



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 30TH OCTOBER 2002 AT 17:00.

(RESERVE DATE : THURSDAY 31ST OCTOBER 2002 AT 17:30)

AGENDA

1. Apologies
2. Minutes
3. Public Question Time
4. BISHOPS LYDEARD - 06/2002/038A
RETENTION OF SIGN TO THE REAR OF G & S FRUIT
SUPPLIES LTD, PLOT 8, BROADGAUGE BUSINESS PARK,
BISHOPS LYDEARD.
5. CHURCHSTANTON - 10/2002/018AG
ERECTION OF IMPLEMENT/HAY SHED AT TRENTS FARM,
MOOR LANE, CHURCHINFORD AS AMENDED BY AGENTS
PLAN RECEIVED 4TH OCTOBER, 2002
6. NORTH CURRY - 24/2002/017TEL
ERECTION OF 15 M MONOPOLE MAST WITH 6 NO. CROSS
POLAR ANTENNAE AND 2 NO. MICROWAVE DISHES WITH
ASSOCIATED EQUIPMENT IN FENCED COMPOUND AT
HIGHER KNAPP FARM, KNAPP, NORTH CURRY AS
AMPLIFIED BY LETTER DATED 26TH APRIL, 2002
RECEIVED ON 26TH JUNE, 2002 AND LETTER DATED 4TH
JULY, 2002 AND ADDITIONAL INFORMATION DATED 17TH
SEPTEMBER AND 25TH SEPTEMBER, 2002
7. NORTH CURRY - 24/2002/034
RETENTION OF USE OF BUILDING FOR GARAGE
SERVICES, VALETING AND REPAIR OF HIRE CARS AT
UNIT 1, NYTHE FARM, SEDGEMOOR ROAD, HELLAND,
NORTH CURRY
8. PITMINSTER - 30/2002/027
ERECTION OF TWO HOLIDAY LODGES ON LAND
ADJACENT TO CULMHEAD HOUSE, CULMHEAD AS
AMENDED BY DRAWINGS ATTACHED TO AGENTS
LETTER DATED 1ST OCTOBER, 2002

9. SAMPFORD ARUNDEL - 32/2002/006TEL
ERECTION OF TELECOMMUNICATIONS INSTALLATION IN THE FORM OF 10 M SIMULATED TELEGRAPH POLE AND ASSOCIATED EQUIPMENT, CHAVES FIELD, MILLMOOR, SAMPFORD ARUNDEL AS AMENDED BY LETTER DATED 11TH OCTOBER, 2002 WITH ACCOMPANYING DRAWINGS NOS 98045/69232/APT01/201B AND 202/B
10. TAUNTON - 38/2002/207
RESIDENTIAL DEVELOPMENT TO PROVIDE 8 NO. SELF CONTAINED UNITS ON LAND OFF EASTLEIGH ROAD, TAUNTON AS AMENDED BY PLANS NO. 81101/6 ADN 81101/7 RECEIVED 20TH SEPTEMBER, 2002 AND PLAN NO. 81101/5A RECEIVED 10TH OCTOBER, 2002
11. TAUNTON - 38/2002/334
ERECTION OF FENCE ACROSS THE PUBLIC FOOTPATH AND CHANGE OF USE OF THE FOOTPATH AND LAND ADJACENT TO DOMESTIC ADJACENT TO 36 CRAIG LEA, TAUNTON.
12. TAUNTON - 38/2002/335
CONSTRUCTION OF WIDER VEHICULAR ACCESS, INVOLVING DEMOLITION OF WALL, TO THE REAR OF 39 TRULL ROAD, TAUNTON AS AMENDED BY AGENTS LETTER DATED 14TH OCTOBER, 2002 AND ACCOMPANYING PLAN NO 02/32/01B
13. TAUNTON - 38/2002/366
RETENTION OF TWO STOREY EXTENSION TO REAR TO PROVIDE ADDITIONAL BEDSITS AND OFFICE AT LINDLEY HOUSE, EAST REACH, TAUNTON AS AMENDED BY PLANS NOS. BS251-08C RECEIVED 18TH OCTOBER, 2002
14. TAUNTON - 38/2002/367LB
RETENTION OF TWO STOREY EXTENSION TO REAR TO PROVIDE ADDITIONAL BEDSITS AND OFFICE AT LINDLEY HOUSE, EAST REACH, TAUNTON AS AMENDED BY PLAN BS251-08C RECEIVED 18TH OCTOBER, 2002
15. WELLINGTON - 43/2002/011
ERECTION OF ONE 6 M HIGH MAST AT FORE STREET, ONE 6 M HIGH COMBINED MAST AND LIGHTING COLUMN AT MANTLE STREET, AND FIXING OF 4 CCTV CAMERAS TO EXISTING BUILDINGS AT HIGH STREET AND NORTH STREET, WELLINGTON AS AMENDED BY APPLICANTS LETTER AND PLAN RECEIVED 22ND AUGUST, 2002 (AMENDED PROPOSAL)
16. WELLINGTON (WITHOUT) - 44/2001/015
RETROSPECTIVE APPLICATION FOR RETENTION OF WALLS AND FENCES AT 1, 2 AND 3 CALWAYS BARN, MONUMENT ROAD, WELLINGTON AS AMENDED BY LETTER DATED 28TH JANUARY, 2002 WITH ACCOMPANYING DRAWING NO. 1154/01/3 ISS.2

17. WEST BAGBOROUGH - 45/2002/008
INSERTION OF 3 DORMER WINDOWS AND ERECTION OF
CONSERVATORY ON THE WEST ELEVATION OF THE
COACH HOUSE, TRISCOMBE.
18. WIVELISCOMBE - 49/2002/041
ERECTION OF 1 NO. DWELLING AND GARAGE AND
FORMATION OF ACCESS, THE MANSE, FORD ROAD,
WIVELISCOMBE AS AMENDED BY LETTER DATED 4TH
OCTOBER, 2002 WITH ACCOMPANYING DRAWING NO.
BFH/317/2A
19. WIVELISCOMBE - 49/2002/065
CHANGE OF USE AND CONVERSION OF BARN TO SINGLE
DWELLING AND ASSOCIATED GARAGING TO THE REAR
OF 24 NORTH STREET, WIVELISCOMBE.
20. BURROWBRIDGE - 51/2002/012
CHANGE OF USE OF PUBLIC HOUSE TO A RESIDENTIAL
DWELLING AT THE BLACK SMOCK INN, STATHE,
BURROWBRIDGE.
21. 10/2002/009 CHANGE OF USE AND CONVERSION OF
BARN TO DWELLING AND FORMATION OF ACCESS
(REVISED PROPOSAL) AT TRENTS FARM, MOOR LANE,
CHURCHINFORD MISCELLANEOUS ITEM
22. E131/18/2002 Land to the north of Lower Stoford, Halse. ENFORCEMENT ITEM
23. E311/49/2001 Hearn, Pyncombe Lane, Wiveliscombe,
Somerset ENFORCEMENT ITEM

G P DYKE
Member Services Manager

The Deane House
Belvedere Road
TAUNTON
Somerset

TA1 1HE

22 October 2002

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

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

Officers: Mr N T Noall (Chief Planning Officer), Mrs J M Jackson (Senior Solicitor) and
Mr R Bryant (Review Support Manager)

(The meeting commenced at 5.00pm.)

