR CONDITIONING UNITS TO NORTH ELEVATION AT 23 THE CRESCENT, TAUNTON AS AMPLIFIED BY FURTHER INFORMATION RECEIVED ON 22ND JULY, 2002
20. TAUNTON - 38/2002/287
ERECTION OF PORCH AT 17 WHITEHALL, TAUNTON AS AMENDED BY PLANS RECEIVED 1ST AUGUST, 2002
21. TAUNTON - 38/2002/321
ERECTION OF SINGLE STOREY EXTENSION TO THE FRONT OF 57 MANOR ORCHARD, TAUNTON.
22. TRULL - 42/2002/021
ERECTION OF ONE DWELLING ON LAND ADJACENT TO 4 PATRICKS WAY, STAPLEHAY, TAUNTON.
23. TRULL - 42/2002/024
ERECTION OF ORANGERY TO THE REAR OF CANONSGROVE HOUSE, STAPLEHAY AS AMENDED BY ...
24. TRULL - 42/2002/025
ERECTION OF STORAGE SHED AT CANONSGROVE HOUSE, STAPLEHAY.
25. TRULL - 42/2002/027
ERECTION OF TEN GARAGES ON EXISTING PARKING AREA TO NORTH OF HAYGROVE CARAVAN PARK, MILL LANE, TRULL.
26. TRULL - 42/2002/029
ERECTION OF TWO STOREY EXTENSION, VERANDAH AND DETACHED DOUBLE GARAGE AT GREYSTONE, COMEYTROWE ROAD, TRULL.
27. WELLINGTON - 43/2002/085
RETROSPECTIVE CHANGE OF USE OF AGRICULTURAL YARD FOR THE STORAGE OF MATERIALS FOR ROAD REPAIRS AND MAINTENANCE AT BLACKBOY FARM BUILDINGS, WELLINGTON RELIEF ROAD, WELLINGTON.
28. WEST BUCKLAND - 46/2002/006
ERECTION OF EXTENSION AND SITING OF CARAVAN AS A TEMPORARY BUILDING, PICCADDILY HOUSE, TAUNTON ROAD, CHELSTON, WELLINGTON AS AMENDED BY APPLICANTS LETTER RECEIVED 30TH APRIL, 2002 AND AS AMPLIFIED BY APPLICANTS LETTER RECEIVED 19TH JULY, 2002

29. WIVELISCOMBE - 49/2002/028
ALTERATIONS TO VEHICULAR AND PEDESTRIAN ACCESS
AT ROSEBANK, LANGLEY MARSH, WIVELISCOMBE.
30. 25/2001/036 CONSTRUCTION OF EARTH DAM TO
IMPOUND FLOOD WATER FROM HALSE WATER AND
FORMATION OF TEMPORARY POND/WETLAND UNDER
FLOOD CONDITIONS ON LAND WEST OF MONTYS LANE,
NORTON FITZWARREN MISCELLANEOUS ITEM
31. E133/30/2002 FORMER DIPFORD NURSERY SITE, TRULL ENFORCEMENT ITEM

G P DYKE
Member Services Manager

The Deane House
Belvedere Road
TAUNTON
Somerset

15 August 2002

Tea will be available from 16.45 onwards in Committee Room No.2

PLANNING COMMITTEE – 31 July 2002

Present: Councillor Mrs Hill (Chairman)
Councillor Bishop (Vice-Chairman)
Councillors Mrs Allgrove, Mrs Angus, Debenham, Eckhart, Edwards, Escott, Floyd,
Guerrier, House, Mrs Lippiatt, Mrs Parrish and Vail

Officers: Mr J Hamer (Area Planning Manager - West), Mrs J M Jackson (Senior Solicitor) and
Mr G P Dyke (Member Services Manager)

(The meeting commenced at 5.00pm.)

(Councillor Mrs Allgrove arrived at the meeting at 6.35pm).

158. Planning Website

The e-Government Manager, Mike McLaughlin, informed Members of the new Planning Website which has recently been launched. Facilities available included information on Committee meetings, agendas and reports, the weekly list of applications and details of planning fees.

He referred to the agenda and reports for the meeting which, for the first time, had been compiled electronically and were available for inspection through the website.

RESOLVED that the information provided be noted.

159. Minutes

The Minutes of the meeting held on 10 July 2002 were taken as read and were signed subject to the following amendment:-

On page 9; Application No 46/2002/018 - Erection of two storey extension to form new offices, Oake House, Silver Street Farm, Silver Street, West Buckland - conditions to read “(a) C001 - time limit; and (b) C102 - materials”.

160. Apologies

Councillors Denington and Hunt.

161. Applications for Planning Permission

The Committee received the report of the Chief Planning Officer on applications for planning permission and it was RESOLVED that they be dealt with as follows:-

- (1) That **planning permission be granted** for the undermentioned developments, subject to the standard conditions adopted by Minute No 86/1987 of the former Planning and Development Committee and such further conditions as stated:-

08/2001/029

Erection of two storey extension, porch and external alterations at The Bothey, Hestercombe, Cheddon Fitzpaine.

Conditions

- (a) C001 - time limit;
- (b) C102 - materials;
- (c) C107 - second hand materials;
- (d) Prior to rendering commencing, a sample panel shall be erected on site for the approval of the Local Planning Authority;
- (e) C201 - landscaping;
- (f) Before the extension hereby permitted is occupied, a properly constructed and surfaced parking area and turning space shall be provided within the curtilage in accordance with a plan to be submitted to, and approved in writing by, the Local Planning Authority;
- (g) P003 - no ancillary buildings.
(Note to applicant:- N066 - listed building).

08/2001/032LB

Demolition of a section of walled garden, with rebuild to a higher level to facilitate an extension, repairs to garden wall, removal of wall capping and associated components of the demolished adjoining outbuilding and insertion of windows and doors in wall at The Bothey, Hestercombe, Cheddon Fitzpaine.

Conditions

- (a) C002 - time limit - listed building;
- (b) C103 - materials - listed building;
- (c) C651 - schedule of works to ensure safety and stability of structure;
- (d) C653 - no demolition before planning permission granted and contract let;
- (e) C107 - second hand materials;
- (f) C654 - windows - listed building;
- (g) C664 - windows recessed;
- (h) No bellcasts shall be formed in the render over window or door heads;
- (i) Prior to commissioning, specific details of new windows and external doors shall be submitted to, and approved in writing by, the Local Planning Authority;
- (j) Prior to rendering commencing, a sample panel shall be erected on site for the approval of the Local Planning Authority.
(Note to applicant:- N067 - listed building).

08/2002/013

Erection of fence to front of 54 The Shoulders, Nerrols, Taunton.

Conditions

- (a) C001 - time limit;
- (b) The external surfaces of the development hereby permitted shall be of materials as detailed in the applicants letter received 28 June 2002, and no

other materials shall be used without the written consent of the Local Planning Authority.

14/2002/022

Erection of two dwellings with double garages at land south of The Crown Inn, Crown Lane, Creech Heathfield.

Conditions

- (a) C001 - time limit;
- (b) C010A - drainage - not commenced until percolation test approved;
- (c) C101 - materials;
- (d) C203 - landscaping;
- (e) The wall shown to the north of Unit B shall be constructed prior to the occupation of Unit B;
- (f) C314 - visibility splays;
- (g) C324 - parking;
- (h) The garage hereby permitted shall be constructed only in accordance with the approved plans, and shall remain available in perpetuity for the parking of a motor vehicle(s) for domestic purposes only;
- (i) P010A - no further windows;
- (j) The bathroom windows on the south and west elevations of both Units A and B shall be glazed with obscured glass and such glazing shall thereafter be maintained;
- (k) P001A - no extensions.

(Notes to applicant:- (1) Applicant was advised to contact Wessex Water in relation to the attached letter; (2) Applicant was advised that Crown Lane adjacent to the application site is a public right of way and should not be obstructed in any way by vehicles. The access is maintained by local residents and they request that any subsequent owners/occupiers of the dwellings hereby approved should contribute to its upkeep/maintenance; (3) Applicant was advised that the drainage channel to the east of the site is in private ownership and the application site has no rights to drain into it; (4) N112 - energy conservation; (5) N114 - design - meter boxes; (6) N045 - encroachment; (7) Applicant was advised to contact the Rights of Way Section of the Environment and Property Department, Somerset County Council; (8) Applicant was advised that level access is required to the dwellings).

27/2002/008

Erection of a scooter store to the front of 29 Oake Close, Oake.

Conditions

- (a) C001 - time limit;
- (b) C102 - materials;
- (c) C901 - personal permission;
- (d) The building and works hereby permitted shall be removed and the land restored to its former condition within 3 months of the use of the shed for the parking of an electric scooter no longer being required.

38/2002/240

Erection of a single storey extension to roadside frontage and conversion of garage to living accommodation, 18 Harp Chase, Taunton.

Conditions

- (a) C001 - time limit;
- (b) C102 - materials;
- (c) P011 - no windows on the east elevation.
(Notes to applicant:- (1) N040A - drainage/water; (2) Applicant was advised that the proposal may result in an increased use of the garage which is adjacent to the neighbouring dwelling. You are advised that you should take care to ensure that activities do not cause a noise nuisance for neighbours).

38/2002/255

Erection of first floor extension at 9 Wyndham Road, Taunton.

Conditions

- (a) C001 - time limit;
- (b) C102 - materials;
- (c) P011 - no windows on the north elevation.

42/2002/017

Retention of conservatory to rear of Whitegates, Staplehay.

Conditions

- (a) C001 - time limit;
- (b) C102 - materials.
(Notes to applicant:- (1) N040A - drainage/water; (2) Applicant was advised to contact the Local Authority's Building Control Group with regard to any structural works in creating an internal opening to the conservatory).

48/2002/041

Construction of a 212 seat grandstand at Taunton Rugby Football Club, Hyde Lane, Bathpool.

Conditions

- (a) C001 - time limit;
- (b) C101 - materials;
- (c) The landscaping shown along the southern boundary behind the stand shall be completely carried out within nine months of the date of the commencement of this development. For a period of five years after the completion of the planting scheme, the trees and shrubs shall be protected and maintained to the satisfaction of the Local Planning Authority and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of similar size and species, or the appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.

(Note to applicant:- With regard to condition (b), applicant was advised that a dark blue or green colour for the stand would be appropriate to reduce the visual impact of the stand as much as possible).

49/2002/020

Transfer of agricultural tying condition (Condition 04 of permission 50/1977/010) from The Bungalow, Maundown, Wiveliscombe to Cordings Farmhouse, Whitefield, Wiveliscombe.

- (2) That **planning permission be refused** for the undermentioned development, subject to the standard reasons adopted by Minute No 86/1987 of the former Planning and Development Committee and such further reasons as stated:-

31/2002/007

Erection of bungalow and garage on land to the rear of Highcroft, Henlade.

Reasons

- (a) The proposed site is in a backland position and is likely to have a detrimental impact on the privacy and amenity of the occupiers of the adjoining properties contrary to Taunton Deane Local Plan - Revised Deposit Policy H1(G and I).
- (3) That the following application be **deferred** for the reason stated:-

38/2002/221

Change of use from A2 (financial services) to A3 (food and drink) at former Lloyds TSB premises, 25 Fore Street, Taunton.

Reason

To allow a full report to be submitted to a future meeting.

162. Conversion of Chapel to Public House, function room, shop and 2 No flats, St Luke Chapel, Cotford St Luke (06/2002/035).

Reported this application.

RESOLVED that subject to the receipt of:-

- (1) Satisfactory amended plans and further details/justification;
- (2) No further representations raising new issues thereon;
- (3) The further observations of the Conservation Officer;
- (4) No adverse views from the County Highway Authority, the Chief Planning Officer be authorised to determine the application in consultation with the Chairman and, if planning permission were granted, the following conditions be imposed:-
 - (a) C001 - time limit;
 - (b) C106 - second hand materials;
 - (c) C112 - details of guttering, downpipes and disposal of rainwater;

- (d) C201 - landscaping;
- (e) C205 - hard landscaping;
- (f) C207 - existing trees to be retained;
- (g) C208A - protection of trees to be retained;
- (h) No service trenches shall be dug within the canopy of any existing tree within the curtilage of the site without the prior approval of the Local Planning Authority;
- (i) C210 - no felling or lopping;
- (j) C215 - walls and fences;
- (k) The area allocated for parking on the submitted plan shall be properly consolidated and drained before the use commences or the building(s) are occupied, and shall not be used other than for the parking of vehicles in connection with the development hereby permitted;
- (l) C416 - details of size, position and materials of meter boxes;
- (m) C917 - services - underground;
- (n) P006 - no fencing;
- (o) Noise emissions arising from any part of the land or from any premises to which this permission relates shall not exceed background levels at any time by more than 3 decibels expressed in terms of an A-Weighted 2 Minute Leq when measured at any point 1m from any residential or other noise sensitive boundary. Noise emissions having tonal characteristics such as hum, drone or whine shall not exceed background levels at any time when measured as above. For the purposes of this permission, background levels shall be those levels of noise which occur in the absence of noise from the development to which this permission relates, expressed in terms on an A-Weighted, 90th percentile level, measured at an appropriate time of day and for a suitable period of not less than 10 minutes;
- (p) Odours arising from cooking shall not be detectable at the façade of any residential or other odour sensitive premises.
(Notes to applicant:- (1) With regard to condition (p), applicant was advised that the possibility of odours could be overcome by the fitting of a suitably filtered air extraction system; (2) N111 - disabled access; (3) N114 - design/meter boxes; (4) N115 - water conservation; (5) N066 - listed building; (6) N095A - owls and bats; (7) Applicant was advised to contact Wessex Water in respect of infrastructure charges which may be payable in respect of connection to their systems for water supply and drainage. You are further advised that the foul sewers surrounding the site are subject to a Section 104 Agreement and are currently owned by the developer Messrs Barratts. It will be necessary for the developer to agree with Barratts if a connection onto the existing is required; (8) Applicant was advised that the car park should not be brought into use until drop kerbs have been installed at the carriageway edge and a vehicle crossover construction across the footway fronting the site for the width the access.)

163. Conversion of Chapel to Public House, function room, shop and 2 No flats, St Luke Chapel, Cotford St Luke (06/2002/036LB).

Reported this application.

RESOLVED that subject to the receipt of:-

- (1) Satisfactory amended plans and further details/justification;
- (2) The observations of English Heritage and the Heritage and amenity bodies; and
- (3) The further observations of the Conservation Officer including any additional conditions requested, the Chief Planning Officer be authorised to determine the application in consultation with the Chairman and, if listed building consent were granted, the following conditions be imposed:-
 - (a) C002 - time limit - listed building;
 - (b) The surfaces of the works for which consent is hereby granted shall be of materials as indicated in the application form and no other materials shall be used without the written consent of the Local Planning Authority;
 - (c) C601 - schedule of works to ensure safety and stability of structure;
 - (d) Prior to any works for which consent is hereby granted are commenced, a detailed schedule of repairs to the existing fabric (internal and external) shall be submitted to, and approved in writing by, the Local Planning Authority;
 - (e) All new internal doors, linings and architraves and skirtings shall match the existing unless otherwise first agreed in writing by the Local Planning Authority;
 - (f) C659 - cornices, skirtings and other features;
 - (g) Prior to any works for which consent is hereby granted are commenced, specific details of the materials and finishes to be used for new internal spaces shall be submitted to, and approved in writing by, the Local Planning Authority;
 - (h) Details of all new services or works such as damp-proofing, heating, lighting, plumbing and ventilation shall first be approved in writing by the Local Planning Authority prior to the installation of the same;
 - (i) None of the works for which consent is hereby granted shall be commenced until the relevant conditions attached to this consent have been discharged and a contract let for the approved conversion;
 - (j) Prior to the works for which consent is hereby granted are commenced, specific details of the new windows, staircases, screens to first floors, balustrades, introduction of first floor and insulation of roofs shall be submitted to, and approved in writing by, the Local Planning Authority;
 - (k) The works for which consent is hereby granted shall provide for a maximum reuse of existing fixtures and fittings within the building.
(Note to applicant:- NO67 - listed building).

164. Erection of dwelling on land adjacent to 8 Crimthorne Cottages, Hatch Beauchamp (19/2002/011)

Reported this application.

RESOLVED that subject to the receipt of no further representations raising new issues by the 6 August 2002, the Chief Planning Officer be authorised to determine the application in consultation with the Chairman and, if outline planning permission were granted, the following conditions be imposed:-

- (a) C005 - outline - reserved matters;
- (b) C009 - outline - time limit;
- (c) C010 - drainage;
- (d) C013 - site levels;

- (e) C014 - time limit;
- (f) C101 - materials;
- (g) C201A - landscaping;
- (h) There shall be no windows in the wall(s) of the development hereby approved facing west;
- (i) P001A - no extensions;
- (j) The proposed access shall be located on the western boundary of the site and the first 6 m of its length, as measured from the edge of the adjoining carriageway, shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have been submitted to, and approved in writing by, the Local Planning Authority;
- (k) Any entrance gates erected shall be hung to open inwards and shall be set back a minimum distance of 4.5 m from the carriageway edge;
- (l) Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to, and approved in writing by, the Local Planning Authority;
- (m) There shall be no obstruction to visibility greater than 900 mm above adjoining road level forward of a line drawn 2.4 m back and parallel to the nearside carriageway edge over the entire site frontage. Such visibility shall be fully provided within one month of the date of this consent and shall thereafter be maintained at all times;
- (n) The dwelling hereby permitted shall not be occupied until two parking spaces for the dwelling have been provided in a position approved by the Local Planning Authority. The said spaces and access thereto shall thereafter be kept clear of obstruction and not used other than for the parking of vehicles or for the purpose of access;
- (o) Before the access hereby permitted is first brought into use, a properly consolidated and surfaced turning space for vehicles shall be constructed in accordance with details which shall have been submitted to, and approved in writing by, the Local Planning Authority. Such turning space shall be kept clear of obstruction at all times.