(Councillors Denington and Escott arrived at the meeting at 5.05pm and 5.45pm respectively.)

199. Minutes

The Minutes of the meeting held on 11 September 2002 were taken as read and were signed.

200. Apologies

Councillors Hunt, R Parrish and Vail.

(Noted that Councillor R Parrish had replaced Councillor Mrs Miller on the Planning Committee.)

201. 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 **outline 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:-

12/2002/003

Erection of dwelling on land adjacent to agricultural contractors depot, land opposite Gibbs Farm, Adcombe Lane, Corfe.

Conditions

- (a) C005 - outline - reserved matters;
- (b) C009 - outline - time limit;
- (c) C014 - time limit;
- (d) C101 - materials;
- (e) C206A - existing and proposed levels;
- (f) C215 - walls and fences;
- (g) C327 - turning space;
- (h) The occupation of the dwelling shall be limited to a person solely or mainly working in the operation of Brian Lenthall Farm Contract Services or a widow or widower of such person and to any resident dependent, or to a

person solely or mainly working or last working in the locality in agriculture or forestry, or a widow or widower of such a person and to any resident dependents;

(Note to applicant:- Applicant was advised that the Local Planning Authority would expect the dwelling to be of a size commensurate with the special needs expressed; that is “ an affordable family dwelling”.)

Reason for granting permission contrary to the recommendation of the Chief Planning Officer:- It was considered that the needs of the applicant overrode the recommendation. Due to the special circumstances of this case, the decision would not be treated as a precedent by the Committee.

31/2002/013

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

Conditions

- (a) C005 - outline - reserved matters;
- (b) C009 - outline - time limit;
- (c) C014 - time limit;
- (d) (i) Before any part of the permitted development is commenced, a scheme of planting of trees and shrubs which shall include details of the species, siting and numbers to be planted for the 3.9m wide landscape buffer running along the western boundary of the site shall be submitted to, and approved in writing by, the Local Planning Authority;
- (ii) The scheme shall be completely carried out within the first available planting season from the date of commencement of the development or as otherwise extended with the agreement in writing of the Local Planning Authority;
- (iii) 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;
- (e) The 3.9m wide landscape strip as shown on the illustrative drawing shall be maintained on site following the implementation of the permission hereby granted;
- (f) C215 - walls and fences;
- (g) C306 - access - gradient;
- (h) Before the dwelling hereby permitted is occupied, a properly constructed and surfaced turning space for vehicles, to serve both the existing and proposed dwelling, shall be constructed within the curtilage in accordance with the details shown on the submitted plan and thereafter kept unobstructed;
- (i) Sufficient space for one garage and one parking space, together with a vehicular access thereto shall be provided for the dwelling. The said garage (or garage space), parking space and access shall be constructed or hard surfaced before the dwelling hereby permitted is occupied and shall not be used other than for the parking of domestic vehicles or for the purposes of access;
- (j) C402 - single storey dwelling;

- (k) Prior to the commencement of the works on site, details showing the driveway to the site shall be submitted to, and approved in writing by, the Local Planning Authority. The driveway shall be located approximately 3.9m away from the western boundary with Falcon Lodge;
- (l) P002 - no extensions;
- (m) Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or any subsequent order amending or revoking and re-enacting that Order), there shall be no further building, structure or other enclosure constructed or placed on the landscaped strip on the western boundary of the site unless an application for planning permission in that behalf is first submitted to, and approved in writing by, the Local Planning Authority;
- (n) P010 - no further windows;
- (o) C010A - drainage - not commenced until percolation tests approved;
(Notes to applicant:- (1) Applicant was advised that the land to the north and east of the site is a registered small-holding where ducks and geese are kept. These animals can create a lot of noise; (2) NO41B - drainage/water; (3) N111 - disabled access; (4) N112 - energy conservation; (5) N114 - design - meter boxes; (6) N116 - disabled access; (7) N117 - crime prevention; (8) Applicant was advised that the dwelling should be designed as a single storey dwelling and any high-level windows should avoid overlooking of the neighbouring domestic cartilages.)

38/2001/284

Redevelopment of 7A - 11B (inclusive) Staplegrove Road, to form retail/commercial units at ground floor level fronting Staplegrove Road, with flats above, and the residential development of the remainder of the site, land at Staplegrove Road, Taunton.

Conditions

- (a) C005 - outline - reserved matters;
- (b) C009 - outline - time limit;
- (c) C014 - time limit;
- (d) Within a period of three years from the date of this permission, details of the arrangements to be made for the disposal of the surface water drainage from the proposed development shall be submitted to, and approved in writing by, the Local Planning Authority before any work hereby permitted is commenced;
- (e) Prior to the submission of a reserved matters application, the applicant shall submit a development brief for the site which pays attention to the scale, form, materials and parking associated with any development of the site. Such a development brief shall be approved in writing prior to the submission of a reserved matters application;
- (f) C403 - two storey dwellings;
- (g) C101 - materials;
- (h) C112 - details of guttering, downpipes and disposal of rainwater;
- (i) C113 - details of structure and colour of mortar;
- (j) Details and samples of the materials to be used for the surfaces of the courtyard, access and drive shall be submitted to, and approved in writing by, the Local Planning Authority and no other materials shall be used without the written consent of the Local Planning Authority;

- (k) Plans showing a parking area providing for vehicles and cycles shall be submitted to, and approved in writing by, the Local Planning Authority before the development is commenced. This area shall be properly consolidated, surfaced 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) The building(s) shall not be demolished before reserved matters planning permission has been granted for the redevelopment of the site and a contract has been let for the redevelopment work;
- (m) C215 - walls and fences;
- (n) A replacement boundary wall shall be erected on the eastern and western boundaries of the site to a total height of 3m and this shall include the provision of crime prevention measures as part of the wall. Prior to the commencement of works on the site, details of the wall shall be submitted to, and approved in writing by, the Local Planning Authority. The walls shall be fully constructed in accordance with the plans prior to the commencement of the use of any of the development hereby permitted and shall be maintained as such thereafter;
- (o) There shall be no first floor windows on the western or eastern boundaries of the site;
- (p) The applicant shall investigate the history of this site and determine the likelihood of the existence of any contamination resulting from previous use. Should any ground works be carried out, the developer must inform the Local Planning Authority of the likelihood or the presence of any contamination on site.
- (q) Noise and vibration arising from any proposed ground floor commercial unit shall be imperceptible at any neighbouring residential flat above or other residential premises. Dwellings created by the permission hereby granted must comply in full with the requirements of the Building Regulations in respect of airborne and impact sound transmission;
- (r) The ground floor of the buildings fronting Staplegrove Road shall be A1/A2 uses only;
- (s) C013 - site levels;
- (t) Prior to the commencement of works on site, details of any proposed external lighting shall be submitted to, and approved in writing by, the Local Planning Authority. No other external lights shall be installed on site without the prior written consent of the Local Planning Authority.