(Notes to applicant:- (1) Applicant was advised that windows on the eastern elevation should be avoided as the landowner is anticipating tree planting along this boundary; (2) NO40A - drainage/water; (3) Applicant was advised that soakaways should be designed in accordance with Building Research Digest 365 (September 1991); (4) Applicant was advised to note Wessex Water's comments:- (i) The development is located within a foul sewered area however, the nearest public foul sewer is located approximately 150 m from the site. Should the developer wish to connect to this system it will be necessary to agree a point of connection onto the system for the satisfactory disposal of foul flows generated by the proposal. This can be agreed at the detailed design stage; (ii) With respect to water supply there are water mains within the vicinity of the proposal. Connection can again be agreed at the design stage; (iii) It is recommended that the developer should agree with Wessex Water, prior to the commencement of any works on site, a connection onto Wessex Water infrastructure; (5) Applicant was advised to obtain the consent of the Council's Housing Department prior to any construction works on site; (6) Applicant was advised that the planting relating to Condition (g) should be of native species; (7) Applicant was advised by the County Highway Authority that it would be beneficial if the access and turning area could be laid out in such a way as to offer turning facilities to 8 Crimthorne Cottages. In addition, applicant was encouraged to enter into an agreement with the adjoining landowner to provide improved visibility to the east).

165. Change of use of barn to ancillary accommodation, addition of rooflight and alterations to barn opposite Littlefields, Bishopswood (29/2002/008)

Reported this application.

RESOLVED that subject to the receipt of no adverse views from South West Water, the Chief Planning Officer be authorised to determine the application in consultation with the Chairman and, if planning permission were granted, the following conditions be imposed:-

- (a) C001 - time limit;
 - (b) C102 - materials;
 - (c) C404 - single family unit;
 - (d) P010 - no further windows;
 - (e) P002 - no extensions;
- (Notes to applicant:- (1) NO37 - drainage/water; (2) Applicant was advised to contact the Environment Agency with regard to the installation of a new septic tank; (3) Applicant was advised to contact Wessex Water to agree connection onto their system).

166. Erection of a hay barn to the west of the existing silage clamp at farm at Laburnum Cottage, Woodhill, Stoke St Gregory (36/2002/016)

Reported this application.

RESOLVED that subject to the receipt of no further representations raising new issues by the 21 August 2002, the Chief Planning Officer be authorised to determine the application in consultation with the Chairman and, if planning permission were granted, the following conditions be imposed:-

- (a) C001 - time limit;
- (b) C101 - materials;
- (c) The existing hedge lying to the east of the proposed hay barn shall be retained at a minimum height of 2 m. Any plants that cease to grow shall be replaced by trees or gaps in the hedge that will allow more views of the barn from the residential properties;
- (d) C209 - protection of hedges to be retained;
- (e) The building shall not be used for the keeping of live animals.

167. Redevelopment of Blocks A, C, D and F, removal of Block B and erection of new Block (Y) and revised parking arrangement and structural landscaping scheme incorporating pedestrian routes at Somerset College of Arts and Technology, Wellington Road, Taunton (38/2001/222)

Reported this application.

RESOLVED that subject to the completion of a Masterplan and a Section 106 Agreement in respect of:-

- (a) A contribution of £250,000 towards transport improvements;
- (b) The provision of land for a cycle route;

- (c) The implementation of a Green Travel Plan; and
- (d) Provision of additional cycle parking, the Chief Planning Officer be authorised to determine the application in consultation with the Chairman and , if outline planning permission were granted, the following conditions be imposed:-

- (a) C005 - outline - reserved matters;
- (b) C009 - outline - time limit;
- (c) C014 - time limit;
- (d) C101 - materials;
- (e) C240 - landscaping;
- (f) C205 - hard landscaping;
- (g) C206A - existing and proposed levels;
- (h) C207 - existing trees to be retained;
- (i) C208 - protection of trees to be retained;
- (j) C323 - parking;
- (k) C917 - services - underground;
- (l) C924 - building materials compounds.

(Notes to applicant:- (1) N117 - crime prevention; (2) N040A - drainage/water; (3) Applicant was requested to contact the Council's Environmental Health Officer with regard to the removal and disposal of asbestos; (4) N075 - Section 106 Agreement; (5) N091 - trees; (6) N104 - public art; (7) N051B - health and safety; (8) NO51C - workplace legislation; (9) NO41A - drainage/water).

168. Erection of Fitness Centre with associated car parking at Western Power Distribution Site, Priorswood Road, Taunton (38/2002/104)

Reported this application.

RESOLVED that subject to the receipt of:-

- (1) No adverse views from the County Highway Authority; and
- (2) The results of the sequential test and these being to the satisfaction of the Local Planning Authority, the Chief Planning Officer be authorised to determine the application in consultation with the Chairman and, if planning permission were granted, the following conditions be imposed:-
 - (a) C001 - time limit;
 - (b) C101 - materials;
 - (c) C201 - landscaping;
 - (d) C324 - parking;
 - (e) Details of the materials of the wall to be provided along the boundary of the site with the adjoining housing site shall be submitted to, and approved in writing by, the Local Planning Authority and constructed prior to the commencement of the use of the building hereby permitted;
 - (f) No windows other than those shown on the approved plans shall be installed within the building on the northern and western elevations;
 - (g) Full details of the arrangements to be made for the disposal of foul and surface water drainage from the proposed development shall be submitted to, and approved in writing by, the Local Planning Authority before

- commencement of any work on site. The approved details shall be implemented prior to use of the development commencing;
- (h) Details of existing and proposed levels shall be submitted to, and approved in writing by, the Local Planning Authority and no variation from the approved levels shall take place without the express written consent of the Local Planning Authority;
 - (i) C926 and C926A - remediation investigation/certificate;
 - (j) Odours arising from cooking from the A3 Use hereby permitted shall not be detectable at the façade of any residential or other odour-sensitive premises. Any noise from any air extraction system shall not exceed background noise levels by more than 3dB(a) for a 2-minute Leq at any time when measured at the façade of residential or other noise -sensitive premises;
 - (k) There shall be no construction works within 3 m of the combined sewer;
 - (l) There shall be no discharge of surface water to the canal or the watercourse to the western side of the site;
 - (m) No development, other than open space provision, shall take place within at least 20 m of the site's southern boundary. Details of the layout, planting and any surfacing of this area shall be submitted to, and approved in writing by, the Local Planning Authority and thereafter implemented within 2 years of the date of commencement of any development on the site.
- (Notes to applicant:- (1) NO48A - remediation strategy; (2) Applicant was advised that if it is necessary to enter into the property of British Waterways, you must have their prior agreement; (3) Applicant was advised to contact the Council's Drainage Officer, prior to detailed drainage drawings being prepared and prior to commencement of any works on site; (4) Applicant was advised to contact Wessex Water in respect of the sewer, and any potential connections prior to commencement of any works on site. Applicant was further advised to protect the integrity of Wessex Water's systems and agree, prior to commencement of works on site or any submission of Building Regulations application, any arrangements for the protection of infrastructure; (5) NO49A - environmental health; (6) NO49B - environmental health; (7) NO75 - Section 106 Agreement; (8) Applicant was requested to contact the Council's Environmental Health Officer with regard to the removal and disposal of asbestos.)

(Councillor Mrs Lippiatt declared an interest in the application covered by Minute No 169 below and left the meeting during its consideration).

169. Erection of 14 dwellings with associated roads and garages on land off Richmond Road and Woodstock Road, Taunton (38/2002/190)

Reported this application.

RESOLVED that subject to the receipt of no further representations raising new issues by the 7 August 2002, the Chief Planning Officer be authorised to determine the application in consultation with the Chairman and, if the detailed plans were approved, the following conditions be imposed:-

- (a) Notwithstanding the provisions of the Town and Country Planning General Permitted Development 1995 (or any subsequent Order amending or revoking and re-enacting that Order) (for Plots 1-6 inclusive, 8, 11, 12 and 14 only), there shall be

no addition or extension to the dwellings (including the insertion of dormer windows) unless an application for planning permission in that behalf is first submitted to, and approved in writing by, the Local Planning Authority;

- (b) The residents' open spaces shown on plan reference No 9846/10F shall be laid out in accordance with the details submitted under Condition 06 of planning permission 38/2000/235 and shall be available for use by the residents of the development within 6 months of the occupation of the adjoining 2 dwellings, and shall be retained and maintained as residents' open space thereafter and not sub-divided or enclosed into the garden areas of any residential property.

(Notes to applicant: - Applicant was reminded of the need to comply with the remaining conditions of planning permission 38/2000/235 granted on the 7 August 2001 and the associated Section 106 Agreement. The notes attached to the planning permission should also be heeded).

170. Alterations to wall to provide vehicular access to the west of School Cottage, Crosslands, Tonedale, Wellington (43/2002/072)

Reported this application.

RESOLVED that subject to the receipt of satisfactory amended plans showing the visibility requirements of the County Highway Authority, the Chief Planning Officer be authorised to determine the application in consultation with the Chairman and, if planning permission were granted, the following conditions be imposed:-

- (a) C001 - time limit;
- (b) Before the development hereby permitted is occupied, unobstructed visibility shall be provided above a height of 900 mm from the adjoining carriageway across the full site frontage for a depth of 2 m back from the carriageway edge on the centre line of the access. Such visibility shall thereafter be maintained to the satisfaction of the Local Planning Authority.

171. Erection of 2 No dwellings and formation of access, Farthing Down, Holywell Lake, Wellington (44/2002/012)

Reported this application.

RESOLVED that subject to the receipt of no further representations raising new issues on the amended plans by the 7 August 2002, the Chief Planning Officer be authorised to determine the application in consultation with the Chairman and, if planning permission were granted, the following conditions be imposed:-

- (a) C001 - time limit;
- (b) C102A - materials;
- (c) C201A - landscaping;
- (d) C207 - existing trees to be retained;
- (e) C208A - protection of trees to be retained;
- (f) No service trenches shall be dug within the canopy of any existing tree within the curtilage of the site without the prior approval of the Local Planning Authority;
- (g) C210 - no felling or lopping;
- (h) C215 - walls and fences;
- (i) C304 - access point;

- (j) C305 - access and driveway to be hard-surfaced;
- (k) C306 - access - gradient;
- (l) The visibility splays shown on the approved plan shall be constructed prior to the commencement of the use of the premises and visibility shall thereafter be maintained to the satisfaction of the Local Planning Authority;
- (m) C321B - parking;
- (n) C327 - turning space;
- (o) Any gate(s) provided shall be hung to open inwards only and shall be set back a minimum distance of 4.5 m from the edge of the adjoining highway carriageway;
- (p) Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to, and approved in writing by, the Local Planning Authority;
- (q) C417 - meter boxes - ground level only;
- (r) P007 - no fencing in front of dwellings;
- (s) The site shall be reduced in level in accordance with the approved plan;
- (t) C926 and C926A - remediation investigation/certificate;
- (u) No development hereby approved shall take place until the applicant, or their agents or successors in title, has secured the implementation of a program of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority:
(Notes to applicant:- (1) Applicant's attention is drawn to the needs of the disabled in respect of new housing and the requirements under Part M of the Building Regulations; (2) N112 - energy conservation; (3) N115 - water conservation; (4) Applicant was advised that the soakaways should be constructed in accordance with Building Research Digest 365 (September 1991); (5) Applicant was advised to contact Wessex Water with regard to connection to their systems for foul water disposal and water supply; (6) With regard to condition (u), applicant was advised that the County Archaeologist would be willing to provide a specification for this work and a list of suitable contractors to undertake it.)

172. Erection of a single-storey extension and two-storey extension at The Rising Sun Public House, West Bagborough (45/2002/005)

Reported this application.

RESOLVED that subject to the receipt of no further representations raising new issues by the 13 August 2002, the Chief Planning Officer be authorised to determine the application in consultation with the Chairman and, if planning permission were granted, the following conditions be imposed:-

- (a) C001 - time limit;
 - (b) C102 - materials;
- (Note to applicant:- Applicant was requested to ensure that the off-street car parking facilities are fully utilised to minimise on-street parking).

173. Erection of 7 No dwellings with associated car parking and provision of car parking for approved light industry/office buildings, alterations to vehicular access and formation of pedestrian access, former RGB premises, Taunton Road, Wiveliscombe (49/2002/024)

Reported this application.

RESOLVED that subject to:-

- (1) The applicants entering into a Section 106 Agreement to secure a contribution (£1,000 per dwelling) towards off-site sports and community facilities; and
- (2) The receipt of no further representations raising new issues by the 13 August 2002, the Chief Planning Officer be authorised to determine the application in consultation with the Chairman and, if planning permission were granted, the following conditions be imposed:-

- (a) C001 - time limit;
- (b) C101 - materials;
- (c) C201 - landscaping;
- (d) The proposed estate roads, footways, footpaths, cycleways, bus stops/bus laybys, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections indicating as appropriate the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority;
- (e) The proposed roads, including footpaths and turning spaces where applicable, shall be constructed in such a manner as to ensure that each dwelling, before it is occupied, shall be served by the properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and the existing highways;
- (f) C314 - visibility splays;
- (g) C324 - parking;
- (h) C417 - meter boxes - ground level only;
- (i) Before any of the dwellings hereby approved are occupied, all the existing buildings on the site indicated on the approved plan shall be demolished and all materials resulting from the demolition shall be removed from the site;
- (j) C926 and C926A - remediation investigation/certificate;
- (k) P006 - no fencing.

(Notes to applicant:- (1) Applicant's attention is drawn to the needs of the disabled in respect of new housing and the requirements under Part M of the Building Regulations; (2) N112 - energy conservation; (3) N115 - water conservation; (4) N051B - health and safety; (5) N048A - remediation strategy; (6) Applicant was reminded that there may be filled ground on the site; (7) Applicant was requested to contact the Council's Environmental Health Officer with regard to the removal and disposal of asbestos).

174. Erection of single garage at White Rock Barn, Whitefields, Wiveliscombe (49/2002/037)

Reported this application.

RESOLVED that subject to the receipt of a satisfactory amended plan, the Chief Planning Officer be authorised to determine the application in consultation with the Chairman and, if planning permission were granted, the following conditions be imposed:-

- (a) C001 - time limit;
- (b) C102 - materials;
- (c) The garage hereby permitted shall be constructed only in accordance with the approved plans, and shall remain available in perpetuity for the parking of a motor vehicle(s) for domestic purposes only.
(Note to applicant:- NO45 - encroachment).

175. Erection of first floor extension, 22 Russels, Wiveliscombe (49/2002/040)

Reported this application.

RESOLVED that subject to the receipt of no further representations raising new issues by the 5 August 2002, the Chief Planning Officer be authorised to determine the application in consultation with the Chairman and, if planning permission were granted, the following conditions be imposed:-

- (a) C001 - time limit;
 - (b) C102A - materials;
- (Note to applicant:- Applicant was advised to contact the Council's Environmental Health Officer with regard to the removal and disposal of asbestos).

176. Erection of 20 m lattice tower to support 3 No digital antennas and 2 No 300 mm microwave dishes and provision of radio equipment in cabin (2.7 m x 2.7 m x 3.2 m) in a secure compound, North Rodden Farm, Maundown Hill, Maundown, Wiveliscombe (49/2000/058)

Reported that planning permission for this development had been granted in January 2002.

The applicants had recently submitted an amended plan under the minor amendment procedure which proposed to relocate the antenna approximately 18 m further away from an adjoining hedgerow than on the approved plan.

The Wiveliscombe Parish Council and local residents had been notified of this proposed amendment and three letters of representation had been received details of which were reported.

Although the proposed tower would be more visible when viewed from the field access gate and the entrance to the adjacent reservoir compound, the Chief Planning Officer considered that from a distance the effect of the change in position would be minimal and there would be no greater adverse impact on the environment. It was therefore concluded that the amendment to the position would be acceptable.

RESOLVED that the minor amendment be approved.

177. Replacement of boundary fence at 63 Cashford Gate, Taunton

Reported that a complaint had been received that a fence separating numbers 63 and 64 Cashford Gate, Taunton had recently been replaced without the required planning permission.

The owner of No 63 Cashford Gate had been informed that an application was required to regularise the matter but, to date, no such application had been received.

In the view of the Chief Planning Officer, if an application was submitted it was likely to be acceptable. It was therefore considered not to be expedient to commence enforcement proceedings.

RESOLVED that no further action be taken.

178. Provision of fencing panels between holiday units at Holly Barn, Holly Farm, Meare Green, Stoke St Gregory

Reported that in 1994 an application to retain a number of fencing panels between holiday units at Holly Barn, Holly Farm, Meare Green, Stoke St Gregory had been refused. Although enforcement action was authorised, this had been held in abeyance to enable a more suitable type of fence to be agreed. Whilst a further application was not received, alterations to the original fences had been made.

The fences were no longer considered to be visually intrusive even though they were still unauthorised. However, in the view of the Chief Planning Officer, due to the length of time that had elapsed since the original refusal, it was not considered expedient to pursue this matter further.

RESOLVED that no further action be taken.

179. Appeals

(1) Reported that the following appeals had been lodged:-

- (a) Appeal against Listed Building Enforcement Notice - Unauthorised banner and signs at 2 Church Square, Taunton;
- (b) Conversion of barn to form a holiday let and formation of residential curtilage at Higher Way, Cushuish (**13/2001/005 and 13/2002/001**);
- (c) Continued use of land to site mobile home, Mazzelsha Farm, West Buckland Hill, Wellington; also appeal against Enforcement Notice (**46/2001/012**);
- (d) Erection of single-storey dining room and conservatory to the rear of 3 Cedar Close, Poplar Road, Taunton (**38/2002/031**);
- (e) Erection of agricultural building and formation of access, land adjoining Otterford Caravan site, Culmhead (**29/2002/002**);

(2) Reported that the following appeal decisions had been received:-

- (a) Erection of a dwelling adjoining Cobblestones, Bradford on Tone
(07/2002/011)

Decision

The Inspector felt that the construction of a new dwelling on the site would serve to make the area appear a little less rural. In his opinion, the appeal proposal would neither maintain nor enhance the environmental quality and landscape character of the area. The Inspector also concluded that the proposed development would not comply with up-to-date development plan policies and Government guidance relating to sustainability and accessibility by means of travel other than the private car. The appeal was therefore dismissed. An application by the Council for an award of costs against the appellant was also dismissed.

- (b) Erection of a bungalow on land between Sunnydale and 1-4 Tithill Lane, Bishops Lydeard (06/2001/078)

Decision

The Inspector was in no doubt that to allow the proposal would have several unacceptable consequences. A new dwelling on the site would consolidate the small scatter of dwellings in the location, further eroding the open appearance and character of the area. The development would also not foster the sort of sustainable development pattern that local and national policies sought to achieve. The Inspector also felt that encouraging more people to live in isolated locations in the countryside only served to add to the difficulty of providing them with social and community services. The appeal was therefore dismissed.

- (c) Erection of a double garage to replace shed at Warren's Barn, Churchinford (29/2001/010)

The Inspector considered that the proposed garage would have only limited visibility from the surrounding countryside and would not reduce the openness of the Blackdown Hills area of Outstanding Natural Beauty or break any skyline views. He was therefore satisfied the proposal would not harm the landscape character but would rather enhance it by quality development of a reasonable scale and intended use. The appeal was allowed.

- (d) Change of use, conversion and extension and alteration to a building to form a 2-bedroom dwelling at 90 Trull Road, Taunton (52/2001/029)

Decision

The Inspector noted that the proposal would involve the change of use of an existing building and the development of only a limited part of the curtilage to No 90 Trull Road. He also noted that although the dwelling would be a separate unit, its scale and design would ensure that it remained subservient in form to the dominant presence of the buildings to the east. He concluded that the development would preserve the character and enhance the appearance of the Trull Road Conservation Area. The appeal was allowed.

- (e) Erection of extension to the rear of Twoses Barn, Payton, Wellington (43/2001/119)

Decision

The Inspector felt that the proposed extension was of sympathetic design and would be constructed of matching materials and would not be seen from the public highway. He was therefore satisfied that the appearance of the original barn would be retained and the proposed development would not adversely impact upon the architectural integrity and traditional character of the existing building or be detrimental to the visual amenities of the locality. The appeal was, therefore, allowed.

- (f) Erection of a private dwelling and access thereto on land to the south of Orchard Barton, Sherford, Taunton (38/2000/443)

Decision

Due to the complexity of the Inspector's decision letter, a full copy was submitted for the information of members of Committee. The appeal was dismissed.

- (g) Application for Certificate of Lawfulness for the display of motor vehicles on land adjacent to the A361 at Durston Elms Garage, Durston (16/2000/004LE)

Decision

Due to the complexity of the Inspector's decision letter, a full copy was submitted for the information of members of the Committee. The appeal was allowed.

(Councillors Bishop (Vice-Chairman), Vail and Mrs Parrish left the meeting at 7.20 pm, 7.35 pm and 7.55 pm respectively).

(The meeting ended at 8.12 pm).

06/2002/035

MR D A ALCOCK

CONVERSION OF CHAPEL TO PUBLIC HOUSE, FUNCTION ROOM, SHOP AND 2 NO. FLATS, ST LUKES CHAPEL, COTFORD ST LUKE AS AMENDED BY PLAN RECEIVED ON 2ND JULY, 2002 AND FAXED DRAWING DATED 17TH JULY, 2002

16770/27350

FULL PERMISSION

PROPOSAL

This application was considered at the last meeting when it was resolved that subject to further consultation responses and satisfactory amended plans, I be authorised to determine the application in consultation with the chairman. Since the previous Committee, a consultation response from the Victorian Society has been received to the Listed Building Application, hence the referral back to Committee. The proposal provides for the conversion of the former hospital chapel at Cotford St Luke to form a public house with restaurant, function room, shop and two flats. The proposed flats will be at first floor level at the western end of the building above the shop and function room, with the public house and restaurant being at the eastern end. Most of the latter will on one level open to the roof, with part of the restaurant area being in the form of a balcony area. A parking plan has been submitted indicating spaces for a total of 14 cars. The access to the car park will be from Graham Way, as will the separate access for delivery vehicles to serve the cellar for the public house. Previous planning permissions have been granted for conversion of the building into a community centre in February 2001 and for conversion to 2 residential units in September 2001. The proposed community centre for the village is now to be accommodated as part of the new primary school at Cotford.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY views awaited. WESSEX WATER the development is located within a foul sewer area, although records indicate that details have not yet been added to the public sewer map. There are no existing public surface water sewers in the vicinity of the site. Surface water should not be discharged to the foul sewer. There are water mains within the vicinity of the proposal and agreement should be reached with regard to connection onto the infrastructure. AVON & SOMERSET CONSTABULARY no objection. CHIEF FIRE OFFICER means of escape and access for fire appliances in case of fire should comply with Building Regulations detailed recommendations will be made at Building Regulation stage; all new water mains installed should be of sufficient size to permit the installation of fire hydrants conforming to British Standards.

CONSERVATION OFFICER (Originally submitted plans) (1) Statutory requirement to consult amenity societies and English Heritage not undertaken. (2) Sections required, as is justification in accordance with PPG15. (3) Subdivision of nave at proposed first floor to form 2 flats, inappropriate, due to the compartmentalisation of the space,

ignoring the primary feature - the roof. (4) Existing windows in nave shown as serving separate uses of function room and 1st floor flats. This in practice cannot happen. Additional windows, rooflights etc. required which are not shown. (5) Information required on venting for female wc's, kitchen (including extract) 1st floor flats, public areas to public house. (6) Bin storage area not shown. (7) Existing features e.g. plaques murals etc. not shown - maximum retention required/essential. (8) Storage/cellar area big enough without recourse to external areas? Until the above information is received, clarification given on areas of doubt and amendments received in respect of the 1st floor flats I cannot favourably support. DRAINAGE OFFICER no objections.

ENVIRONMENTAL HEALTH OFFICER makes the following observations due to the possibility of loss of amenity due to noise and odour:- (a) noise emissions arising from any part of the land or premises shall not exceed background levels by more than 3 decibels when measured at any point 1 metre from any residential or other noise sensitive boundary; noise emissions having tonal characteristics, e.g. hum, drone, whine, etc shall not exceed background levels at any time when measured as above; and (b) odours arising from cooking not to be detectable at the facade of any residential or other odour sensitive premises; this potential problem could be overcome by the fitting of a suitably filtered air extraction system; noise from any air extraction system should not exceed background noise levels by more than 3dB(A) at any time when measured at the facade of residential or other noise sensitive premises. Food Control Officer indicates the need for extract ventilation and the lack of secure external waste storage facilities.

PARISH COUNCIL supports the principle of the proposed development which would provide commercial facilities (possibly include a Post Office within the retail shop area) necessary for this expanding village; adequate car parking provisions should be included and a form of sound attenuation incorporated for the windows; query whether this site would be in addition to, or instead of, the designated site the south-east.

COTFORD ST LUKE COMMUNITY ASSOCIATION welcome application, believe it has the potential to provide Cotford with several much needed social facilities; survey carried out in 2001 (with 21 % response rate) showed 93% of residents thought group of local shops important, 88% thought a pub important with only 1% thinking it undesirable; always advocated that the chapel should be put to public use - the present application makes this possible intelligently exploiting the building and making a feature of its best asset, the roofing beams; one of the Associations objectives is to get campaign going for the shops and pub; will make the chapel a quality multi-functional village resource with a family friendly ethos; will allow religious services to resume and encourage socially useful activities involving young people; the school/community centre will only provide one meeting/function room - the current proposal goes a long way to bridging the gap, especially for young people, mothers and toddlers; only concerns are the aspects left undefined - boundary treatment, landscaping, parking, entrance/exit and improvement of external appearance of building; expect that some local residents will object due to close proximity to properties, however Development Guide identified a pub for Cotford when houses closest to chapel were purchased; the chapel had been earmarked as a community hall and as such its use both during the day and evening would have generated traffic not dissimilar to the present application; given that the building is separated from housing and is currently a decaying eyesore, it is hoped that the wider and long term interests of residents will prevail.

NINE LETTERS OF OBJECTION the building was constructed as a place of worship and should continue to be used as a place of worship and not be desecrated in this way; facilities in Cotford are already in short supply, but to remove a church which is fundamental to any community is morally wrong; increased noise levels from music, extractor fans, pedestrians and the parking of cars and starting of car engines which would occur in the late evening when children would be going off to sleep; inadequate parking when the business would have to attract more than just village trade to survive, this will lead to parking in the street causing congestion; should be a covenant like the houses which says that businesses cannot be carried out; increase in traffic which would compromise the relatively safe residential environment for children to grow up in; will suffer from smells produced by kitchen extractor fans; delivery lorries likely to park on the road opposite a junction; confused by the statement that there could possibly be church services held on a Sunday; find the idea of stalling depleting church congregations by holding services in licensed premises rather insulting; question the viability of the business; not consulted or informed by the village committee; assured that when purchased property that chapel would be converted into 2 dwellings; increased possibility of thefts; will result in gangs of older children hanging around; a more suitable location should be found with more distance between it and people's homes; no trees should be removed; deeds of residential properties state that no cars should be parked on Graham Way; effect on other proposed shop in the pipeline; query whether in the right place; should be adequately soundproofed; should be restrictions on outside activities; question landscaping; unsuitable position for a shop; question the type of shop; original plans inadequate; Council not doing job local tax payers pay for; underhand dealings in Cotford and developers seem to do as they please; will increase litter; query whether Cotford St Luke can really support two public houses.

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 WD/EC/18 of the West Deane Local Plan states that the alteration or conversion of a listed building will normally only be permitted where certain criteria are met. These state that (a) the internal and external fabric considered important to the historical integrity, structure, character, appearance and setting of the building are not materially affected; wherever possible fixed interior features of interest should be respected and left in situ; (b) the provision of parking spaces does not adversely affect the setting and appearance of the building; (c) the sub-division of any surrounding garden or open space does not adversely affect the setting and historic character of the building; (d) where the building's internal space is judged to be important to its character, this space is preserved; and (e) the materials used in the conversion do not adversely affect its character or appearance. 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 EC7a of the same plan states that beyond Taunton and Wellington town centres the vitality and viability of local service provision will be maintained and enhanced and the level and diversity of such

facilities improved. One of the ways this is to be achieved is by permitting the provision of local service facilities within or adjacent to the defined limits of a rural centre or village. Policy EN17 of the same plan states that development proposals which would harm a listed building, its setting or any features of special or historic interest which it possesses will not be permitted. Policy EN18 goes on to say that the change of use, alteration, conversion or extension of a listed building will not be permitted unless (a) the internal and external fabric of the building including its architectural and historic features would be preserved, leaving them in situ where possible; (b) the building's internal space would be retained where this is important to its character or historic integrity; (c) no subdivision of a garden or other open space would occur, where this would harm the building's character, setting and historic integrity; (d) the design, materials and building methods used are sympathetic to the age, character and appearance of the building; and (e) any extension is sufficiently limited in scale so as not to dominate the original building or adversely affect its appearance.

ASSESSMENT

The conditions on the outline planning permission for the development at Cotford required the provision of a village centre and the Master Plan indicated a public house site as part of the village centre. The chapel is located adjacent to the area set aside for the village centre and I consider the principle of a public house, restaurant and shop to be acceptable in this location. Furthermore I consider that the provision of a public house use in the former chapel building is something to be encouraged, as it will secure the future of the building, be potentially less invasive on the character and appearance of the building than residential use and allow the interior of the only listed building at Cotford to be enjoyed by local residents. Whilst it is inevitable that the character of the building will be affected to some extent, I consider that in order to bring the building back into beneficial use and to provide much needed facilities for the village, the proposal is acceptable. It is unrealistic to expect the chapel to be used solely as a church again. The Environmental Health Officer suggest noise and smell limit conditions which are incorporated in my recommendation. Some parking provision is made, but it is hoped that residents of Cotford will be encouraged to walk to this central location. The chapel is relatively close to the area set aside for the village where an application has recently been submitted for a shop and surgery. Conditions are recommended with regard to retaining trees and new landscaping. Since the last meeting further discussions have taken place with the applicant and amended plans are anticipated which seek to overcome some of the concerns of the Conservation Officer.

RECOMMENDATION

Subject to the receipt of satisfactory amended plans and further details/justification, no further consultations or representations raising new issues thereon and the views of the County Highway Authority the Chief Planning Officer in consultation with the Chair/Vice Chair be authorised to determine and permission be GRANTED subject to conditions of materials, rainwater goods, landscaping (hard and soft), retention/protection of trees, no felling/lopping, no service trenches beneath canopy spread of trees, boundary treatment, parking, meter boxes, underground services, removal of GPDO rights for walls/fences, noise emissions arising from any part of the land or premises not to exceed background levels by more than 3 decibels when measured at any point 1 metre from any residential or other noise sensitive boundary, noise emissions having tonal characteristics, e.g. hum, drone, whine, etc not to exceed background levels at any time

when measured as above and odours arising from cooking not to be detectable at the facade of any residential or other odour sensitive premises, noise from any air extraction system not to exceed background noise levels by more than 3dB(A) at any time when measured at the facade of residential or other noise sensitive premises, visibility splays, no discharge of surface water onto highway and details of external lighting. Notes re fitting of a suitably filtered air extraction system, disabled access, meter boxes, water conservation, listed building consent, bats/owls, dropped kerbs, contact Wessex Water, any adverts would require listed building consent and Chief Fire Officer's observations.

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:

06/2002/036LB

D ALCOCK

CONVERSION OF CHAPEL TO PUBLIC HOUSE, FUNCTION ROOM, SHOP AND 2 NO. FLATS, ST LUKES CHAPEL, COTFORD ST LUKE.

16770/27350

LISTED BUILDING CONSENT-WORKS

PROPOSAL

See previous item. This application was considered at the last meeting when it was resolved that subject to further consultation responses and satisfactory amended plans, I be authorised to determine the application in consultation with the chairman. Since the previous Committee, a consultation response from the Victorian Society has been received to the Listed Building Application, hence the referral back to Committee.

CONSULTATIONS AND REPRESENTATIONS

See previous item. THE VICTORIAN SOCIETY whilst we are prepared to accept some subdivision as a result of a conversion the current design would appear to completely subdivide the nave - we presume the flats will have suspended ceilings so none of the nave roof will be visible. The former Chancel and crossing is then converted a bar/restaurant. The planning of this area does not appear very logical - the bar is separate from the cellar and the male and female lavatories are separated by the kitchen. We note that the application form talks about possible church use on Sunday's. It is difficult to see how such use could be achieved in the current plans. Given the mix of uses proposed we feel that the applicant needs to provide a justification statement for this proposal which should include some form of business case setting out how this scheme will work. The Society does not feel there is sufficient information in this application to assess the impact of the proposals. We are also not convinced that the mix of uses proposed will be practical, or beneficial to the building. The Society is thus opposed to this application and would urge your Council to refuse consent.

POLICY CONTEXT

See previous item.

ASSESSMENT

See previous item.

RECOMMENDATION

Subject to the receipt of satisfactory amended plans and further details/justification, the observations of English Heritage, the further observations of the Conservation Officer and any additional conditions requested, the Chief Planning Officer in consultation with

the Chair/Vice Chair be authorised to determine and consent be GRANTED subject to conditions of materials, schedule of works, detailed schedule of repairs to the existing fabric (external and internal), maximum retention/relocation of existing fixtures, fittings and finishes within the conversion, all new internal doors, linings, architraves and skirtings to match existing; new partitions to be scribed around existing cornices, skirtings and other features; specific details of the materials and finishes to be used for new internal spaces, details of all new services or works such as damp proofing, heating, lighting, plumbing and ventilation, no works to commence until the relevant conditions attached to this consent have been discharged and a contract let for the approved conversion, all repairs to be progressed on the basis of minimal intervention, and specific details of new windows, staircases, screens to first floors, balustrades, introduction of first floor and insulation of roof. Note re planning permission.

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:

10/2002/014

MR & MRS M E LATCHFORD

ERECTION OF REAR CONSERVATORY AT 23 FAIRFIELD GREEN, CHURCHINFORD.

21110/12500

FULL PERMISSION

PROPOSAL

The proposal is for the erection of a conservatory to the rear of the property. The applicant is a member of TDBC staff. The conservatory measures 4.0 m x 4.0 m x 3.4 m to the roof ridge.

CONSULTATIONS AND REPRESENTATIONS

-

POLICY CONTEXT

Taunton Deane Local Plan Revised Deposit - Policy H19 Extensions to Dwellings- the proposal is considered to meet the requirements of the policy. The extension is subservient in scale and design and should not harm the amenity of the neighbouring dwelling.

ASSESSMENT

The size and design of the conservatory are considered acceptable, and the proposal meets the requirements of the extensions policy in the Local Plan. There is no detrimental impact on the neighbouring properties.

RECOMMENDATION

Permission be GRANTED subject to the conditions of materials.