(Notes to applicant:- (1) Applicant was advised that dwellings created by the permission hereby granted must comply in full with the requirements of the Building Regulations in respect of airborne and impact sound transmission; (2) Applicant was advised that the layout of the site, materials and the design of the dwellings should be of a high standard in view of the location of the site within a Conservation Area; (3) Applicant was advised that any future redevelopment scheme will need to take full account of the surrounding land uses and the location of residential windows to ensure the buildings are not detrimental to their existing amenity; (4) N111 - disabled access; (5) N112 - energy conservation; (6) N117 - crime prevention; (7) N045 - encroachment; (8) Applicant was advised that the walls, parapet walls and drainage gutters on the boundary of 7 and 7A Staplegrove Road, are in joint ownership. No works should take place that affect these structures without the prior permission of the joint owners; (9) N041B - drainage/water; (10) Applicant was asked to take account of the hot food use

adjacent to the site when designing the new building especially their need for light and ventilation as exists on the site at the current time; (11) With regard to condition (e), applicant was requested to consult with the Local Planning Authority when compiling the development brief for the site.)

- (2) 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:-

20/2002/021

Erection of extension and entrance porch at Parsonage Farm, Parsonage Lane, Kingston St Mary (amended scheme).

Conditions

- (a) C001 - time limit;
(b) C102A - materials;
(Notes to applicant:- (1) N033 - drainage/water; (2) N115 - water conservation; (3) N112 - energy conservation.)

28/2002/005

Erection of two storey extension and alterations to access at Orchard Portman Nursing Home, Orchard Portman, Taunton (revised scheme).

Conditions

- (a) C001 - time limit;
(b) C102 - materials;
(c) (i) Before any part of the permitted development is commenced, a scheme of planting of trees, shrubs and hedges along the northern boundary of the site which shall include details of the species, siting and numbers to be planted shall be submitted to, and approved in writing by, the Local Planning Authority;
(ii) The scheme shall be completely carried out within the first available planting season from the date of commencement of the development or as otherwise extended with the agreement in writing of the Local Planning Authority;
(iii) For a period of five years after the completion of the planting scheme, the trees, shrubs and hedges shall be protected and maintained to the satisfaction of the Local Planning Authority and any trees, shrubs or hedges that cease to grow shall be replaced by trees, shrubs or hedges of similar size and species, or the appropriate trees, shrubs or hedges as may be approved in writing by the Local Planning Authority;
(d) C314 - visibility splays;
(Notes to applicant:- (1) N051B - health and safety; (2) N051C - workplace legislation; (3) N041A - drainage/water; (4) N052 - fire safety; (5) N091 - trees; (6) N093 - trees; (7) N037 - drainage/water.)

38/2002/253

Erection of two storey building incorporating accommodation in roof space comprising nine flats on land at corner of St Augustine Street and Priory Avenue, Taunton.

Conditions

- (a) C001 - time limit;
- (b) C101 - materials;
- (c) C110 - materials - for hard surfacing;
- (d) C113 - details of structure and colour of mortar;
- (e) C201 - landscaping;
- (f) C926 and C926A - remediation investigation/certificate;
- (g) C307 - access - gates set back;
- (h) C324 - parking;
- (i) C331 - provision of cycle parking;
- (j) C408 - flats - completion of development;
- (k) C414 - no increase in site level
- (l) C416 - details of size, position and materials of meter boxes
- (m) No development hereby approved shall take place until the applicants, or their agents or successors in title, have secured the implementation of a programme 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;
- (n) C906 - removal of all other buildings from the site;
- (o) The obscured glazed balcony shall be installed before the building is occupied and shall not be removed without the prior permission of the Local Planning Authority;
- (p) Detailed drawings indicating height, intensity of light and manufacturer's specification of any external lighting shall be submitted to, and approved in writing by, the Local Planning Authority before any works are commenced;
(Notes to applicant:- (1) With regard to condition to (m), 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; (2) N037 - drainage/water; (3) N040A - drainage/water; (4) N058 - footway crossing; (5) N051B - health and safety.)

38/2002/313

Erection of two storey extension to the rear of 8 Broadlands Way, Taunton

Conditions

- (a) C001 - time limit;
 - (b) C102A - materials;
 - (c) P011 - no windows on the east and west elevations;
 - (d) No balcony shall be formed on the flat roof of the ground floor extension hereby permitted;
(Note to applicant:- N040A - drainage/water)
- (3) That **planning permission be refused** for the undermentioned developments, subject to the standard reasons adopted by Minute No 86/1987 of the former Planning and Development Committee and such further reasons as stated:-

06/2000/027

Residential development of approximately 0.75 acres to the north-west of Lydeard Mead, Bishops Lydeard.

Reason

- (a) The site lies outside the settlement limits of Bishops Lydeard as defined in the adopted West Deane Local Plan in an area to be protected from development and is therefore contrary to Policies WD/SP/2 and WD/BL/7 of the Plan. To grant permission for this development prior to the consideration of objections to its allocation for residential development in the Taunton Deane Local Plan Revised Deposit would be premature and prejudicial to the plan and any decisions thereon where, in particular, the consideration of residential development in an area liable to flood needs to be thoroughly considered by the Local Plan Inspector in the light of Policy EN30 of the Taunton Deane Local Plan Revised Deposit, and advice to Local Planning Authorities contained in Planning Policy Guidance Note 25.

Reason for refusing permission contrary to the recommendation of the Chief Planning Officer:- It was considered that granting the application could prejudice the future flood alleviation measures which could be recommended by the Local Plan Inspector.

35/2002/008

Erection of single storey dwelling, land at Rose Cottage, Appley, Wellington.

Reasons

- (a) The application is outside a town, rural centre or village where development is strictly controlled. Development is restricted to that which benefits economic activity, maintains or enhances the environment and does not foster growth in the need to travel. The Local Planning Authority is of the opinion that the proposal does not satisfy all of the above criteria and is therefore contrary to Policy STR6 of the adopted Somerset and Exmoor National Park Joint Structure Plan Review, Policy WD/SP/2 of the adopted West Deane Local Plan and Policy S8 of the Taunton Deane Local Plan Revised Deposit;
- (b) The site is located outside the confines of any major settlement in an area that has very limited public transport services. The development, if approved, will increase the reliance on the private motor car and comprises unsustainable development which is contrary to advice given in Planning Policy Guidance Note 13, Regional Planning Policy Guidance Note 13, Policies STR1 and STR6 of the Somerset and Exmoor National Park Joint Structure Plan Review and Policy S1 of the Taunton Deane Local Plan Revised Deposit;
- (Note to applicant:- N035 - drainage/water.)

38/2002/339

Partial refurbishment/redevelopment and extension of existing shopping mall to form three retail units incorporating closure of through pedestrian access at Crown Walk, Taunton.

Reasons

- (a) The proposal involves the loss of a heavily used pedestrian link to the town, resulting in reduced accessibility for pedestrians, in conflict with Policy 42 of the Somerset and Exmoor National Park Joint Structure Plan Review and Policy T34 (Criterion A) of the Taunton Deane Local Plan Revised Deposit, and also in conflict with advice on such matters in Planning Policy Guidance Notes Nos 6 and 13 and Regional Planning Guidance 10;
- (b) The proposal would be prejudicial to the attractiveness and viability of the proposed Crescent Car Park Redevelopment Scheme, in that it would deny an important pedestrian link to the High Street and frustrate the comprehensive and co-ordinated development of the wider site in conflict with Policy E34 of the Taunton Deane Local Plan Revised Deposit;
- (c) The loss of the pedestrian link would encourage the use of the other potentially less secure links. The proposal will therefore increase fear of crime and disorder contrary of the requirements of Section 17 of the Crime and Disorder Act 1998.