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

CONTACT OFFICER: 356465 MR C D WHITE

NOTES:

14/2002/013

MR K MATTHEWS

CONVERSION OF FORMER PUMPING STATION TO FORM DWELLING AT CHARLTON ENGINE HOUSE, CREECH ST MICHAEL AS AMENDED BY AGENTS LETTER DATED 20TH JULY, 2002 AND ATTACHED PLAN NOS. 01/111/04A AND 01/111/03A AND ATTACHED PHOTOGRAPH

28740/26080

FULL PERMISSION

PROPOSAL

Planning permissions have been granted since 1997 for the conversion of this canal side pumping house. Two different schemes have been approved in the past. The current scheme represents a third approach to the conversion of the building and incorporates an extension to the rear that emulates the original footprint and design of the pumping house. The earlier permissions provided access from the towpath to the rear of the site with a new garage for parking cars. The current proposal provides a parking area to the front of the site with the provision of a low wall and metal railings along the front and side boundary.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY no objection. COUNTY ARCHAEOLOGIST the building is of industrial archaeological importance and I consider it should have a written record, photographic and measured survey prior to the conversion works taking place on site and suggest the incorporation of a suitable condition (as recommended). ENVIRONMENT AGENCY no objection subject to conditions and notes (as recommended). BRITISH WATERWAYS BOARD no objection in principal but the conversion should be sympathetic to the character of the pumping house; the soakaways should be located to the rear of the site. RAILTRACK no objection to the principal but the rail side fencing cannot be altered without the prior agreement of Railtrack; surface water should not be discharged onto Railtrack property and any soakaways should be 10 m from the boundary; works should not endanger Railtrack safety; there shall be no access to the railtrack line; the ground levels shall not be lowered; any support walls must be reinforced concrete; all buildings should be at least 2m from Railtrack's fence; external or internal lighting should be controlled so as not to conflict with any signalling systems; any landscaping should be at least their mature height distance from Railtrack property; any new hedge adjacent to Railtrack's line should not be sited to prevent maintenance of the boundary.

LANDSCAPE OFFICER views on amended plans awaited CONSERVATION OFFICER amended plans considered acceptable bearing in mind the photographic evidence of the buildings on site. ENVIRONMENTAL HEALTH OFFICER no objection subject to a contaminated land and remediation condition. DRAINAGE OFFICER a standard soakaway and septic tank condition should be used. RIGHTS OF WAY OFFICER no objection as long as the proposed boundary does not extend onto the towpath

PARISH COUNCIL supports the application.

ONE LETTER OF REPRESENTATION has been received from the Somerset Industrial Archaeological Society:- It is important the a viable conversion is carried out in the near future before the building deteriorates further. The proposals appear to provide a realistic scheme for retaining the essential features and form of the pumping house whilst providing a desirable residence.

POLICY CONTEXT

Somerset and Exmoor National Park Joint Structure Plan Policies STR6 requires that proposals outside of settlements benefit economic activity whilst maintaining the environment without fostering the need to travel; Policy 9 this policy seeks the retention, maintenance and enhancement of historic buildings and their settings and the preservation/maintenance of the appearance of Conservation Areas; Policies 11-13 seek to protect/investigate and record the archaeological potential of sites. Taunton Deane Local Plan Revised Deposit the following policies apply:- S1 governing the general requirements of all development; H9 controlling the detail of conversions of rural buildings, EN24 controls development of sites with high archaeological potential requiring an evaluation of the site; Policy H9 limits the extension and alteration of converted buildings. In this case the degree of extension is greater than that normally permitted. As this building is very important to the history of the area and the extensions would re-introduce the traditional form the deviation from the policy is considered acceptable.

ASSESSMENT

The Creech pumping house building is an important industrial building within the Taunton Deane Area. It has not been listed because of its state of disrepair but that does not lessen its historical importance to the area. Photographic evidence from the applicant shows the original form of the pumping house complex and this includes a rear element similar in design, materials and proportion to the proposed scheme. The condition of the building has been deteriorating for some time and the proposed scheme will enable the repair and restoration of the building whilst providing a positive and viable use. The previous permissions established the principle of rear extensions to the building but the form of these was less acceptable than the current proposal. Proposal considered acceptable.

RECOMMENDATION

Permission GRANTED subject to conditions of archaeological recording, contaminated land, materials, salvaged materials, site levels, surface treatment to drives and parking areas, details of guttering, down pipes, details of mortar, schedule of works, doors and windows timber and recessed, landscaping, details of external lighting, removal permitted development rights for extensions, structures and fences, details of foul and surface water, protection of the footpath, contaminated land, storage of fuels. Notes re

conversion letter, meter boxes, water and energy conservation, contact Wessex Water, consent to discharge required, owls and bats, design advice from British Waterways Office, disabled persons, lifetime homes, copies of the letters from British Waterways and Railtrack to be attached for information.

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

CONTACT OFFICER: 356467 MRS J MOORE

NOTES:

14/2002/023

MR R J JEANES

CONVERSION OF AGRICULTURAL BARN TO FORM A DWELLING AND ANCILLARY GARAGE AT HAM FARM, CREECH ST MICHAEL.

28480/24950

FULL PERMISSION

PROPOSAL

Planning permission was granted earlier this year for the erection of an agricultural building adjacent to the existing farmyard to provide additional facilities for the farm. This proposal is for the conversion of an agricultural building (no longer required for agricultural uses) to a 4 bed roomed dwelling to serve as accommodation for the farmer and his wife. The barn is constructed of stonewalls with a clay tile roof. Generally the scheme utilises the existing openings although four small roof lights and 3 new windows are to be created for additional lighting. The proposed access is via the existing access and drive with the garaging being provided in an existing wagon shed that is of block, stone and tile. A domestic curtilage to the front of the building would be surrounded by a new stonewall and a new curtilage would be provided to the rear of the building with the planting of field hedging along the domestic boundary.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY views awaited. WESSEX WATER there is a water supply in the vicinity of the site. ENVIRONMENT AGENCY views awaited.

ENVIRONMENTAL HEALTH OFFICER no objection subject to a contaminated land condition and note. DRAINAGE OFFICER views awaited.

PARISH COUNCIL supports the application provided that the cow stall is removed, as it is not considered in keeping.

ONE LETTER OF REPRESENTATION has been received from the adjoining occupier raising the following points:- support the application; access rights exist to allow the use of the access and drive for the applicant for his business and house, If the existing dwelling is sold separately then agreement will be required from the adjoining occupier to enable access from the existing drive.

POLICY CONTEXT

Somerset and Exmoor National Park Joint Structure Plan polices - STR6 requires that proposals outside of settlements benefit economic activity whilst maintaining the environment without fostering the need to travel; Policy 39 requires development proposals to be compatible with the road network or, if not, to provide an acceptable improvement. Taunton Deane Local Plan Revised Deposit the following policies apply:-

S1 governing the general requirements of all development; H9, controlling the detail of conversions of rural buildings. The proposed scheme works with the existing structure and the proposed alterations are of a minor nature. A more modern "cow stall" to the front is to be removed and this will enhance the traditional character of the barn. The proposal is considered to conform to policy H9.

ASSESSMENT

The existing barn is of traditional design and construction and the proposed conversion is in sympathy with the existing. The cow stall to the front would be removed and the proposal is considered acceptable.

RECOMMENDATION

Subject to the views of the County Highway Authority, Environment Agency and the Drainage Officer the Chief Planning Officer in consultation with the Chair/Vice Chair be authorised to determine and permission be GRANTED subject to conditions of materials for repairs/walls, schedule of works, removal of modern "cow shed" to front of the barn, timber recessed windows, foul and surface water drainage, parking, garage domestic use, contaminated land, new hedge, removal of permitted development rights for extensions, buildings and walls/fences, windows. Notes re conversions letter and note, energy and water conservation, disabled persons, bats and owls, soakaways and septic tank drainage, lifetime homes, secure by design, meter boxes.

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

CONTACT OFFICER: 356467 MRS J MOORE

NOTES:

17/2002/003

B G & M M GREENWAY & SON

ERECTION OF GENERAL PURPOSE CATTLE SHED AND SPECIALIST CALF REARING SHED ON LAND PART MANOR FARM SOUTH OF BREWERS FARM BUILDINGS, FITZHEAD.

11110/28830

FULL PERMISSION

PROPOSAL

This application should be considered in conjunction with the next item. The applicants farmed from a farm in the centre of Fitzhead for many years, but as their dairy unit grew it became impossible to continue farming large numbers of animals from buildings set amidst numerous houses. The dairy unit was therefore relocated to a much larger farm at Higher Vexford and the former buildings at Fitzhead were converted to dwellings in the late 1980's. Continued expansion over the last decade has now forced the applicants to review their farming policy. They now have about 250 milking cows in the herd. They have had problems of viral pneumonia in the youngstock and are running out of space on the farm. Accordingly they consider that the logical step if they are to be able to expand further is to locate the calf and youngstock unit at Fitzhead and keep Vexford dedicated to the milking herd. Indeed the applicant's agent contends that it would not be a feasible or sensible alternative to erect new buildings at Higher Vexford Farm and use Manor Farm just for arable fodder and off-lying grazing. The applicants farm 144 ha at Vexford and 57 ha at Fitzhead. The land at Fitzhead is currently used as a satellite unit, with all produce (silage, cereals and straw) returned to Higher Vexford Farm, and for summer grazing of dry cows and heifers. All the buildings are currently located at Lower Vexford. The farm dwelling is located next to the buildings. This application proposes the erection of:- (i) a calf rearing building, enabling all calves to be taken from the herd at seven days of age and reared in a minimal risk/disease free climate; and (ii) a building for older cattle so that Higher Vexford Farm can be run as an enlarged dairy unit with all followers kept separately at Manor Farm. The application the subject of the next application is for the erection of a dwelling within the proposed building complex for occupation by a stockman who would work full-time on the unit. The proposed calf rearing shed measures 9.15 m x 12.2 m and would house about 80 calves. The proposed beef rearing cattle shed measures 36.6 m x 13.7 m and would house up to 150 calves, yearlings and older heifers during the winter. Materials would be timber boarding to the walls and fibre cement sheeting for the roofs.

CONSULTATIONS AND REPRESENTATIONS

PARISH COUNCIL understands the need for a new building in order to raise older dairy heifers or beef animals at Fitzhead and does not wish to oppose the application so long as any planning permission is granted subject to conditions of- (i) adequate provision is made for the disposal of surface water in such a way that it does not add to the already overloaded roadside drainage from Tommy Brewers to the village; (ii) adequate provision is made for the safe disposal of effluent and dirty water from the livestock

buildings; and (iii) the buildings are suitably screened and landscaped. However the Council is of the opinion that the applicant should be encouraged to erect the new calf shed on land at Vexford close to the dairy unit, surely the normal place for a calf house on a dairy farm B close to calving cows, the milk supply and the majority of the labour force (for the necessary supervision).

FIVE LETTERS OF OBJECTION report says that applicants could not develop Manor Farm because of the increase of the increase in flies near a residential area, yet will be close to dwellings with application proposal; applicants have already expanded at Vexford and there is room for the calf shed there; there will be constant noise with the arrival of newly separated and distressed calves; it is a bit cheeky that after selling a perfectly good farm with a range of buildings that were converted to housing out of the price range of local people that applicants should try to bring the farm back to the village and faced with having to establish a need to build a dwelling, put forward a planning application to build from scratch on a green site; traffic coming from Vexford would have to cross a blind bend - should use the existing concrete entrance opposite Manor Farm which is used now; will be more traffic visiting the farm than is implied in the report submitted with the planning application; plans do not show what facilities will be used for the storage of silage, straw and dung, both visually and as regards a health issue; there will have to be extensive drainage as the area floods in winter; future sale of the property should include all the land that makes up Manor Farm; the proposed calf rearing unit would be within breathing distance of the animals at Brewers Farm B this is a huge disease concern within the livestock industry; should be kept well away from cattle sheds already in place which have just undergone major work to provide clean air flow in an attempt to combat disease; foot and mouth disease showed the potential for extreme stock loss when animals were too close together; alternative sites on the farm are more suitable.

POLICY CONTEXT

Policy STR6 of the Somerset and Exmoor National Park Joint Structure Plan Review states that development outside towns, rural centres and villages should be strictly controlled and restricted to that which benefits economic activity, maintains or enhances the environment and does not foster growth in the need to travel. The proposed development will assist an existing farming business in the open countryside. Policy WD/SP/2 of the West Deane Local Plan states that outside the defined settlement limits, development will not be permitted unless it is for the purposes of agriculture or forestry or accords with a specific development plan policy or proposal. Policy WD/EC/33 states that proposals for new farm buildings should ensure that they do not harm the amenity or appearance of the area and that proposals will be assessed against a number of criteria related to siting and design, avoidance of noise and smell, access, materials, protection of watercourses and the operational needs of agriculture. It is considered that these criteria are met with the current proposal. Policy S8 of the Taunton Deane Local Plan states that outside defined settlement limits, new building will not be permitted unless it maintains or enhances the environmental quality and landscape of the area and meets a number of criteria including that it is for the purposes of agriculture.

ASSESSMENT

The applicant has responded to the points raised by the Parish Council and objectors:- they are more than happy to provide adequate drainage and safe disposal of slurry and to screen and landscape the buildings; however do not want to site the unit close to Vexford due to wanting to escape current pneumonia and other infection problems from older cattle and also due to reaching capacity in terms of grass available per cattle head and wish to utilise the acreage back at Fitzhead; have always used milk powder not fresh milk; the shed will be 300 ft away from objector's property and should provide no greater threat from flies than from the agricultural buildings already there; unlikely to be a problem from noise as the proposed buildings will be further away from dwellings than the existing cattle building; Manor Farm was sold due to slurry and effluent problems caused by close proximity to dwellings; barns were not sold out of the price range of local people; do not see a problem with the proposed access to the site which was recommended by the planning officer; will be little more traffic generation than at present; silage storage will be round bale storage and a small stack of straw; drainage problems will be dealt with; proposal is in order to remain in the farming industry.

Although the applicant submitted an agricultural appraisal in relation to the proposed dwelling, I sought a second opinion from the Centre for Rural Research at Exeter University. I also took the opportunity to obtain their views on the points raised on the proposed livestock buildings. The appraisal author considers that the site chosen for the buildings is the best. It is well located relative to the land area, adjacent to a public road, an adequate distance from the village of Fitzhead and will have minimum impact on the landscape. With regard to the latter point, proximity to the Brewers Farm buildings is advantageous. The minimum distance between either of the proposed new livestock buildings and the nearest building belonging to Brewers Farm is 27.5 m. A hedge and the Brewers Farm lane take up some of the intervening space and additional tree planting on the Manor farm side of the hedge is proposed. The appraisal author concludes that given that the prevailing wind is down the valley, communication and sharing of air between livestock in the two sets of buildings is likely to be slight. He is not aware of any heightened risk to calves or other cattle as a result of proximity of buildings on this scale and to this extent. The occurrence of foot and mouth and similar diseases is rather infrequent and infection of livestock on either farm would be likely to result in the culling of all cloven hoofed animals on both farms, regardless of the siting of buildings within the respective farm areas.

I concur with the above views and consider that in visual landscape terms , the proposed siting of the livestock buildings is appropriate and that they are reasonably necessary for the needs of the farm business.

RECOMMENDATION

Permission be GRANTED subject to conditions of materials and landscaping. Note re disposal of effluent and dirty water.

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:

17/2002/004

B G & M M GREENWAY & SON

**ERECTION OF AGRICULTURAL DWELLING ON LAND PART MANOR FARM SOUTH OF
BREWERS FARM BUILDINGS, FITZHEAD.**

11130/28890

OUTLINE APPLICATION

PROPOSAL

See also previous item. This application is an outline application for a dwelling within the proposed building complex for occupation by a stockman who would work full time on the unit. There are two dwellings on the farm at the moment, these being located at Higher Vexford farm. Labour is provided by three full time and two part time workers. The background to the location of livestock buildings at Manor Farm is set out in the previous item. The agricultural appraisal submitted with the application considers that the proposed enterprises in combination necessitate a stockman to be readily available at most times and that such a provision is essential for this enterprise to be operated properly; it is a full time unit; the unit has been operating for considerably in excess of three years and the accounts show that the farm is profitable and financially sound; there are no other dwellings either suitable or available to meet this need; the siting is close to the buildings and an existing access to be used.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY provided the occupation of the dwelling is tied to local agricultural employment, would not wish to raise objection to the proposal. In the event of planning permission being granted would recommend conditions regarding parking, first 6 m of proposed access to be hard surfaced, entrance gates to be hung to open inwards and set back 4.5 m, disposal of surface water to prevent its discharge onto the highway and 45 m visibility splays. WESSEX WATER the development is located in a foul sewered area and there are water mains in the vicinity of the proposal; points of connection can be agreed at the detailed stage.

DRAINAGE OFFICER standard conditions should be applied with regard to soakaways and septic tank; there has been localised flooding downstream of the property in the past, therefore all surface water runoff should be retained and disposed of on site especially with regard to drives, etc.

PARISH COUNCIL concerned about the proposal to build a new farm dwelling in open countryside near to the village; the justification for the dwelling appears to be the need to supervise calf rearing in the proposed new calf shed; the applicant should be encouraged to erect the new calf shed on land at Vexford close to the dairy unit; the

Council was advised that the proposed dwelling is for the occupation of Mr and Mrs Greenway senior and not for an employed farm worker - the proposal will therefore leave a surplus dwelling at Vexford; if notwithstanding these comments permission is granted, this should be subject to conditions of adequate provision being made for the disposal of surface water in such a way that it does not add to the already overloaded road-side drainage from Tommy Brewers to the village and that the building is suitably screened and landscaped.