202. Erection of a dwelling for a stud manager adjacent to Triscombe Racing Stables, Westwood, Bishops Lydeard (45/2002/006)

Reported this application.

RESOLVED that subject to the incorporation of any conditions requested by the County Highway Authority, 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) C007 - outline - reserved matters;
- (b) C009 - outline - time limit;
- (c) C014 - time limit;
- (d) C101 - materials;
- (e) C201A - landscaping;
- (f) C215 - walls and fences;
- (g) Sufficient space for one garage and one parking space, together with a vehicular access thereto and associated turning space shall be provided for the dwelling. The said garage (or garage space), parking space, turning area and access shall be constructed or hard surfaced before the dwelling hereby permitted is occupied and shall not be used other than for the parking of domestic vehicles or for the purposes of access;
- (h) The occupation of the dwelling shall be limited to a person solely or mainly employed, or last employed at Triscombe Racing Stables or in the locality in agriculture, as defined in Section 336 (1) of the Town and Country Planning Act 1990, or in forestry or a dependent of such a person residing with him or her or a widow or widower of such a person;
- (i) C416 - detail of size, position and materials of meter boxes;
- (j) C917 - services - underground;
- (k) P001A - no extensions;
- (l) P006 - no fencing;
- (m) C010A - drainage/not commenced until percolation tests approved;

(Notes to applicant:- (1) Applicants 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) Applicant was advised that the proposed dwelling is sited in a rural area where the size, scale and design of new buildings is of the utmost importance. The Local Planning Authority will be seeking a building which is in keeping with the local vernacular style and materials and you are advised to contact the Chief Planning Officer at an early date for discussions; (3) N112 - energy conservation; (4) N115 - water conservation; (5) N114 - drainage - meter boxes; (6) N051B - health and safety; (7) Applicant was advised that the soakaways should be constructed in accordance with Building Research Digest 365 (September 1991); (8) Applicant was advised that there is a water main in the vicinity of the proposal. You should contact Wessex Water with a view to agreement on a point of connection. You are further advised that the Smokeham Private Water Association now operate a closed system and are unable to accept any further additional residences on line.)

203. Erection of 5 No dwellings on site of existing building (to be demolished) at former RGB premises, Taunton Road, Wiveliscombe (49/2002/054)

Reported this application.

RESOLVED that subject to the applicants entering into a Section 106 Agreement to secure a contribution (£1000 per dwelling) towards local off site sports and community facilities, 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) The external surfaces of the development hereby permitted shall be of materials as indicated in the design statement, and no other materials shall be used without the written consent of the Local Planning Authority;
- (c) C201 - landscaping;
- (d) The proposed estate roads, footways, footpaths, cycleways, bus-stops/bus lay-bys, 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) C302 - highways - roads, footpaths and turning spaces to be surfaced;
- (f) C314 - visibility splays;
- (g) C324 - parking;
- (h) C416 - details of size, position and materials of meter boxes;
- (i) Before any of the dwellings hereby permitted are occupied, all the existing buildings shall be demolished and all materials resulting from the demolition shall be removed from the site;
- (j) C926 and C926A - remediation investigation/certificate;
- (l) P005 - no garages;
- (m) P007 - no fencing in front of dwellings;

(Notes to applicant:- (1) Applicants 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) N114 - design - meter boxes; (4) N113 - street names; (5) N115 - water conservation; (6) N051B - health and safety; (7) N048A - remediation strategy; (8) N075 - Section 106 Agreement; (9) Applicant was advised that there are services crossing the site serving 5, 7 and 9 Taunton Road.)

204. 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 (25/2001/036)

Reference Minute No 138/2002, reported that this application had been approved by the Planning Committee subject to various matters, two of which were still outstanding:-

- (1) The applicants entering into a Section 106 Agreement to secure the widening to 6m of Montys Lane to the south of the site, and
- (2) The receipt of amendments to take account of outstanding Environment Agency concerns.

In order to expedite the release of the planning certificate, the Chief Planning Officer considered that instead of concluding the Section 106 Agreement, the requirement to widen Montys Lane could be met by the imposition of a "Grampian" style condition.

RESOLVED that subject to the receipt of amendments to take account of outstanding Environment Agency concerns, the Chief Planning Officer be authorised to determine the application in consultation with the Chairman and, if planning permission was granted, the conditions and notes set out in Minute No 138/2002 from the meeting of the 19 June 2002 be imposed together with the additional condition:-

"(m) no work shall commence on the proposed development until such time as Montys Lane has been widened to 6m in width in accordance with the approved plans."

205. Erection of a two storey extension to the front of Bracondale, Honiton Road, Staplehay, Trull (42/2001/026)

Reported that planning permission had been granted for this development in July 2001.

Amended plans had recently been received in respect of the proposal which reduced the ridge height of the extension by 200mm and altered the shape of the garage doors. Although the proposed conservatory would be enlarged, this would now be built before the extension as permitted development.

Reported that Trull Parish Council had objected to the amended plans and details of their representations were submitted. However, in the view of the Chief Planning Officer the reduction in height of the extension would have no further impact to that already approved.

RESOLVED that the amended plans be approved as a minor amendment to the original planning permission.

206. Erection of extension to Whiteball Gate Cottage, to form an annexe and alterations to the vehicular access (44/2002/005)

Reference Minute No 76/2002, reported that this application had been approved by the Planning Committee subject to the applicants entering into a Section 106 Agreement tying the annexe to the main house.

To speed up the process in this particular case, the Chief Planning Officer was of the view that instead of a Section 106 Agreement the annexe could be tied to the main house by way of the imposition of a Planning Condition.

RESOLVED that permission be granted subject to the conditions and note set out in Minute No 76 from the meeting of 3 April 2002, together with a single family occupancy condition.

(Councillor Mrs Allgrove declared a personal interest in the matter covered by Minute No 207 below.)

207. Erection of extension to Blackdown Nursery and Garden Centre, Piccadilly, Wellington (46/2002/010)

Reference Minute No 124/2002, reported that this application had been approved by the Planning Committee subject to the applicants entering into a Section 106 Agreement to secure the provision of a lit right turning lane and improvements to the access. This agreement had not yet been concluded.

In order to expedite the release of Planning Certificate the Chief Planning Officer considered that the requirements of the Section 106 Agreement could be met by the imposition of a "Grampian" style condition.

RESOLVED that planning permission be granted subject to the conditions and notes set out in Minute No 124/2002 from the meeting of 22 May 2002 together with the additional condition and note to applicant as follows:-

"(i) no work shall commence on the proposed development until such time as a lit right turning lane and improvements to the access have been provided to the satisfaction of the Local Planning Authority in accordance with details to be submitted to, and approved in writing, the Local Planning Authority, or in default by the Secretary of State"; and

"(7) Applicant was advised of the need to enter in to an agreement with the County Highway Authority under Section 278 of the Highways Act 1980 with regard to the right turn lane and improvements to the access".