FIVE LETTERS OF OBJECTION see also previous item:- dwelling will be as large as the farmhouse at Vexford; proposed dwelling backs onto an existing agricultural building, if planning permission is granted it is likely in the future that the dwelling will be sold away and the agricultural tie lifted, new owners could then complain bitterly about noise and smell seriously jeopardising farming activities.

POLICY CONTEXT

Policy STR6 of the Somerset and Exmoor National Park Joint Structure Plan Review states that development outside towns, rural centres and villages should be strictly controlled and restricted to that which benefits economic activity, maintains or enhances the environment and does not foster growth in the need to travel. The proposed development will assist an existing farming business in the open countryside. Policy WD/SP/2 of the West Deane Local Plan states that outside the defined settlement limits, development will not be permitted unless it is for the purposes of agriculture or forestry or accords with a specific development plan policy or proposal. Policy WD/HO/1 of the same plan states that dwellings for agricultural workers will only be permitted outside the limits of settlements where various criteria are met, including that there is a proven need for the dwelling on the holding. Policy WD/HO/2 goes on to say that where agricultural dwellings are permitted, appropriate conditions will be used to retain the dwelling for agricultural occupation. Policy S8 of the Taunton Deane Local Plan states that outside defined settlement limits, new building will not be permitted unless it maintains or enhances the environmental quality and landscape of the area and meets a number of criteria including that it is for the purposes of agriculture. Policy H14 of the same plan goes on to say that dwellings for agriculture workers will be permitted outside the limits of settlements provided there is a proven functional need for the dwelling there and the farm unit for which it is sought is proven to be financially viable. Policy H15 indicates that where agricultural dwellings are permitted appropriate conditions will be used to retain the dwelling for agricultural occupation. Specific guidance relating to new permanent dwellings on agricultural holdings is set out in PPG7. The relevant points are:- (a) there is a clearly established existing functional need; (b) the need relates to a full time worker, or one who is primarily engaged in agriculture, and does not relate to a part-time requirement; (c) the unit and the agricultural activity concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound, and have a clear prospect of remaining so; and (d) the functional need could not be fulfilled by another dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned.

ASSESSMENT

The applicants indicate that Mr Greenway senior has no intentions of retiring in the foreseeable future. As and when he did retire, consideration would have to be given to putting a stockman in the dwelling, if he no longer wished to attend to the stock. As far as the dwellings at Vexford are concerned, there is a requirement for a minimum of two men to work there so there would be a need to employ another worker if Mr Greenway senior moved out. There are no intentions of selling the dwelling off, but would be happy for the dwelling and buildings to be tied to the land.

I have sought a second opinion on the applicant's agricultural appraisal from the Centre for Rural Research at Exeter University. This considers that if the planning permission sought for the two livestock buildings is granted, they are erected and activities at Manor Farm are organised as indicated by the applicant, there will be a functional need for residence on site of an agricultural worker. It further considers that the need will be for a full time worker and it will be the case that the functional need could not be fulfilled by any other dwelling on the unit. Of the other dwellings in the immediate locality, so far as the applicants are aware, none are suitable and available for occupation by the worker concerned. The farm business of which the farm is a part has been established for at least three years, is currently financially sound and has a clear prospect of remaining so. However the author of the report is of the view that the proposed activities at Manor Farm are not at present operational and the uses to which the farm is at present put do not constitute a full time occupation. Within the terms of PPG7, he concludes that a grant of permission in the first instance for a temporary or mobile home would seem to be indicated.

The author of the applicant's agricultural appraisal has come back on the matter of whether or not the residential need should be met in the first instance by way of a temporary consent. PPG7 provides for such consents in situations to support a new farming activity, whether on a newly created agricultural unit or an established one. The aim behind this policy guidance is to establish that stated intentions to engage in farming are genuine and reasonably likely to materialise. However this is not an entirely new enterprise but an ongoing evolution of an existing farm business. Accordingly rather than the provision of a mobile home initially, the author of the applicant's agricultural appraisal suggests that a condition be imposed to ensure that the buildings associated with the consent are erected and possibly even stocked prior to the first occupation of the dwelling. I consider that the imposition of a condition to ensure that the livestock buildings are up and running prior to occupation of the dwelling would be appropriate in this instance and my recommendation reflects this. However, I consider that the livestock buildings should be completed prior to any work on construction of the proposed dwelling commences. I consider that the visibility splay requirements of the County Highway Authority, which would involve the removal of a length of roadside bank and hedge, are inappropriate in this attractive rural area.

RECOMMENDATION

Permission be GRANTED subject to conditions of submission of details, time limits, percolation tests, materials, landscaping, parking, hardsurfacing of first 6 m of access,

access gates set back, no discharge of surface water onto highway, agricultural tie, no work to commence until the buildings the subject of permission 17/2002/003 are erected, not to be occupied until the buildings the subject of permission 17/2002/003 are substantially stocked with livestock in line with the applicant's agricultural appraisal and meter boxes. Notes re design of dwelling, disabled access, energy/water conservation, meter boxes, design guide, soakaways, Environment Agency consent required for discharge to underground strata and contact Wessex Water for connection to infrastructure.

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:

21/2002/010

MR S REEVES

**ERECTION OF A FIRST FLOOR EXTENSION TO THE REAR OF LITTLE PIPPEN,
LANGFORD BUDVILLE (AMENDED SCHEME).**

11020/22900

FULL PERMISSION

PROPOSAL

Members may recall a planning application was discussed at the June 2002 meeting for the erection of a single storey extension and first floor extension to the rear of this property. Whilst the Committee felt the amended first floor extension (3.5 m deep) did not warrant refusal, the application was refused on the grounds that the proposed single storey extension constituted an unneighbourly form of development, which would have an overbearing and tunnelling effect on the neighbouring property, thereby causing loss of outlook to its occupiers to an unreasonable degree. This application is for the resubmission of the application but deleting the single storey element referred to in the reason for refusal. The first floor extension is 3.5 m deep and is 0.7 m from the boundary with the neighbouring property. Materials are to match the existing dwelling.

CONSULTATIONS AND REPRESENTATIONS

1 LETTER OF OBJECTION received raising the following points:- notwithstanding the removal of the single storey element, objection is raised to the current application. The two storey element will have a significant overbearing impact upon the amenities of the neighbouring property. This is as a result of an extremely high sidewall of the extension in such close proximity to the boundary and to the windows on the rear elevation of the property. It will have an overbearing impact upon the small patio area adjacent to the property. The extension will form an enclosure to the rear garden and reduce the outlook and level of amenity enjoyed from both the existing living rooms and the garden area. Due to the height of the two storey extension, the proposal will be contrary to section (b) of the West Deane Local Plan Policy WD/HO/10. The impact on the amenities of the adjoining residents is worsened by the orientation of the dwelling. The property faces south west, and the extension will affect the light, especially due to the change in levels of the ground, upon the amenity of the living room area of the house. The tunnelling effect will still occur especially to the first floor windows and the introduction of a first floor extension will have a significant overbearing effect upon the neighbouring property. The property can be extended away from the boundary. The design of the extension will have a significant effect upon the simple appearance of the original dwelling and the design is considered not to be in keeping with the original property due to the introduction of a number of alternative roof slopes. Therefore the proposal is detrimental to the character of the existing property, contrary to part (a) of policy WD/HO/10 of the West Deane Local Plan.

POLICY CONTEXT

The West Deane Local Plan (adopted May 1997) - Policy WD/HO/10 deals with the erection of extensions to dwellings. The policy seeks to ensure that extensions do not harm the appearance of the streetscene, the landscape setting of the area or the character of the existing property and surroundings by their size, form or materials or their relationship with existing buildings and associated spaces. They should respect the amenities of adjacent dwellings in terms of privacy and enjoyment of the house and garden. They should not unacceptably prejudice the future amenities, parking, turning space and other services of the dwelling to be extended.

In the assessment of this application the following Taunton Deane Local Plan Revised Deposit (November 2000) policies are taken on board:- S1 (General requirements), S2 (Design) and policy H19 (Extensions to dwellings). These policies seek to ensure that the proposal does not affect the appearance and character of any building or streetscene, reinforce the local character and distinctiveness of the area and building, and do not affect the amenity of other dwellings and the form and character of the dwelling and is subservient to it in scale and design.

ASSESSMENT

I consider that the proposal does not affect the appearance or character of the building. The extension is on the rear of the property and therefore the streetscene is not affected. The property has been extended in the past and I consider that the simple character of the property, which may have once existed, has been superseded by those previous extensions. The form and character of the dwelling are not compromised, as the extension is subservient to it in scale and design. The proposal does not affect the amenities of the existing property. The proposal could be said to affect the residential amenity of neighbouring dwelling due to the difference in site levels, the orientation of the building, and the extension to the neighbouring property. However, I consider that whilst there will be an impact, this depth of extension within 0.7 m of the boundary is within the parameters that are normally considered to be acceptable.

RECOMMENDATION

Permission be GRANTED subject to conditions of materials as application forms.

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

CONTACT OFFICER: 356462 MRS J HIGGINBOTTOM

NOTES:

23/2002/008

EDWARD THOMAS TUCKER

USE OF LAND TO SITE ONE MOBILE HOME FOR RESIDENTIAL PURPOSES AND USE OF OUTBUILDINGS FOR DOMESTIC PURPOSES, HIGH PARK VIEW, MILVERTON AS AMENDED BY LETTERS DATED 13TH, 21ST AND 26TH JUNE, 2002 WITH ACCOMPANYING INFORMATION

11470/26640

FULL PERMISSION

PROPOSAL

The application was deferred from consideration at the Committee on 19th June, 2002 for proper assessment of additional submitted information.

A previous planning application for the use of land to site two mobile homes for residential purposes was refused by the Planning Committee on 1st August, 2001. The site is located to the north of the Class III Milverton to Wiveliscombe road. The applicant's agent had confirmed that the applicant is a member of the Romany community and as such claimed special status. The current proposal provides for one mobile home to be sited in the form of a timber clad 'Pinelodge' unit. There is presently a mobile home on the site. The application is accompanied by additional documentation comprising a consulting engineer's observations on the highways aspect of the proposal and extracts from recent case law. Points arising include that the Court of Appeal have ruled that many factors need to be taken into account as in a recent case in South Buckinghamshire District Council area. It also contended that offering a Romany Traveller a council house as an alternative to living on his own land is a breach of human rights. The applicant's agent also draws attention to the proposed Traveller Law Reform Bill where Local Authorities will be expected to give planning permission for owner occupied sites. The proposal also provides for the use of existing outbuildings at the site for domestic purposes associated with the occupation of the mobile home. The applicant is married with 5 children. The family is registered with a local doctor and until recently moving to the site the applicant lived and traded from a mobile round in the Taunton/Wellington area. His family come from Wellington and Taunton and previously he was living at the Stoneyhead Caravan Park, but owing to a limit on the size of caravan that he was permitted to occupy and the fact that it is predominantly a retirement park, he found it necessary to relocate. The applicant purchased the site following making extensive enquiries but being unable to find any other site suitable to settle with his family and to be able to lead his independent way of life as a member of the Romany community. The applicant asks that the Planning Committee takes into account his human rights in determining the planning application. There were three earlier refusals of permission, all in 1991, for use of the site for a mobile home to accommodate a gypsy family (different applicant). One of these was dismissed on appeal.

Since the previous application, the applicant has cut back the vegetation on his own land to improve visibility to the site entrance. He also proposes to replace the standard

mobile home which is currently on the site with pine log mobile home, which falls within the definition of a mobile home/residential caravan as it is fully portable and on wheels. It is contended by the applicant's agent that this would be extremely ergonomic bearing in mind the sensitive environment. The engineer's observations accept that there are some problems concerning the visibility splays at the junction of the accessway serving the site with the public highway. He notes that the access also serves the adjacent residential property and the agricultural land to the rear and that there appeared to be very little in the way of traffic movement along the road, which is also served by a public bus service. The site is also on the school bus run for both local schools and the Kingsmead School at Wiveliscombe. He considers that the engineering requirements to achieve perfect visibility towards Milverton are almost impossible. He concludes that a simple alternative would be to install a close circuit television camera system mounted on a pole or similar construction at or near the entrance to the property. The applicant's agent also points out that on the original planning appeal decision, the Inspector was not overly concerned about the access. Also in the past the access has been used by cattle lorries as a depot at a time before the bypass was built.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY the proposed development site is located on an unrestricted section of the B3187, remote from public transport facilities and adequate services. The B3187 is a designated County Route in the Joint Structure Review. The existing access suffers from severely limited visibility and would not wish to see any increase in traffic generation at this location. Therefore recommend refusal of the application on grounds of remote from adequate services, etc, increasing the need for journeys to be made by private vehicles which is non-sustainable; direct access from a County Route where no overriding special need or benefit has been substantiated for the proposed development; any increased use made of the existing sub-standard access such as would be generated by the development proposed would be prejudicial to road safety; and the site has insufficient frontage to the B3187 to enable an access to be satisfactorily laid out incorporating the necessary visibility splays which are essential in the interests of highway safety. Visibility splay requirements would be 2 m back at the access point and 215 m in each direction. The use of cameras is not an accepted method of achieving visibility, due to the potential for loss of power and damage to the equipment. GYPSY LIAISON OFFICER in my opinion Mr Tucker and his family are bone fide gypsies as defined in Circular 1/94 and the Caravan Sites and Control of Development Act 1960. At the present time Somerset County Council is unable to offer accommodation to this family on the Otterford site. The only accommodation immediately available would be on a temporary basis on the transit facility at Middlezoy, but their time on the site would be limited to 28 days.

DRAINAGE OFFICER note that drainage is to be effected by the use of soakaways and an existing septic tank. Soakaway should be constructed in accordance with Building Research Digest 365 and standard note should be added with regard to overloading existing septic tank. PARISH COUNCIL recognise that the evidence placed before Taunton Deane has caused a re-examination of reasons for recommending refusal and

is likely to lead to the application going before Committee with a recommendation for Approval. As a result of this change of circumstance Milverton Parish Council now wish to withdraw their objection to this application. However, if Taunton Deane are minded to pass this application Councillors would like to be assured that the final dwelling will be in the form of the log cabin that was shown to them by Mr Tucker at an earlier meeting. In addition Councillors also seek assurance that if this application is passed there will be no further development on this site and hope that Taunton Deane will impose suitable conditions.

MILVERTON AND FITZHEAD SOCIETY the proposed siting of this ad hoc development outside the centre of the village, with inadequate service provision, poor access visibility, in this unspoilt area is undesirable; the changes proposed including the pine log facade are felt not to substantially alter the previous submission in 2001; whilst have every sympathy with the applicant, the Society is unable to support the application. HEADTEACHER, MILVERTON PRIMARY SCHOOL supports the application; two of the applicant's children are at the school both of whom have settled beautifully, are working well and are making a valuable contribution to the life of the school; two more are due to start at the school in September when they will be entering an environment that is known to them and their family; if the family were forced to move at this stage, believe that the education of all the children would be adversely affected. 9 LETTERS OF SUPPORT (8 submitted via the applicant's agent):- adjacent property uses the same access point; the use of the road is far less than before the bypass was built; the site was at one time occupied by a livestock haulier with a large lorry; with the weight restrictions in Milverton, there are no longer large lorries using that stretch; there is a regular bus service along the road; applicant is extremely pleasant and well mannered; the children are well settled into school; will be an asset to the village; there have been considerable improvements to the site; applicant and his family have become involved with the local church. ONE LETTER OF OBJECTION buildings would be used for more than domestic purposes; the entrance does not have very good visibility and has no drop kerbstones; not appropriate to have a mobile home situated in such an unspoilt area; vans are going in and out of the property which will damage the entrance.

POLICY CONTEXT

County Structure Plan policy STR1 on sustainable development is relevant. Part of this policy requires the development of 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. Policy STR6 of the same plan states that development outside towns, rural centres and villages should be strictly controlled and restricted to that which benefits economic activity, maintains or enhances the environment and does not foster growth in the need to travel. Policy 36 requires the provision of sites for gypsies to be within a reasonable distance of a settlement providing local services and facilities. The application site is approximately 1 km from Milverton, which is the closest settlement to the site.. Policy WD/SP/2 of the West Deane Local Plan states that outside defined settlement limits, development will not be permitted unless it is for the purposes of agriculture or forestry or accords with a specific development plan policy or proposal. Policy S1 of the Taunton Deane Local Plan Revised Deposit includes general requirements for new developments. One of these requirements is that the accessibility of the development by public transport, cycling and pedestrian networks would be consistent with its likely trip generation and minimising

the need to use the car. Another is that the appearance and character of any affected landscape, settlement, building or street scene would not be harmed as a result of the development. Policy S8 of the same plan states that outside defined settlement limits, new building will not be permitted unless it maintains or enhances the environmental quality and landscape character of the area and meets certain criteria. It is not considered that the proposal meets these criteria. Policy H16 of the same plan states that outside the defined limits of settlements, sites for gypsies will be permitted provided that certain criteria are met. With the previous refusal of planning permission, it was considered that 3 of these criteria were not met with. These were (i) there is no safe and convenient access by bus, cycle or on foot to schools or other community facilities; (ii) the development is clearly visible from outside the site and this is detrimental to the existing character of the area; (iii) The existing access suffers from severely limited visibility and any increased use made of the existing sub-standard access such as would be generated by the development proposed would be prejudicial to road safety.

ASSESSMENT

The site is outside the recognised limits of any settlement and therefore open countryside policies apply with strict control on new development. Circular 1/94 requires Local Planning Authorities to have policies for the provision of private gypsy sites within the Development Plan. The advice suggests that provision should be well related to existing settlements and that care should be taken to ensure that provision of sites conforms with countryside policies. The Joint Structure Plan Review and the Taunton Deane Local Plan Revised Deposit (TDLP) both contain policies for the provision of private sites for gypsies. The County Highway Authority raise objection to the proposal because of the substandard nature of the access with its limited visibility.

The current proposal provides for a single mobile home compared to the two proposed with the previous application. Since the current application was deferred from consideration at Committee, the applicant's agent has submitted additional supporting information. One of these items is an Appeal decision in Mid Devon District where the Inspector was faced with a similar situation with regard to the distance of the site to the nearest settlement. In that instance the Inspector concluded that although in a rural area the site was within a reasonable distance of services and facilities. The agent has also submitted a copy of a letter from the Devon County Gypsy Liaison Officer in relation to another site in Mid Devon, which concludes that there is a lack of formal provision in Devon and small private sites continue to provide the only realistic solution. The Somerset Gypsy Liaison Officer also confirms that there is a lack of available accommodation for gypsies on existing sites.

Also since the deferral of the application, we have received the Appeal Decision for the gypsy site at Rockhill, Wrantage. In allowing that Appeal the Inspector concluded that there was an unmet need for gypsy sites in the area. The Inspector also placed great weight on the fact that from a health and education point of view, the stability for the family would be seriously undermined if the family had to move away from the health and education support from which they currently benefit. Whilst the Inspector

considered that the proposed development would cause significant harm to highway safety, arising from the use of the access, he concluded that this was clearly outweighed by the substantial need for a gypsy site for the family and the particular needs of the family in respect of health care and particularly education. With regard to human rights, the Inspector considered that dismissal of the Appeal would result in an interference with the appellant's private and family life under Article 8 of the European Convention of Human Rights.

In the light of the above considerations, I consider that a recommendation of refusal is inappropriate and would be likely to be very vulnerable on appeal.

RECOMMENDATION

Permission be GRANTED subject to conditions of temporary (10 years) permission, occupation by gypsy only, no more than one mobile home, no business activities, no open storage of items connected with business activities, hedges and verges to be kept trimmed back to maintain visibility and personal to applicant and his family only. Notes re overloading septic tank and soakaways.

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:

24/2002/019

MR W BAKER & MISS V BAKER

**CONVERSION OF BARNs TO FORM 3 RESIDENTIAL UNITS AT LISTOCK FARM,
HELLAND AS AMENDED BY AGENTS LETTER AND ATTACHED PLANS DATED ...**

32780/23700

FULL PERMISSION

PROPOSAL

The proposal has been amended from the conversion of three barns to the conversion of two, stone and clay tile, barns into two dwellings with modest sized domestic curtilages. The barn would be accessed via an existing agricultural access to the east of the barns. The existing dutch barn, located to the east of the barns would be demolished and removed from the site to allow for the provision of parking for occupants of the new unit.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY the proposal is in a non-sustainable location and is therefore contrary to the Structure Plan Policy STR6. If the benefit of the retention of the building outweighs this I have no objection to the proposal subject to the provision of the access shown on the submitted plan and adequate drainage thereof. ENVIRONMENT AGENCY no objection subject to conditions (these are included within the recommendation)

ENVIRONMENTAL HEALTH OFFICER no objection subject to a contaminated land condition. DRAINAGE OFFICER the buildings are within a floodplain and no new buildings should be allowed; the design of the barns should take account of the potential flooding; the Environment Agency should be consulted regarding the floodplain and proposed drainage.

PARISH COUNCIL no comment to make.

ONE LETTER OF REPRESENTATION has been received from the applicants doctor highlighting that the applicant has bad hips and needs a bungalow.

POLICY CONTEXT

Somerset and Exmoor National Park Joint Structure Plan policies - STR6 requires that proposals outside of settlements benefit economic activity whilst maintaining the environment without fostering the need to travel. Taunton Deane Local Plan Revised Deposit - the following policies apply: - S1 governing the general requirements of all development; criteria (A) requires the impact on the road network to be acceptable, and (D) requires that the appearance and character of the landscape would not be harmed as a result of the development; H9 controlling the detail of barn conversions. The

proposed conversion scheme utilises the existing structure without significant alteration or extension and is considered to comply with policy H9 It is considered that the benefit of the retention of the barns outweigh the non-sustainable location in this case.

ASSESSMENT

The original scheme sought to include two more modern barns of small size and poor design resulting in an over-intensive and inappropriate scheme. The amended scheme utilises, wherever possible, the existing openings and characteristics of the barn. The access and domestic curtilage relates well to the barn's surroundings and the stone and clay tiles will be retained and replaced with second-hand materials to match. The existing farmhouse is separated from the barns by a 1.3 m (approximately) high stonewall. The agent has agreed that the front division of the curtilage shall be of stone walling to match. Proposal considered acceptable

RECOMMENDATION

Subject to the receipt of acceptable amended plans and no objections from West Sedgemoor Drainage Board, the Chief Planning Officer in consultation with the Chair/Vice Chair be authorised to determine and permission be GRANTED subject to conditions of schedule of works, materials to match, timber windows and doors recessed to match existing, details of boundary treatment, landscaping, access as shown on the submitted drawing drainage of the access, oil/fuel/petrol storage, contaminated land investigation and remediation, details of foulds and surface water drainage, dutch barn removed prior to occupation, removal permitted development rights for extensions, garages and walls/fences. Notes barn conversion letter, need to comply to the Oil Storage Regulations, applicant needs to contact the Environment Agency for a consent to discharge.

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

CONTACT OFFICER: 356467 MRS J MOORE

NOTES:

30/2002/013

MR JOHN BIRCH

PERMANENT USE OF LAND AS SITE FOR RESIDENTIAL MOBILE HOME AND TWO TOWING CARAVANS FOR A SINGLE FAMILY'S OCCUPATION AND ERECTION OF UTILITIES BLOCK AND RETENTION OF TWO LAMP STANDARDS AT FOSGROVE PADDOCK, SHOREDITCH AS AMENDED BY MRS SMITH BENDELL'S LETTER DATED 27TH JULY, 2002

22880/20640

FULL PERMISSION

PROPOSAL

A temporary (10 year) permission was granted in June 1997 for the use of the site for a mobile home to accommodate a single gypsy family. This application seeks to remove the temporary condition, to allow additional towing caravans as overflow accommodation for the applicant's growing family and to retain two street lamps that have been erected. The application was deferred on 22nd May in order to request that it be amended to relate solely to the siting of two towing vans (three had originally been proposed). The applicant has subsequently agreed to reduce the number of additional vans to two and to reduce the poles supporting the lamps to 2 m. However, they have stated that they still wish their request for a permanent permission to be considered.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY the proposed development site is located outside the development limits for Taunton, in a remote area with no public transport services or local facilities. Residents of the development are likely to be wholly reliant on the private car for trips to education, employment, retail and leisure facilities, contrary to the advice given in PPG13 and RPG10 which indicates that residential development should be accessible by a choice of transport modes. The proposed development is likely to foster a growth in the need to travel and increase the reliance of the private vehicle. As no overriding circumstances have been described to justify permanent residential use of the land, the proposal is contrary to Policies STR1 of STR6 of the Somerset and Exmoor National Park Joint Structure Plan Review and Policies S1 and H16 (B) of the Taunton Deane Local Plan Revised Deposit. I would therefore recommend refusal of this application on highways grounds for the following reasons:- (1) The proposed development would be located where it is remote from adequate services, employment, education, public transport, etc, and will therefore increase the need for journeys to be made by private vehicles which is non-sustainable and in conflict with advice given in

PPG13 and RPG10, Policies STR1 and STR6 of the Somerset and Exmoor National Park Joint Structure Plan Review and Policies SI and HI 6 (B) of the Taunton , Deane Local Plan Revised Deposit; and (2) the proposed development site does not meet the accessibility criteria for residential development as set out in Annex A of RPG10.

LANDSCAPE OFFICER the hedging plants and trees planted following the 1997 application (30/1997/014) have established well, and will in time screen the caravans and utility block. However, I consider the design and height of the existing lamp columns to be inappropriate for this rural location. RIGHTS OF WAY OFFICER the existing use does not affect the footpath.

PARISH COUNCIL a condition of planning permission 30/1997/014 was, that on or before the 30th June, 2007 the caravan hereby permitted shall be removed and the land restored to its former condition. Reason to enable the Local Planning Authority to review the matter at the end of the limited period. Condition 02 stated that the proposed development would be undesirable if allowed to become permanently established in this area. The two tall lamp standards are unnatural features for the countryside and are incompatible with this special landscape and character area, Policy S1(D). The additional caravans if allowed would result in an undesirable intensification of the existing scattered development in this pleasant rural area to the detriment of the visual amenities and character of the area (Special Landscape Area). The site stands in a slightly elevated position and when approaching by car or especially out walking can be seen from most directions, Policies S1(D), EN 13 and H16. The site should be kept as a renewable permission type. At present tight control is effected in this Single Gypsy Family site. However if additional separate caravans are allowed then maintaining control on who occupies the separate caravans will be extremely difficult or virtually impossible. The site is removed from the villages of Trull and Pitminster, the nearest being about 3 km. The site refused permission at Milverton was 1 km from the nearest services. However the Planning Officer thought that to be too far, Policy H16.

FIVE LETTERS OF OBJECTION have been received on grounds of alterations already carried out; encroaches into countryside; permission should not be reviewed until end of temporary consent; approach roads are inappropriate for touring vans; drainage inadequate for additional caravans; there is sufficient provision for gypsies within Somerset; adverse visual impact of touring vans; lamp standards are out of character with the area; intensification of use of site.

POLICY CONTEXT

Taunton Deane Local Plan (Revised Deposit Draft) Policy H16 Gypsy and Traveller Sites, suggests that sites will be permitted where there is a need for those residing in, or passing through the area. Policy S1(D) requires new development to avoid harm to the character of the landscape. Policy EN13 gives specific protection to Landscape Character Areas.

ASSESSMENT

The issue of the applicant's request for permanent permission has been reassessed in consultation with the Council's Solicitor following discussions with Mrs Bendell of the Romani Gypsy Council. The original ten year condition was proposed in response to the level of local concern at the time in order that the matter could be reviewed at the end of

a limited period. Circular 1/94 envisages permissions should be permanent except for the certain circumstances set out in paragraph 24. It is considered that a period of five years is not an unreasonable one in order to ask that the review take place now. The site appears to be kept in a tidy state and it is understood that there have been few problems since the permission was granted in 1997. It is therefore concluded that there is now no sustainable reason to refuse the removal of this condition and to allow permanent permission for a single gypsy family. The additional towing vans will have little visual impact. However the street lamps are visually intrusive. By reducing the height of the poles this impact can be reduced significantly. A condition requiring the poles to be reduced to 2 m within 3 months of the date of the permission is therefore proposed. The applicant has indicated his intention to comply with such a condition.

RECOMMENDATION

Permission be GRANTED subject to conditions of reduce height of poles, single gypsy family, no trade or business, no ancillary buildings or structures, not more than one commercial vehicle.

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:

38/2002/162

SOMERSET COLLEGE OF ARTS AND TECHNOLOGY

ERECTION OF THREE AND TWO STOREY BLOCK TO PROVIDE RECEPTION, ADMINISTRATION AREA, CANTEEN AND TEACHING FACILITIES AT SOMERSET COLLEGE OF ARTS AND TECHNOLOGY AT WELLINGTON ROAD, TAUNTON AS AMENDED BY DRAWINGS ATTACHED TO AGENTS LETTER DATED 28TH MAY, 2002 AND SCOTT WILSON'S LETTER DATED 8TH AUGUST, 2002

21640/24680

RESERVED MATTERS

PROPOSAL

At the last meeting it was resolved to grant outline permission for the SCAT redevelopment proposal subject to a S.106 agreement relating to highway improvements. This application seeks reserved matters approval for the major part of the works. However, the issue of any approval will need to await the conclusion of the S.106 agreement and issue of the outline.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY I am in receipt of the above planning application which forms the reserve matters to the previous application of 38/2001/222 and comments made in my letter in response to the previous planning application are attached for your information and the conditions set out should be imposed within this planning application.

LANDSCAPE OFFICER had initial concerns, but no objection following master plan submitted by Landscape Architect.

POLICY CONTEXT

Taunton Deane Local Plan Revised Deposit Policy S3 encourages good design, scale, density, height, massing, layout, landscaping, colour, materials and access arrangements should reinforce the local character and distinctiveness.

ASSESSMENT

The C/D Block is designed as the 'central hub' of the project, and will be the main entrance to the College. This entrance is approached from Wellington Road through a tree lined boulevard emphasising the route into the building. The accommodation revolves around a central top-lit atrium space which will become the central focus of activity within the College. This space is envisaged to be a mall type atrium with easy access and visible contact to the main reception and students' services, college shops,

canteen, hairdressing and beauty salons, lecture suite, all of which are open to the public, as well as the Integrated Learning Centre, teaching spaces and administration accommodation. The C/D Block is directly linked to the adjacent A Block via a bridge link element incorporating the lift facility for the building. The blocks are also connected at Ground floor through the administration link. The building is designed as a three and two storey block. Both the North and South elevations present symmetrical facades. The two storey wing to the East is designed to accentuate its linear form to counter-balance the existing A Block building which is being reclad. and being two storey allows the building's mass to step down to the open space between it and the Art Block. Elevationally the building is designed so that the upper two storey element of lightweight cladding sits on a single storey masonry base.

Overall the scheme provides an exciting modern design. However, its impact from Wellington Road will be limited as the building will be set back behind significant landscaping, both existing and proposed.

RECOMMENDATION

Subject to the issue of outline permission 38/2001/222 the Chief Planning Officer in consultation with the Chair/Vice Chair be authorised to determine and permission be APPROVED subject to notes re outline permission and S.106

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:

38/2002/171

GOLDEN LANE HOUSING

**ERECTION OF SINGLE DWELLING ON LAND ADJACENT TO 55 ALDER CLOSE,
TAUNTON AS AMENDED BY PLAN ATTACHED TO AGENTS LETTER DATED 21ST MAY,
2002**

24690/23430

OUTLINE APPLICATION

PROPOSAL

The site comprises an open area accommodating a number of trees and lies at the end of Alder Close adjacent to the larger area of open space. It is intended that the dwelling would house someone with learning difficulties and associated physical disabilities.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY would object if no off-street parking. COUNTY ARCHAEOLOGIST no objection.

LANDSCAPE OFFICER I'm not keen on this application. The construction of a new dwelling will involve the felling of an attractive semi-mature maple as well as a smaller lime tree. HOUSING OFFICER no observations. LEISURE & RECREATION OFFICER no observations.

ONE LETTER OF OBJECTION has been received on grounds of loss of open space, trees, parking and character of area.

POLICY CONTEXT

Policy H1 of the Taunton Deane Local Plan Revised Deposit sets out criteria in respect of new housing. Criterion G encourages small scale schemes in existing residential areas which increase the development density of these areas without individually or cumulatively eroding their character or residential amenity. Policy EN7 gives a presumption against development that would harm the character, landscape or wildlife value of important tree groups.

ASSESSMENT

Whilst the site is large enough to accommodate a dwelling in principle, the loss of the trees is considered to be the overriding consideration in this case. Whilst the agent has indicated a willingness to provide replacement planting, there would be inadequate land available to compensate for the loss of the two trees that currently cover much of the site.

RECOMMENDATION

Permission be REFUSED for reasons of loss of trees which make important contribution to the character of the area contrary to policies H1(G) and EN7 of Taunton Deane Local Plan.

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:

38/2002/250

TAUNTON AND SOMERSET NHS TRUST

ERECTION OF A HOSPITAL ONCOLOGY CENTRE COMPRISING TREATMENT AREAS AND WARDS ON LAND ADJACENT TO MUSGROVE ROAD TOGETHER WITH TWO DECK CAR PARK ON LAND TO NORTH OF HOVELAND LANE, MUSGROVE PARK HOSPITAL, TAUNTON.

21340/24300

OUTLINE APPLICATION

PROPOSAL

The proposal seeks outline permission for the establishment of a new oncology department on land towards the north eastern side of the hospital site. Although all matters other than siting are reserved for subsequent approval the applicant has indicated that the building would be predominantly two storey height with plant concealed in the roofspace. The site currently accommodates a childrens day nursery, which it is intended to relocate elsewhere on the site (separate application submitted). It will also involve the loss of a parking area. It is therefore proposed to provide a parking deck over an existing parking area to the south of the Duchess building.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY there is no objection in principle to the proposed development. All matters including highway and access are reserved for future approval. In terms of the effect on transport issues, the application states that there will be only 25-35 new car parking spaces provided as a result of the development, and consequently the traffic generated from these will have little effect on the highway network. It must be a priority to ensure that this development does not prejudice future plans for expansion of the hospital site and the transport issues that will result from this. No detailed permission should be granted until details of the overall development proposals for the hospital site have been agreed. COUNTY ARCHAEOLOGIST no objection. WESSEX WATER no objection. FIRE OFFICER recommends notes. SOMERSET & AVON CONSTABULARY Oncology Centre - the planting area at the foot of the building should be kept to a maximum height of 1m to allow for natural surveillance of the car parking areas. Access control to the building is an important factor, especially considering it's close proximity to the site boundary and proposed new entrance. Car Park - careful consideration should be given to the detailed design of the car park with regard to access control, surveillance, lighting etc. With these issues in mind I have written to the developer's agent offering my assistance and asking them to consider the Secured Car Park Award-Scheme.

ENVIRONMENTAL HEALTH OFFICER no objection subject to conditions.