208. Unauthorised engineering operations and other works on land at The Ranch, Church Lane, Tolland

Reported that complaints had been received by the Council concerning works which were being undertaken on land at The Ranch, Church Lane, Tolland.

Investigations had revealed that extensive engineering works had been carried out, a large dog kennel had been erected and a touring caravan stationed on the land all without planning permission.

Furthermore, there was evidence that further unauthorised works were due to take place.

In the circumstances the Chief Planning Officer, in consultation with the Chairman, had authorised the service of enforcement notices and a stop notice in relation to the unauthorised works carried out and to prevent further works taking place.

RESOLVED that:-

- (1) the action taken by the Chief Planning Officer in consultation with the Chairman of the Committee be endorsed; and
- (2) subject being satisfied with the evidence, the Solicitor to the Council institute legal proceedings should the notices not be complied with;

(Councillors Eckhart and Mrs Parrish left the meeting at 7.27pm and 7.58pm respectively.)

(The meeting ended at 8.20pm.)

G & S FRUIT SUPPLIES LTD

RETENTION OF SIGN TO THE REAR OF G & S FRUIT SUPPLIES LTD, PLOT 8, BROADGAUGE BUSINESS PARK, BISHOPS LYDEARD.

16570/25990

ADVERTISEMENT

PROPOSAL

This application is for the retention of a non-illuminated sign on the rear elevation of an industrial premise within the Broadgauge Business Park (hence facing the by-pass). The sign measures 1.3 m x 5 m and is flush with the rear elevation of the building. The sign is 4.4 m above ground level.

CONSULTATIONS AND REPRESENTATIONS

PARISH COUNCIL verbally raise objection to the sign in that it is inappropriate and would set a precedent for similar signs on the rear of the other premises that face the by-pass.

POLICY CONTEXT

Policy WD/EC/26 (Signs) requests that signs should be assessed against their landscape impact and highway safety. In the assessment of this application, the following Taunton Deane Local Plan Revised Deposit (November 2000) policies are taken on board:- S1 (General requirements), EC21 (Outdoor advertisements and Signs) where the siting, appearance, proportion, design, materials, colour and any illumination should not cause disharmony with or detract from their surroundings, should not harm or intrude upon views to and from the countryside, present a hazard to public safety, and should not be unduly prominent or create visual clutter.

ASSESSMENT

If this sign were dropped so that it was 3.6 m above ground level, advertisement consent would not be required. Bearing this in mind, together with the maturing landscaping belt between the rear of the buildings and the by-pass and the lack of illumination, this sign is considered to be acceptable.

RECOMMENDATION

Consent be APPROVED subject to the standard advertisement conditions.

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:

MR J CRABB

ERECTION OF IMPLEMENT/HAY SHED AT TRENTS FARM, MOOR LANE, CHURCHINFORD AS AMENDED BY AGENTS PLAN RECEIVED 4TH OCTOBER, 2002

21410/12600

AGRICULTURAL NOTIFICATION

PROPOSAL

The proposal is for the erection of an agricultural building at Trents Farm, Moor Lane, Churchinford, to be used for the storage of implements and hay. The agricultural shed is proposed to the north of Trents Farm in an enclosed field adjacent to the neighbouring Nursing Home. The shed measures 14.0 m x 10.5 m x 4.4 m in height. Materials are to be grey metal sheet roofing and timber walls. An amended plans has been received which relocates the shed to the centre of the field, away from the boundary with the neighbouring properties.

CONSULTATIONS AND REPRESENTATIONS

PARISH COUNCIL (on original plans) whilst the majority of Councillors felt that there was no objection in principle, the choice of location appears particularly unsuitable in view of its proximity to the Nursing Home; also felt that the style of construction might in the course of time lead to the shed being used for the housing of livestock which would exacerbate the unsuitability of its location. Some felling of trees will be involved if the shed is located as proposed.

ONE LETTER OF OBJECTION (on original plans) raising issues of:- building to be erected right on the boundary adjoining the Nursing Home; building will have a stifling impact on the property enjoyment of Hollybank House; views will be removed for the residents; question need for such a building.

POLICY CONTEXT

Taunton Deane Local Plan Revised Deposit Policy S1 (General Requirements) and S8 (Outside Settlements) - The proposal is considered to be in accordance with the criteria set out in these policies. The proposal is in the Blackdown Hills AONB and therefore Policy EN10 (Areas of Outstanding Natural Beauty) of the Taunton Deane Local Plan is relevant. It is considered that the proposal does not adversely affect the landscape character and appearance of the AONB.

EAST DEANE LOCAL PLAN Policy ED/EC/5 seeks to protect tree groups identified on the village maps as being important to nature conservation and amenity. A group of the

trees on the northern boundary of the field are identified as being within this policy. Policy ED/CH/5 states that "the Borough Council will safeguard the character of Churchinford by carefully controlling the design of new development and the use of materials".

ASSESSMENT

The site is situated on the outskirts of the village of Churchinford. The field is a former orchard which has well established trees and hedges screening the proposed shed from the views from the roads, and the neighbouring properties. It is not considered that the proposal will have an impact on the nursing home to the west, and the proposed shed is not to be used as a livestock building. The proposal is therefore considered acceptable in terms of its visual impact on the character and amenity of the AONB and the impact it will have on the neighbouring properties.

RECOMMENDATION

Permission be GRANTED subject to conditions of time limit, materials, details of trees to be retained to be submitted, site levels to be submitted. Note re building not to be used for livestock.

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:

ONE 2 ONE PERSONAL COMMUNICATIONS LTD

ERECTION OF 15 M MONOPOLE MAST WITH 6 NO. CROSS POLAR ANTENNAE AND 2 NO. MICROWAVE DISHES WITH ASSOCIATED EQUIPMENT IN FENCED COMPOUND AT HIGHER KNAPP FARM, KNAPP, NORTH CURRY AS AMPLIFIED BY LETTER DATED 26TH APRIL, 2002 RECEIVED ON 26TH JUNE, 2002 AND LETTER DATED 4TH JULY, 2002 AND ADDITIONAL INFORMATION DATED 17TH SEPTEMBER AND 25TH SEPTEMBER, 2002