7 LETTERS OF OBJECTION received from residents of Musgrove Road raising concerns over potential overlooking windows, noise and light and potential for radiation leak, visual impact so close to boundary.

POLICY CONTEXT

Policy S1 of the Taunton Deane Local Plan Revised Deposit criterion E requires that potential air pollution, water pollution, noise, dust, glare, heat, vibration and other forms of pollution or nuisance which could arise as a result of the development will not harm public health or safety, the amenity of individual dwellings or residential areas or other elements of the local or wider community.

ASSESSMENT

The principle of improved facilities at the hospital must be welcomed. The proposal should not give rise to additional traffic problems taking into account the additional parking proposed and the imposition of a condition requiring improvements to the Wellington Road access prior to the commencement of work. Conditions are also proposed restricting noise, light pollution and restricting windows that could potentially overlook the rear of properties in Musgrove Road. It has been confirmed that the installation will comply with the Ionising Radiation Regulations 1999 and will produce no radioactive effluent and will not otherwise release radioactive materials into the environment.

RECOMMENDATION

Permission be GRANTED subject to conditions of outline, landscaping, levels, floodlighting, overlooking windows, grampion condition requiring completion of access improvements, parking areas, contamination, noise. Notes re fire safety, CDM Regs, health and safety and construction noise.

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:

38/2002/259

SWANMORE ESTATES

CONVERSION OF FIRST AND SECOND FLOORS TO FORM FOUR FLATS AND PROVISION OF PARKING AREA TO REAR AT NO 1 EAST REACH, TAUNTON AS AMENDED BY AGENTS LETTER DATED 8TH AUGUST, 2002 AND DRAWING 0214/2

23150/24540

FULL PERMISSION

PROPOSAL

The first floor above this florists shop is currently part storage, part residential with the second floor entirely residential. This proposal seeks to divide each of these floors into two self-contained flats.

The proposal will also involve removal of the covered yard at the rear (fronting Tancred Street) to provide car parking.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY the proposed development site is located within Taunton town centre, close to a public car park and a wide range of facilities. While I have no objections to the principle of this development, I am concerned that the position of the building will severely restrict visibility both of and for vehicles emerging from the car park onto Tancred Street. I am also concerned that the provision of five car parking spaces for four flats is excessive provision for a town centre site. I would request that the applicant submits amended plans omitting the car parking area and provides secure, covered, cycle parking facilities at a minimum rate of one space per dwelling unit.

PRIORY COMMUNITY ASSOCIATION support use over shop for housing. Object to demolition of historic brick walled yard; building should be retained for waste and cycle parking; security gates and pillars should be provided for limited parking; sustainable drainage of paving important to aid landscaping and the tree to thrive in the summer.

ONE LETTER OF OBJECTION has been received from the owner of the adjoining Post Office concerned in respect of disposal of foul water and roof drainage; loss of outbuildings to provide parking will compromise security; vehicles reversing onto highway will cause road safety problem.

POLICY CONTEXT

Policy H4 of the Taunton Deane Local Plan Revised Deposit encourages residential conversions within the Taunton Central Area subject to them not being detrimentally affected by an existing use; that the building or street scene will not be harmed; that the historic and archaeological heritage of the area would not be compromised; and that the proposal would not conflict with policies to protect the integrity of shopping frontages.

ASSESSMENT

The principle of better use of the upstairs area is to be welcomed. The applicant has agreed to address issues raised including drainage matters, the provision of cycle parking and provision of a boundary wall to protect the rear of the Post Office. They have also discussed realigning the parking spaces with the County Highway Authority, who it is understood that no longer wish to raise objection, although confirmation of this is still awaited.

RECOMMENDATION

Subject to further observations of the County Highway Authority the Chief Planning Officer in consultation with the Chair/Vice Chair be authorised to determine and permission be GRANTED subject to conditions of parking, cycle parking, boundary wall, drainage. Notes re soundproofing , CDM Regs.

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:

38/2002/267LB

SIMON PERKS

INSTALLATION OF AIR CONDITIONING UNITS TO NORTH ELEVATION AT 23 THE CRESCENT, TAUNTON AS AMPLIFIED BY FURTHER INFORMATION RECEIVED ON 22ND JULY, 2002

22560/24190

LISTED BUILDING CONSENT-WORKS

PROPOSAL

The proposal seeks to install six air conditioning units on a modern extension to the rear of this Grade II listed building area.

CONSULTATIONS AND REPRESENTATIONS

CONSERVATION OFFICER discreet location on later extension. No objection subject to units being painted a colour to blend in with brickwork to which they are to be attached. ENVIRONMENTAL HEALTH OFFICER suggest noise condition.

ONE LETTER OF OBJECTION has been received from the freeholder of the neighbouring property on the grounds that the units will encroach upon their air space, will be unsightly and out of keeping with a listed building and will produce an unacceptable nuisance by way of noise.

POLICY CONTEXT

Policy EN17 of the Taunton Deane Local Plan Revised Deposit states that development proposals which would harm a listed building, its setting or any features of special or historic interest which it possesses, will not be permitted.

ASSESSMENT

The units are not to be located on the historic part of the building and will generally only be viewed from a rear car parking area. As this is an application for listed building consent only, issues of noise cannot be considered although Environmental Health's suggested condition is to be attached as a note.

RECOMMENDATION

Consent be GRANTED subject to conditions of painting of units. Notes re noise.

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:

38/2002/287

CYRA GIBBON

ERECTION OF PORCH AT 17 WHITEHALL, TAUNTON AS AMENDED BY PLANS RECEIVED 1ST AUGUST, 2002

22620/25330

FULL PERMISSION

PROPOSAL

This amended proposal is for the erection of a porch to the front of this terraced property measuring 2 m deep x 1.5 m wide x 2 m to the eaves (3.7 m to the highest part). The porch is 0.6 m from the front boundary of the property. The materials are to be block and render and the roof is to match the existing dwelling. The plans submitted initially (which form the basis of the letters of objection) showed the porch to be 2.5 m deep x 1.5 m wide and within 0.1 m of the front boundary. The height of the porch remains unaltered.

CONSULTATIONS AND REPRESENTATIONS

4 LETTERS OF OBJECTION (on the original plans) raising the following points:- the frontage of Whitehall is characterised by cottage style terraced houses, a number of which have small porches or extensions. While several houses at the Station Road end of the street have porches which extend to the rear of the footway, these extensions are modest compared to the size of the house. The proposed extension is over twice the size of any other porch, out of keeping with the character of the street, and detrimental to the visual amenities of the residents of Whitehall. Concerned that this extension will form an obstruction to visibility, and could increase both the fear of crime and likelihood of crime taking place unobserved. The street plan shows the porches that already exist but does not show our bay window and the roof that covers this window and our front door. The proposed porch will severely disrupt our light due to the fact that our house faces north. The proposed porch would be built directly on our boundary, as the plans are inaccurate. The porch does not meet the legal requirement of 2 m from the highway as it is 1.74 m and this does not include the overhang of the drainpipe etc. The roof of the porch would allow people to stand on to break into first floor windows. (The views on the amended plans are awaited).

POLICY CONTEXT

In the assessment of this application, the following Taunton Deane Local Plan Revised Deposit (November 2000) policies are taken on board: - S1 (General requirements), S2 (Design) and H19 (Extensions to dwellings). These policies seek to ensure that extensions to dwellings do not harm the residential amenity of other dwellings, the amenities of the property to be extended and the form and character of the dwelling is not banned provided the extension is subservient to it in scale and design.

ASSESSMENT

In light of these policies, I consider that the proposal, as amended, does not have a detrimental effect upon the appearance or character of either the building itself or the street scene. It is considered to be a good design, reinforcing the local character and distinctiveness of the area. The proposal does not significantly harm the residential amenity of neighbouring dwellings or the amenities of the existing property. The form and character of the dwelling are not compromised, as the extension is subservient to it in scale and design.

RECOMMENDATION

Permission be GRANTED subject to conditions of materials as application forms. Note re building over a public sewer.

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

CONTACT OFFICER: 356468 MR A GRAVES

NOTES:

38/2002/321

MRS C A GUNDRY

**ERECTION OF SINGLE STOREY EXTENSION TO THE FRONT OF 57 MANOR ORCHARD,
TAUNTON.**

21730/23760

FULL PERMISSION

PROPOSAL

The proposal is for the erection of a single storey extension to the front of the property. The applicant's husband is a member of TDBC staff. The extension measures 3.78 m x 6.07 m 4.3 m to the roof ridge. Materials will match existing.

CONSULTATIONS AND REPRESENTATIONS

ONE LETTER OF REPRESENTATION from neighbouring property raising no objection to the extension provided that the window in the north elevation is positioned as per the drawing and glazed with obscure glass.

POLICY CONTEXT

Taunton Deane Local Plan Revised Deposit - Policy H19 Extensions to Dwellings - the proposal is considered to meet the requirements of this policy. The extension is subservient in scale and design, and will not harm the amenity of the neighbouring property or the visual appearance of the street scene.

ASSESSMENT

The property is situated at the end of the road, and is part of a semi-detached property. The size and design of the extension is considered acceptable, and the proposal meets the requirements of the extensions policy in the Local Plan. It is considered that given its position within the street the proposed extension does not have a detrimental impact on either the street scene, or the neighbouring property.

A small window is proposed to the northern elevation to allow extra light into the living room, and this is proposed to be obscure glazed to limit any overlooking of the neighbouring property.

RECOMMENDATION

Subject to the receipt of no further representations raising new issues by 23rd August, 2002 the Chief Planning Officer in consultation with the Chair/Vice Chair be authorised to determine and permission be GRANTED subject to the conditions of materials, obscure glazing, no additional windows. Notes re sewers.

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

CONTACT OFFICER: 356465 MR C D WHITE

NOTES:

42/2002/021

MRS J M BENNETT

**ERECTION OF ONE DWELLING ON LAND ADJACENT TO 4 PATRICKS WAY,
STAPLEHAY, TAUNTON.**

21360/21730

OUTLINE APPLICATION

PROPOSAL

This is an outline application for the erection of a detached dwelling on land adjacent to No. 4 Patricks Way. The application shows proposed access onto Patricks Way which is a private road. The site is approximately 15 m wide by 35 m long, and is currently an orchard and garden area to the east in connection to Brookside located to the south east which is also within the applicants ownership. The site lies within the settlement boundary of Taunton and its associated settlements of which Trull is part.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY whilst no objection in principle to the development, there are serious concerns regarding the visibility of and to vehicles emerging from Patricks Way onto Amberd Lane, which could prejudice the safety of other highway users; should be noted that due to the current level of use at this junction, the provision of one extra dwelling will not show a significant increase in use, and as such it would not be reasonable to object to this application on highway grounds. WESSEX WATER details of proposal with respect to method of drainage and water supply have not been disclosed; necessary for developers to agree an arrangement of disposal of foul flows; connection points can be agreed at the design stage.

LANDSCAPE OFFICER it would be very difficult to develop the proposed site without felling the existing large mature Sycamore tree. The tree is important in the setting of the local street scene and provides considerable amenity; a condition to protect the tree is important.

PARISH COUNCIL no objection in principle but it is felt that the sycamore tree on the south west corner of the site should be retained. It would appear that the proposed development does not require its removal; the tree forms an important landscape feature in this road; suggested that building should be set further back into site and the garage sited in front of the house, which would allow house to sit more centrally in the width of the site.

5 LETTERS OF OBJECTION raising issues of:- unacceptable intensification of residential development in the area by virtue of the impact which it will have upon sub-standard highway; which is the only access on the site; no footpaths on the approach road; visibility when emerging from road is almost nil; increase vehicle and pedestrian movements through the junction by allowing further residential development will increase the danger to all road users; if outline permission is granted, full permission

should only be granted if junction is upgraded; building should not be a large house in view of plot size and proximity of other houses; building should be aligned with No. 4 with majority of the plot to the rear of the house; building should be in keeping with nearby Victorian and Edwardian houses on the Amberd Lane; should be no clear glass windows upstairs on either the north or south side of the house; large sycamore tree at front of plot on Patricks Way but trim to let more light onto plot; Patricks Way is a private road and there is no access onto Patricks Way from the orchard and no right of way; permission to proceed would need to come from all the residents of Patricks Way ; several trees would need to be removed including the Sycamore which should have a preservation order placed on it; building work would mean a lot of disturbance to the owners of the properties in Patricks Way

POLICY CONTEXT

Somerset and Exmoor National Park Structure Plan policy STR1 requires proposals to be a sustainable development.

Taunton Deane Local Plan Revised Deposit - the following policies apply:- S1 governs the general requirements of all development; H1 permits housing development within defined limits of settlements as long as they meet certain criteria. The proposed dwelling is considered to be in accordance with all these policies.

ASSESSMENT

The site is within the settlement limits of Trull and therefore the principle of a residential property on this site is acceptable. The site is of ample size for a single dwelling, similar to the plots previously developed in Patricks Way . The visibility from Patricks Way onto Ambred Lane is poor, but it is agreed with the Highways Officer that the addition of one extra dwelling will not significantly increase the use and it would therefore not be acceptable to refuse the application on highway grounds.

The sycamore tree on the site boundary provides an important visual feature in the street scene. It is considered that an access can be formed to the site without damaging this tree, and the dwelling can be situated adequately within the site without impacting on this tree. The sycamore has been assessed by the Landscape Officer, and although not considered worthy of a Tree Preservation Order a condition is recommended that no works are carried out on this tree without prior approval by the Local Planning Authority. It is considered that the site can accommodate a single dwelling adequately without having a significantly detrimental impact on the neighbouring properties in terms of loss of light or overlooking.

RECOMMENDATION

Permission be GRANTED subject to the conditions of materials, site levels, reserved matters, garage, walls and fences, drive surface, guttering, landscaping, gates set back, details of existing trees to remain, protecting of trees to be retained, trenching within trees canopy, mature sycamore to remain. Notes re sycamore, energy conservation, meter boxes, surface water, sewers, Wessex Water, submitted layout, landscaping.

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

CONTACT OFFICER: 356465 MR C D WHITE

NOTES:

42/2002/024

MR J TEHRANI

ERECTION OF ORANGERY TO THE REAR OF CANONSGROVE HOUSE, STAPLEHAY AS AMENDED BY ...

21140/21170

FULL PERMISSION

PROPOSAL

The proposal is for the erection of an orangery to the rear of Canonsgrove House, close to the northern boundary of the site, and the neighbouring SCAT residential building. The building is approximately 3 m from the rear of the main house and positioned approximately 1m from the northern boundary at its nearest point. The style and scale of the proposal is intended to be in keeping with that of the main house, and measures 5.5 m x 13.0 m x 5.7 m to the roof ridge.

CONSULTATIONS AND REPRESENTATIONS

PARISH COUNCIL objects to the proposal on the grounds of over-elaborate design for this site so close to the main house; no details submitted as to any fenestration and an important feature for an orangery; council urges that a watertight guarantee is sought that the building will be used for the propagation and growing of citrus fruit etc, and does not become another store house; it's suspected that the siting so close to the main house, is more to do with obstructing the views and sounds from the neighbouring student block.

ONE LETTER OF SUPPORT on the grounds that Canonsgrove is a beautiful Georgian House which would have lent itself originally to a similar structure in both style and position to the one proposed; would be pleasant to see such a structure as it is in keeping, rather than an alternative such as a glass conservatory.

POLICY CONTEXT

TDLP Revised Deposit Policy S1 (General Requirements) proposal considered to meet the general criteria of this policy. Policy H19 of the same plan is also relevant given the position of the orangery close to the main house. It is considered that the proposal, if reduced in height, will not significantly harm the residential amenity of other neighbouring properties, or the form and character of the dwelling.

ASSESSMENT

The existing residential dwelling of Canonsgrove House is a large Georgian property set within extensive open grounds. To the north of the site is the residential block of SCAT, whose windows overlook the rear garden of the house. The large timber fence between the two properties is unauthorised, with a 3 m high wall permitted in August 2000. I agree with the Parish Council that the main reason for the extension may be to reduce the concerns of overlooking from the neighbouring property. However subject to

amended plans reducing the height of the proposed building, the orangery is considered acceptable in terms of its design, scale and positioning and meets the criteria set out in the relevant planning policies.

RECOMMENDATION

Subject to no further representations being received raising new issues by 27th August, 2002 and the receipt of amended plans reducing the height of the orangery the Chief Planning Officer in consultation with the Chair/Vice Chair be authorised to determine and permission be GRANTED subject to the conditions of materials, no increase in site levels, details of windows and doors to be submitted, building to be used for domestic uses only. Notes re sewers and attention to previous planning permission.

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

CONTACT OFFICER: 356465 MR C D WHITE

NOTES:

42/2002/025

MR J TEHRANI

ERECTION OF STORAGE SHED AT CANONSGROVE HOUSE, STAPLEHAY.

21140/21170

FULL PERMISSION

PROPOSAL

The proposal is for a storage shed to be erected in the grounds of Canonsgrove House positioned close to the western boundary. The shed is to be used for the storage of garden machinery used to maintain the grounds. The shed measures approximately 10.0 m x 10.0 m x 5.0 m to the roof ridge, with materials to be green steel cladding with light brown fibre cement roof.

CONSULTATIONS AND REPRESENTATIONS

PARISH COUNCIL objects to proposal on the grounds of:- location unsuitable, being very visible from the lane; materials inappropriate; proposal too large and is more like a house than a storage shed; suggest enquiries are made as to what is intended to be stored in such a large building.

POLICY CONTEXT

Taunton Deane Local Plan Revised Deposit S1 - General Requirements. The proposal meets the criteria for development to be acceptable.