30320/25240

FULL PERMISSION

PROPOSAL

The application was reported to Planning Committee on 10th July, 2002 and was deferred in order to consider ways of disguising the mast. The application is for a 15 m monopole mast with 6 no. cross polar antennae of 1.9 m in length and 2 no. 600 mm diameter microwave dishes with associated equipment cabinet within a fenced compound at Higher Knapp Farm, Knapp, North Curry. The proposed compound measures 16.4 m x 9.5 m and would have a stock proof fence with access gate. The cabin would be 1.3 m x 0.55 m x 1.47 m high. The applicants have agreed to provide planting in the vicinity on a 2-2.4 m wide area around the proposal. The site is to the rear (southern side) of Higher Knapp Farm, to the south of the existing group of modern agricultural buildings. Access to the site is via the existing access to the farm and its buildings. The site itself is on high land, if it were to be on lower land nearby, the capacity for signals diminishes such that the signals would not reach the railway line, which is the object of this mast. The proposed operator has considered alternative sites but concluded that Birds Farm did not have the owner's permission. The agent has advised that the use of satellites, using present technology, is impractical given the amount of traffic; TV and radio satellites only broadcast signals, mobile telephone satellites need to broadcast and receive signals. The existing sites at West Lyng and Thornfalcon do not provide the required coverage for the railway lines. Plan Ref. MCP01/01C is to scale at 1:200 not as shown. The current proposal meets the ICNIRP guidelines (International Commission on Non Ionizing Radiation Protection). Plans have been received which indicate how the mast could be disguised as a tree. The agent considers that the tree mast would be far more obtrusive, and in this setting where it would be fairly exposed, and all other trees in the landscape are deciduous, a tree mast would be a totally alien feature on the surrounding landscape. The agent has submitted a photo montage of the mast as originally proposed and considers this to be unobtrusive. I have been advised that the agents would not accept a 'tree mast' in preference to a refusal to the current proposal.

CONSULTATIONS AND REPRESENTATIONS

LANDSCAPE OFFICER although the mast will be screened from the north by farm buildings, it will be seen from the Lilleston/North Curry Road. Area for landscaping should be increased and details of species etc specified. ENVIRONMENTAL HEALTH OFFICER installation should meet ICNIRP guidelines.

PARISH COUNCIL finds it difficult to comment on the application in isolation, concern about whether Taunton Deane Borough Council have a strategy. Details requested of other masts in the area. Time limits required to prevent land banking.

CLLR P STONE as local ward Councillor raises objection on basis that this is an important and prominent ridge, highly visible from the surrounding moors. There are designated environmentally sensitive areas in which landscape is to be conserved and enhanced, not littered with eyesores. Health issues have not been resolved - public concern about their effects; satellite technology is being developed which could make all these masts redundant, we should be adopting a policy of refusing them which would hasten the development of alternative technology.

18 OTHER LETTERS OF OBJECTION on grounds of visual impact; health; other masts could be shared; previous mast at Borough Post rejected; mast should go elsewhere; should use satellite; one to one signal is fine in Knapp, no need for another mast; too close to housing; no notification received about proposal; mast will be visible from properties in Borough Post; could the mast be built from willow or local materials such as local stone, block and render.

POLICY CONTEXT

PPG8 outlines Government Policy including to facilitate the growth of new and existing telecommunications systems whilst keeping the environmental impact to a minimum. Local Planning Authority should not question need and it is the Government's view that the planning system is not the place for determining health safeguards. If a mobile phone base station meets the ICNIRP guidelines for public exposure, it should not be necessary for a Local Planning Authority to consider further health aspects and concerns about them. Structure Plan Policy 62 states that provision should be made for the establishment of telecommunications facilities in new development and the development of existing and new systems with priority given to the protection of nationally designated areas. Taunton Deane Local Plan Policy C13 advises that masts should minimize harm to the landscape, that there should be no alternative sites with less environmental impact and that existing mast or other structures could not be used. The site is outside the Special Landscape Areas of the Levels and the North Curry Ridge and some distance from the Special Protection Area of the levels. This proposal is considered to meet the criteria of these guidelines.

ASSESSMENT

The site is well screened by the existing farm complex from Knapp and the road. The mast may be seen from the levels area, but it is sited some distance away and it is considered that it will merge into the background. The agent confirmed that there are no suitable locations for site/mast sharing. Currently satellites are apparently not suitable

for mobile phone telecommunications. Residents have commented about the Borough Post proposal, this was for a 15 m high mast for the emergency services and was withdrawn prior to decision. It was likely to have had some undesirable visual impact given its position on the ridge with no background planting or building. The current application has the farm complex as background, and the proposed planting should help screen the lower part of the proposal. Whilst the site overlooks at a distance the Special Landscape Area and the Special Protection Area, it is not considered that the siting of the mast as proposed with associated equipment will cause harm or be visually intrusive to these 'Special' areas. The proposed mast is designed for use by users of the railway rather than 'residential' users. The agent has indicated that the attempt to disguise the mast as a tree will result in a more obtrusive situation. This is a view with which I can concur in this location. It is my opinion that the mast, as originally proposed is acceptable. Therefore it is considered that the proposed location for the mast is acceptable, it is mainly screened from Knapp by farm buildings and will have new planting around the compound.

RECOMMENDATION

Permission be GRANTED subject to conditions of landscaping details and stock grazing proof fencing. Note re native species.

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

CONTACT OFFICER: 356460 MS K MARLOW (MON/TUES ONLY)

NOTES:

MR A WELCH

RETENTION OF USE OF BUILDING FOR GARAGE SERVICES, VALETING AND REPAIR OF HIRE CARS AT UNIT 1, NYTHE FARM, SEDGEMOOR ROAD, HELLAND, NORTH CURRY

32790/24140

RETENTION OF BUILDINGS/WORKS ETC.

PROPOSAL

The proposal is for the change of use of former agricultural building from the valeting and servicing of hire cars (permitted in 1989) to the retention of the use of the building for garage services, valeting and repair of hire cars at Nythe Farm. The existing permission relates to the use of a former cattle shed but the current application is for the change of use of 2 additional areas of land (including a former silage pit) for the parking of cars in association with the use. The farm is located in open countryside and is accessed off a private drive approximately 160 m from the highway.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY roads leading to the site are substandard with limited opportunities for passing. The site is remote and offers no alternative to the private car for essential journeys. I recommend refusal of this proposal for the following reasons:- contrary to advice contained within PPG13, RPG10 and policies STR1 and STR6 of the Somerset and Exmoor National Park Structure Plan and Sedgemoor Road is considered unsuitable to serve as a means of access to the proposal.

LANDSCAPE OFFICER the site is very secluded and cannot be viewed from nearby roads. ENVIRONMENTAL HEALTH OFFICER no objection subject to a noise level condition.

PARISH COUNCIL strongly oppose the storage of old cars, the provision of car services is too loose ended and needs clarification.

POLICY CONTEXT

Somerset and Exmoor National Park Joint Structure Plan Review Policies STR1 requiring proposals to be a sustainable development; and develop a transport pattern that minimises the need for travel and maximises the use of public transport, cycling and walking; STR6 requires that proposals outside of settlements benefit economic activity whilst maintaining the environment without fostering the need to travel; Policy 49 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; criteria (A) additional road traffic would not lead to overloading of access roads or road safety problems; (B) the site should be

accessible minimising the need to use the private car; (D) requires that the appearance and character of the landscape would not be harmed as a result of the development; S8 that restricts development outside of settlement boundaries to those required for (1) agricultural purposes, (2) in accordance with other local plan policies, (3) necessary for environmental or other legislation, and (4) necessary to support the vitality and viability of the rural economy in a way that cannot be sited within the limits of a recognised settlement. EC1a allows existing firms to expand where relocation to alternative sites is unrealistic and the economic benefit outweighs any harm to the objectives of the other relevant policies; EC3 outside the limits of settlements conversion of buildings to small scale business use will be permitted provided it is suitable and would not harm the appearance of the surroundings; be compatible with the rural character and landscape quality of the area, not harm residential amenity or highway safety and not lead to the dispersal of activity on such a scale to prejudice village viability.