ASSESSMENT

The proposed shed is situated on the western boundary of the Canonsgrove House grounds close to neighbouring residential properties. There is significant screening from established trees and hedgerows along the boundaries. Although the building will be partly visible from the lane to the west of the site, the proposal is considered not to have a significant detrimental impact on the visual appearance of the surrounding landscape and is therefore considered acceptable.

RECOMMENDATION

Permission be GRANTED subject to the conditions of materials, building to be used for ancillary storage only, no trees to be felled.

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

CONTACT OFFICER: 356465 MR C D WHITE

NOTES:

42/2002/027

M.F, K.J & D.C BAKER

ERECTION OF TEN GARAGES ON EXISTING PARKING AREA TO NORTH OF HAYGROVE CARAVAN PARK, MILL LANE, TRULL.

21790/22260

FULL PERMISSION

PROPOSAL

The proposal is for the erection of the garages on land to the north of Haygrove Caravan Park. The site is currently used as a parking area for the caravan park, with existing timber and stone buildings in the north east corner of the site which are proposed to be demolished. The two garage blocks proposed will accommodate 10 cars, with further parking proposed for 19 cars. The garage blocks measure 6.0 m x 9.0 m and 21.0 m x 6.0 m with materials to be facing brickwork and double roman tiled roofs.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY view awaited.

LANDSCAPE OFFICER views awaited. RIGHTS OF WAY OFFICER the car park will not affect the adjacent footpaths as long as any drainage is away from the footpath; could the footpath be incorporated into the new car park as part of a landscaped area instead of an enclosed alley?

PARISH COUNCIL objects to this proposal as the site lies within the designated Green Wedge.

3 LETTERS OF OBJECTION raising issues of: site lies within Green Wedge and would harm the open non developed character of the area; the copse within the development area is next to the Sherford Stream and is a natural habitat for wildlife, which according to the Policy EN14 should be protected; lies outside development limits of Trull; garages have the potential to attract additional traffic to Mill Lane; garages could be rented out to other people in the village, rather than the caravan park residents; caravans and Plots on the park already have designated parking areas; hardstanding area has been revealed over last several months which could accommodate the parks residents overspill car parking if the new garages were built; the additional traffic will have a detrimental effect on Mill Lane and would be a road safety concern; junction of Mill Lane with Church Road is substandard in all highway respects; would adversely affect the setting of adjacent listed buildings; pressure to develop on the Taunton Green wedges will intensify; development land in question is adjacent to well-used public footpaths and the setting should be preserved; land is wooded, forming part of an attractive and rare wooded setting for Sherford Stream; remaining woodland should be protected with a preservation order; any further development adjacent to the stream will increase rainfall run-off; enjoyment of neighbouring property will be affected.

POLICY CONTEXT

TDLP Revised Deposit Policy S1 (General Requirements) requires proposals for development to meet certain criteria. Sub section (D) of the policy requires that the appearance and character of any affected landscape settlement, building or street scene would not be harmed as a result of the development. Policy S8 of the same plan states that outside defined settlement limits, new building will not be permitted unless it maintains or enhances the environmental quality and landscape character of the area and it meets certain other criteria Policy EN14 (Green Wedges) of the TDLP Revised Deposit states that development which would harm the open character of green wedges will not be permitted.

ASSESSMENT

The site lies to the east of Trull village, adjacent to, but outside, of the settlement limits of the village as designated in the TDLP Revised Deposit. It is accessed along a narrow lane which leads to Haygrove Farm and Haygrove Mill to the east of the site, and the Haygrove Caravan Park to the south. The site is bounded by the Sherford Stream to the west, with a public footpath running along its boundaries to the east and north. The existing car parking area has mature landscaping along the stream boundary.

The applicant has indicated that the car parking and garages will be used in connection with the Caravan Park which is within his ownership.

The site is situated in an attractive area outside the village settlement boundaries, and although close to existing houses, it has the feeling of a countryside location with mature trees in wooded areas, and the Sherford Stream on the western boundary. The public footpath in this location is well used.

The site is situated within the Vivary Green Wedge and it is considered that the proposal would harm the open character of the area and would not maintain or enhance the landscape and is therefore contrary to Policy EN14, S1 and S8. The proposal is therefore considered unacceptable.

RECOMMENDATION

Permission be REFUSED for the following reasons:- proposal would be undesirable extension of development beyond recognised limits of existing settlement, and does not maintain or enhance landscape character of area, contrary to Policy S8 of TDLP Revised Deposit ; site lies in green wedge and would have detrimental impact on visual amenities and open character of green wedge, contrary to Policy EN14 of TDLP Revised Deposit.

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

CONTACT OFFICER: 356465 MR C D WHITE

NOTES:

42/2002/029

MR & MRS K MEARS

ERECTION OF TWO STOREY EXTENSION, VERANDAH AND DETACHED DOUBLE GARAGE AT GREYSTONE, COMEYTROWE ROAD, TRULL.

21210/22420

FULL PERMISSION

PROPOSAL

An application submitted in October 2001 for two-storey extension and a garage was refused under delegated powers for the reason that the proposal was considered to be of excessive scale in relation to the existing property resulting in an undesirable overdevelopment of the site frontage, which due to the elevated nature of the site in relation to the highway, would have a detrimental impact upon the appearance of the street.

This proposal has a much simpler elevational treatment and detaches the garage from the front of the house and removing the first floor accommodation above it.

CONSULTATIONS AND REPRESENTATIONS

PARISH COUNCIL the current application is considered to be an improvement to that the subject of a refusal Ref 42/2001/046. The two storey linking between the house and garage having been removed and the manner of alterations to the main house are now more acceptable. However, our chief area of concern, namely the siting of the proposed double garage so close to the bank (and the highway) has not been improved. We also repeat our original objection on the grounds of overdevelopment.

POLICY CONTEXT

Policy H19 of the Taunton Deane Local Plan Revised Deposit requires extensions to be subservient in scale and design and to protect the amenity of other dwellings.

ASSESSMENT

Whilst the Parish Council's concerns in respect of the garage are understood, the retention of the large tree forward of it and the substantial screening along the southern boundary of the site mean that the garage will have little visual impact when viewed from the street. It is not considered that this revised scheme represents an overdevelopment of the site frontage.

RECOMMENDATION

Permission be GRANTED subject to conditions of materials, protection of trees, domestic garage. Notes re building over sewer and CDM Regs.

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:

43/2002/085

MR & MRS G DAW

RETROSPECTIVE CHANGE OF USE OF AGRICULTURAL YARD FOR THE STORAGE OF MATERIALS FOR ROAD REPAIRS AND MAINTENANCE AT BLACKBOY FARM BUILDINGS, WELLINGTON RELIEF ROAD, WELLINGTON.

12800/19300

FULL PERMISSION

PROPOSAL

This retrospective planning application is for the change of use of an agricultural yard for the storage of materials for road repairs and maintenance. The application uses two pieces of land either side of the entrance from the A38, forming approximately 350 m square of storage space.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY this site is adjacent to the A38 (county Route) Wellington by-pass. Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review seeks to restrict new development that derives access directly to such routes unless the special need for or benefit of a particular development would warrant exception. Vehicles are subject to the national speed limit at this point. Access to the site is from a section of carriageway in close proximity to a series of bends where forward visibility is poor due to both the bends and the gradient of the road. There is a double white line system in place to prevent vehicles passing each other. In addition, the visibility for and of vehicles emerging from the site is equally substandard. Given the current site layout with its gate only 4 m from the edge of the carriageway, and its narrow access of only 3.6 m, larger vehicles may be forced to manoeuvre back and forth in order to gain access to the yard, or indeed leave their vehicle on the highway while opening the gate. Neither of these scenarios are acceptable on highway safety grounds. This is not a location where we would wish to see additional conflicting traffic movements, especially by slow moving heavy vehicles or plant which this type of proposal is likely to generate. We would like to seek confirmation of the number and type of vehicles that are likely to be accessing the site on a daily basis compared to previous permitted uses. Would question why materials of this nature are to be stored here, for what purpose and for whom?

ENVIRONMENTAL HEALTH OFFICER (Noise & Pollution) no observations to make.

TOWN COUNCIL in favour for a temporary period of one year so that the decision can be reviewed at the end of 12 months.

ONE LETTER OF OBJECTION raising the following issues:- this yard has been used since before Christmas by this firm, making a lot of noise from 7 a.m. until 9 p.m. some nights, using welding equipment and grinding machinery in the open; 10/12 wheeled trucks reverse into this yard, bringing traffic to a halt; in the time that this firm have been

using the yard, there has been 4 accidents; if planning is given I fear that this yard will be used for other things as well; there is a waste pipe to my septic tank which crosses this yard and my solicitor has told me that I own a 2 foot wide channel across this yard to the septic tank; there are no toilets or washing facilities; all these buildings are in rundown state and with waste always being dumped, this is going to cause problems; query the number of employees and traffic movements indicated on the application forms.

POLICY CONTEXT

The West Deane Local Plan (adopted May 1997) is the adopted local plan for this site. Policy WD/IE/1 (Employment proposals) proposes that employment proposals should be assessed against a number of criteria including the contribution to local employment opportunities, the impact on the local environment, the compatibility with adjoining land uses, and the effect on highway congestion and the safety of road users. Policy WD/IE/3 promotes rural diversification and supports the rural economy provided that they do not prejudice structure and local plan policies and objectives. In the assessment of this application, the following Taunton Deane Local Plan Revised Deposit (November 2000) policies are taken on board:- S1 (General requirements), EC4 (Rural employment proposals) where the site should be near a public road, adjacent to the limits of a village within which there is no suitable size available and where there is no harm to the residential amenity of neighbouring properties, landscape, or highway safety and adequate arrangements for the provision of services. EC5 (Farm diversification) permits proposals for the diversification of farm-based enterprises provided that the proposal is compatible with the agricultural operations on the farm, and the existing farm buildings are utilised wherever possible.

ASSESSMENT

In light of these policies, I consider that the proposal does affect the visual amenity of the area and the amenities of the neighbouring property. The use of this substandard access on to this Class 1 road is considered to be a risk to highway safety causing road safety problems.

RECOMMENDATION

Permission be REFUSED on the grounds of not in the interests of highway safety or convenience of road users due to traffic speeds, restricted visibility and substandard access, and undesirable intrusion of visual amenity.

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

CONTACT OFFICER: 356462 MRS J HIGGINBOTTOM

NOTES:

46/2002/006

MR D P GOOCH

ERECTION OF EXTENSION AND SITING OF CARAVAN AS A TEMPORARY BUILDING, PICCADDILY HOUSE, TAUNTON ROAD, CHELSTON, WELLINGTON AS AMENDED BY APPLICANTS LETTER RECEIVED 30TH APRIL, 2002 AND AS AMPLIFIED BY APPLICANTS LETTER RECEIVED 19TH JULY, 2002

16100/21330

FULL PERMISSION

PROPOSAL

The proposal is for the erection of an extension measuring 7.3 m x 1.3 m (at the widest point) x 2.7m at the maximum roof height. The small extension will follow the roof line of the existing building. Materials to match the existing. The proposal also includes the siting for a caravan to provide accommodation to be used by new staff from overseas employed at the nursing home. The caravan measures 6.7 m x 3 m.

CONSULTATIONS AND REPRESENTATIONS

PARISH COUNCIL object to caravan being sited for more than 6 months, and should be removed by November 2002.

POLICY CONTEXT

Taunton Deane Local Plan Revised Deposit - Policy S1 General Requirements - the proposal is considered to meet the criteria of the policy.

ASSESSMENT

The extension will be built within the site of Piccadilly House, and as such will not be visible from the road, or from any other property. The caravan is sited to the rear of Piccadilly House close to a lane along the rear of the property. The caravan is approximately 45 m from Taunton Road. It is considered that the extension will not have any significant impact due to its size and location. The caravan is situated in a location that will have some visual impact on the area, although there are some shrubs and a fence that will partly screen it. It is considered that whilst the caravan will have an impact on the surrounding area it is acceptable on a temporary basis.

RECOMMENDATION

Permission be GRANTED subject to conditions of five year temporary approval for the caravan, materials. Notes re: building over public sewer, the applicant to investigate extending Piccadilly house during the five year approval.

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

CONTACT OFFICER: 356463 MR D ADDICOTT

NOTES:

49/2002/028

MR S MORRIS

ALTERATIONS TO VEHICULAR AND PEDESTRIAN ACCESS AT ROSEBANK, LANGLEY MARSH, WIVELISCOMBE.

07600/29170

FULL PERMISSION

PROPOSAL

This application involves the alteration of an existing vehicle access on to a Class III road. The alterations involve the demolition of 4.5 m of stone wall and the rebuild of the wall on a curve to form a boundary wall along side the access drive. This facilitates a wider access point alongside the highway, i.e. 9. m rather than 5 m. The driveway then narrows to a pair of gates measuring 4.2 m wide.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY no objection on the understanding that the buses parked to the rear of this property are not for commercial use.

PARISH COUNCIL support the application subject to the comments raised by the objector. The Parish Council is sympathetic to the objector's concerns about the intensification of commercial activity on this site.

1 LETTER OF OBJECTION received raising the following matters:- the new natural stone wall should have a proper DPC where it abuts my property; adequate damp proofing should be provided to ensure no damp seepage from the proposed new garden area into my property, the new tarmac driveway should not be used for the parking of cars or buses if this is likely to obstruct my windows, and seek confirmation that the alterations are not likely to be part of some future commercial scheme.

POLICY CONTEXT

The West Deane Local Plan (adopted May 1997) is the adopted local plan for this site. There are no specific policies that deal with the alterations to accesses but as the site is in a Special Landscape Area as allocated in the West Deane Local Plan, Policy WD/EC/16 (Special landscape areas) applies. In such areas, the Borough Council will exercise strict control of development and encourage positive measures of enhancement. In the assessment of this application, the following Taunton Deane Local Plan Revised Deposit (November 2000) Policy S1 (General requirements).

ASSESSMENT

In light of these policies, I consider that the proposal does not significantly affect the appearance of the street scene. The proposal does not harm the residential amenity of

neighbouring dwellings or the amenities of the existing property. Most of the matters raised by the objector are not planning matters. Should a commercial use occur on the site a planning application will be required.

RECOMMENDATION

Permission be GRANTED subject to conditions of materials as shown on the plan.

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

CONTACT OFFICER: 356462 MRS J HIGGINBOTTOM

NOTES:

PLANNING COMMITTEE 21ST AUGUST, 2002

Report Of The Chief Planning Officer

MISCELLANEOUS ITEM

25/2001/036 CONSTRUCTION OF EARTH DAM TO IMPOUND FLOOD WATER FROM HALSE WATER AND FORMATION OF TEMPORARY POND/WETLAND UNDER FLOOD CONDITIONS ON LAND WEST OF MONTYS LANE NORTON FITZWARREN

The above planning application was considered by the Planning Committee on 19th June, 2002 when it was resolved that subject to various matters, the Chief Planning Officer be authorised to determine the application in consultation with the Chairman and if planning permission be granted be subject to conditions. One of the matters the determination of the application was subject to was the receipt of no representations raising new issues on a revised drawing by 10th July, 2002. The revised drawing amended the red line on the site to incorporate the proposed construction and access road to the proposed dam together with the widening of Montys Lane.

A letter has been received from agents acting on behalf of the two landowners affected by the proposal. The letter objects to the amendment to the application showing a construction road to the south of the dam site across their land.

Details of the proposed road were presented to the Committee when the application was discussed. I consider that the proposed construction and access road is an essential and integral part of the proposed development and taken together with the proposals for the dam itself, I do not consider that the works for the road and widening of the lane will have such a detrimental effect on the environment of the area to justify any change to the previously agreed resolution of the Committee.

The application has also been forwarded to the First Secretary of State under the Departure Procedures. A copy of the letter has been forwarded to the Government Office. We have now received a letter from the Government Office stating that after careful consideration of all the matters put to him about this application and having regard to his policy on call in, the Secretary of State concluded that there is not sufficient reason to warrant calling in the application for his own determination. He has therefore decided that he should leave the decision on whether or not to grant planning permission in this case to the Local Planning Authority.

RECOMMENDATION

That the content of the letter be noted.

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

CONTACT OFFICER: Mr J Hamer Tel: 356461

PLANNING COMMITTEE - 21ST AUGUST, 2002

Report of the Chief Planning Officer

ENFORCEMENT ITEM

Parish: Pitminster

E133/30/2002 former Dipford Nursery Site, Trull

1. **File/Complaint Number** E133/30/2002
2. **Location of Site** Former Dipford Nursery Site, Dipford Road, Trull, Taunton, Somerset.
3. **Names of Owners** Mr B K Cryer, 113 Lyngford Square, Taunton, TA2 7EX.
4. **Names of Occupiers** As above
5. **Nature of Contravention**

Siting of mobile home and storage of scrap motor cars. Provision of access track through site.

6. **Planning History**

A complaint was received that following the closure of the nursery the new owner was holding auctions etc on the land. This did not require planning permission as they were not held for more than 14 days in any one year. Recently it has been noticed that an access track has been formed which runs the entire length of the site. A mobile home is also stationed on site although this is not at present being lived in. A number of vehicles and vehicle parts are stored in various locations around the site. It is also suspected that waste plastic products have been deposited on the site and backfilled with soil/hardcore but this has not been verified.

7. **Reasons for taking Action**

It is considered that the storage of vehicles and vehicle parts and the stationing of the mobile home is detrimental to the visual amenities of the area.

8. **Recommendation**

The Solicitor to the Council be authorised to serve an enforcement notice and prosecution proceedings subject to satisfactory evidence if the notice is not complied with.

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

CONTACT OFFICER: Mr J A W Hardy Tel: 356479