ASSESSMENT

The application is for the extension of activities on the site. It includes the change of use of former agricultural buildings to commercial uses and has to be considered specifically against policies EC3 and EC1a. The site is located in a remote position and cannot be seen from outside of the farmyard complex. As a result the visual impact of the proposal is limited and I consider it to be compatible with policies S1(D) and part of EC3. The existing business is providing an economic use within the countryside and employs 4 staff in the office and garage. Its continued use is likely to benefit the local economy and its small scale character is unlikely to conflict with the vitality of the nearby village of North Curry, which does not have an existing garage within its limits. The site is located in the open countryside with substandard access roads. The County Highway Authority is concerned that an extension in the permitted use will be contrary to highway safety. The garage activities have included general servicing of private cars from around 1990 in support of the hire car use activities and there have been no reported problems in accessing the site in that time, as a result I consider that there is unlikely to be a significant intensification of the movements to and from the site and there is unlikely to be any detriment to highway safety as a result of the proposed use. The site is located in a non sustainable location but I consider that the advantages of the economic use outweigh the disadvantages of its location. In terms of policy EC1a I consider that the business could be carried on from an alternative site if the demonstrable harm resulting from the current proposal was considered to outweigh the economic benefit of the use to the rural environment. I do not consider this to be the case. Proposal considered acceptable.

RECOMMENDATION

Permission be GRANTED subject to conditions of time limit, restricted use, personal permission, restricted noise levels, no retail sales, no vehicle body repairs or paint spraying, or associated works, no external storage of motor vehicles except as agreed on the site plan.

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:

D J & S E E TAZEWELL

ERECTION OF TWO HOLIDAY LODGES ON LAND ADJACENT TO CULMHEAD HOUSE, CULMHEAD AS AMENDED BY DRAWINGS ATTACHED TO AGENTS LETTER DATED 1ST OCTOBER, 2002

21080/16760

FULL PERMISSION

PROPOSAL

Culmhead House and surround buildings comprise a number of separate dwellings within its landscape setting. To the east of the main house and north of the access drive are a number of garages. These two timber chalets are to be located partly on the site of the garages and partly on adjoining land. The site is located within the Blackdown Hills Area of Outstanding Natural Beauty.

CONSULTATIONS AND REPRESENTATIONS

COUNTY ARCHAEOLOGIST no objection. WESSEX WATER no objection.

LANDSCAPE OFFICER the proposals appear to be well screened apart from possibly the eastern boundary which may be open to public view in the winter from the public footpath to the east (this is proposed as part of the linear Blackdowns Ridge Route). I suggest some new shrub and tree planting to soften any impact. (Mr Tazewell telephoned to say he has planted some holly to screen this gap so the concern is already being addressed). The most easterly lodge is within 10 metres of the existing mature beech trees. I recommend it is moved at least 2 or 3 metres further south to avoid pressure to fell the tree.

PARISH COUNCIL acceptable.

BLACKDOWN HILLS RURAL PARTNERSHIP the BHRP has produced a Management Strategy 1997 - 2002 and countryside Design Summary 1999 to help guide planning decisions in the AONB. Taken together these documents seek to define the key characteristics of the AONB. For most situations Development Plan policies supported by the above documents will be robust enough to resist inappropriate development in the AONB. The BHR.P supports local planning authorities in ensuring that development in the AONB meets the highest standards of design and that conditions are used and enforced to safeguard and enhance the natural beauty of the AONB. Policy PD 17 of the afore-mentioned Management Strategy is supportive of sustainable tourism initiatives where they benefit the local economy and are of an appropriate scale, sympathetic to the landscape. Such initiatives should also bring environmental benefits and increase the appreciation of the special character of the AONB. There is a limited amount of tourist accommodation along the scarp, however the Partnership would not wish to see a precedent set for larger scale development of this type. The proposal would improve the visual appearance of the immediate area by removing the dilapidated outbuildings currently on site, but nevertheless the proposed lodges are quite large, and

the partnership would wish to ensure that there would not be any adverse landscape impact

4 LETTERS OF OBJECTION on grounds of loss of seclusion and tranquility, inappropriate to mix permanent residents and holidaymakers, no need for additional holiday accommodation.

POLICY CONTEXT

Taunton Deane Local Plan Revised Deposit Policy EC19.

ASSESSMENT

There is no objection to the principle of holiday chalets in this location provided that the proposal does not adversely affect the character and appearance of the area. This site is well screened from any public view, and subject to the submission of revised drawings reducing the overall height as discussed with the applicant, it is considered that the impact upon the landscape will be minimal.

The site is located away from other residential properties and should not adversely affect residential amenity.

RECOMMENDATION

Subject to the receipt of revised drawings reducing height of chalets the Chief Planning Officer in consultation with the Chair/Vice Chair be authorised to determine and permission be GRANTED subject to conditions of time limit , materials, landscaping, holiday accommodation, no extensions, no ancillary buildings, no fencing.

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:

T MOBILE (UK) LTD

ERECTION OF TELECOMMUNICATIONS INSTALLATION IN THE FORM OF 10 M SIMULATED TELEGRAPH POLE AND ASSOCIATED EQUIPMENT, CHAVES FIELD, MILLMOOR, SAMPFORD ARUNDEL AS AMENDED BY LETTER DATED 11TH OCTOBER, 2002 WITH ACCOMPANYING DRAWINGS NOS 98045/69232/APT01/201B AND 202/B

1020/1859

FULL PERMISSION

PROPOSAL

The application site is located approximately half a kilometre west of Sampford Arundel on the edge of an agricultural field, currently used as pastureland, adjacent to the Taunton - Exeter railway line. The proposal provides for an 8 m high wood effect monopole, designed to simulate a telegraph pole. The pole will accommodate one bi-sector antenna and one transmission dish, totalling 2 m in height. An associated cabinet measuring 1350 mm x 550 mm x 1475 mm high would be located immediately adjacent. The applicants indicate that the siting of the pole in this location has been proposed in order to minimise the visual impact of the proposal. Bushes and trees of 6-9 m height are sited between the proposed compound area and the railway line, with a dense area of poplar trees situated to the north of the railway line. These will assist in assimilating the pole and its equipment into the landscape. The use of a simulated telegraph pole has been proposed in order to further integrate the installation into the surrounding landscape. There are three existing timber poles with overhead power cables within close proximity of the proposed site. The applicants state that the site the subject of the application is the only site that meets the required criteria for this cell and is intended to give coverage to the railway line in this area. Supporting information submitted with the application confirms that the proposed mast conforms with the ICNIRP guidelines.

CONSULTATIONS AND REPRESENTATIONS

PARISH COUNCIL parishioners who live within sight of the proposed installation, i.e. Marlands, Millmoor and Whiteball areas, object to this application on the grounds that it is inappropriate to and will further mar the very rural nature of the landscape in this particular area. The Parish Council supports these objections and expresses concern for the number of applications received for these masts in the parish. Western Power are proposing to clear fell the trees and bushes (6-9 m) sited between the proposed compound and the railway line shown on the plan. Very concerned that if the application is approved and the mast erected, this felling would destroy any natural screening of the installation. Understood that this work is imminent and ask that this be investigated prior to the planning meeting.

THREE LETTERS OF OBJECTION surprised to see yet another application for a phone mast in the parish; different phone companies should use the same mast; object to any more being erected on the grounds of visual amenity; the associated equipment which comes with these masts will be further intrusion into the countryside and will not

enhance the visual amenity; will dominate view from nearby property, especially when the deciduous trees have lost their leaves; no attempt to minimise the visual impact of the mast and compound, which would include unsightly grey steel equipment housing; will only benefit commuters on the railway for a short distance; understand that Western Power are to cut down adjacent trees which mean the pole will be in full view; Taunton Deane should take a stand against mobile phone companies; will set a precedent particularly for a larger mast.

POLICY CONTEXT

Policy WD/CS/10 of the West Deane Local Plan states that applications for the installation of telecommunications equipment will be permitted unless certain factors appertain. Two of these factors are that (i) there is unacceptable impact on wildlife, archaeology or the character of the countryside or any settlement or building involved; and (ii) the siting, external appearance or landscaping would have an adverse visual impact. Policy C13 of the Taunton Deane Local Plan Revised Deposit states that applications for the installation of telecommunications masts will be permitted provided that certain criteria are met. Two of these are that their siting and appearance would minimise harm to the landscape and that there are no alternative sites or solutions with less environmental impact which could be used.

ASSESSMENT

From the limited public vantage points, the proposed mast will be largely seen against a backdrop of existing trees and shrubs adjacent to the railway line. The amended plans incorporate additional tree and hedge planting which will further assimilate the proposed installation into the landscape. I therefore do not consider that the proposed mast will have a particularly detrimental impact on the visual amenity of the area. The distance to the boundary of the nearest dwelling is 150 m. Western Power are not aware that their contractors are carrying out any tree works other than routine trimming of 5 year growth. The proposed pole will be no higher than an average size overhead electricity line pole.

RECOMMENDATION

Permission be GRANTED subject to conditions of materials and landscaping.

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:

SUMMERFIELD DEVELOPMENTS (SW)LTD

RESIDENTIAL DEVELOPMENT TO PROVIDE 8 NO. SELF CONTAINED UNITS ON LAND OFF EASTLEIGH ROAD, TAUNTON AS AMENDED BY PLANS NO. 81101/6 ADN 81101/7 RECEIVED 20TH SEPTEMBER, 2002 AND PLAN NO. 81101/5A RECEIVED 10TH OCTOBER, 2002

23760/2454

FULL PERMISSION

PROPOSAL

The proposal is for the erection of two residential blocks on land at the northern end of Eastleigh Road which would provide 8 self-contained residential units with associated parking and amenity areas. The site is roughly wedge shaped, situated to the rear of the properties on Midford Road and Grays Road. The southern boundary of the site is adjacent to Eastleigh Road, with the neighbouring Fish and Chip Shop (which does not form part of the application) within this wedge. The site is currently being used for informal car parking.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY no objections in principle to the proposal; would however wish to see the drive widened to 5 m over the first 10 m of the access point to enable vehicles to pass each other, however in the location of this site this is purely advisable. COUNTY ARCHAEOLOGIST as far as we are aware there are limited or no archaeological implications to this proposal and therefore have no objections on archaeological grounds. WESSEX WATER connection points should be agreed at detailed design stage; council should be satisfied with arrangement for the satisfactory disposal of drainage; public sewer runs along western boundary of the site, and Wessex Water normally requires a minimum of 3m easement on either side so diversion or protection works may need to be agreed. AVON AND SOMERSET CONSTABULARY (ARCHITECTURAL LIAISON OFFICER) although it appears that this development will be quite enclosed with one entrance point, I do feel that the car parking areas are detached with little opportunity for natural surveillance, which raises concerns over vehicle security and the personal safety of those using these areas; would recommend that an appropriate system of access control to each block should be a security requirement.

ENVIRONMENTAL HEALTH OFFICER (NOISE AND POLLUTION) conditions should be added with regards to the possibility of contamination arising from historical use in the area; note should be added with regards to noise emissions from the site during the construction phase if nuisance is likely at neighbouring premises.

3 LETTERS OF OBJECTION received raising issues of:- what will happen to all the cars that use the land as a car park when the houses are built?; permit parking area should include Eastleigh Road to give access to the homes; problems with lorries turning in the street; road is congested with parking on both sides of the road; land

would be better used for car parking to take cars off the road; 3 storey building might be a bit high.

POLICY CONTEXT

Policies S1 (General Requirements), S2 (Design) and H1 (Housing Within Classified Settlements) of the Taunton Deane Local Plan- Revised Deposit were taken into account when determining the proposal. Policy H1 controls new housing development within the urban areas. It gives a presumption in favour of development, subject to criteria including "small scale schemes in existing residential areas will increase the development density of these areas without individually or cumulatively eroding their character or residential amenity".

ASSESSMENT

The site has a limited frontage onto Eastleigh Road, given that the Fish and Chip Shop is to remain. The positioning of the "B" block and its amended height of two and a half storeys is considered acceptable in terms of its impact on the street scene, and the neighbouring properties. The larger "A" block to the rear of the site has no windows on the north west elevation so overlooking of neighbouring properties is kept to a minimum. The two storey/three storey design of this block is acceptable and will not detrimentally impact on the neighbouring residential properties to the north and west. It is recognised that there is a problem with the on street parking in the area, but as adequate parking provision is shown for the new units this is not an issue relevant to this application. The existing use as a car parking area is not public use.

RECOMMENDATION

Permission be GRANTED subject to the conditions of time limit, materials, details of surface treatment, landscaping, walls and fences, parking as plan, flats completion, meter boxes, contamination, aerials, cycle store. Notes re remediation, Wessex Water noise during construction, CDM Regulations, access for the disabled.

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:

KENNETH JEFFERIES

ERECTION OF FENCE ACROSS THE PUBLIC FOOTPATH AND CHANGE OF USE OF THE FOOTPATH AND LAND ADJACENT TO DOMESTIC ADJACENT TO 36 CRAIG LEA, TAUNTON.

22240/26290

FULL PERMISSION

PROPOSAL

Detailed planning permission was granted for the redevelopment of the Bishop Fox's School in 1995. David Wilson Home's scheme included the provision of a footpath link from the development to the existing footpath that runs adjacent to Taunton School playing fields, along the western boundary of the site. This link was subsequently provided on the site. The County Council were not offered this link as part of their S38 discussions. The footpath and adjoining land was subsequently sold to the occupier of 36 Craig Lea. This proposal is for the change of use of the footpath and land into domestic curtilage and the erection of a fence along the western boundary of the site. Prior to selling the footpath David Wilson Homes were informed by the Planning Officer that the link provided for permeability from the site to the existing footpath and that the closure of the link would require planning permission, as would any change of use to a domestic curtilage.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY current national and regional policy guidance (PPGI 3, RPGI 0) seeks to encourage the use of more sustainable transport modes, in particular, walking, cycling and public transport. These policy documents recognise that walking has the greatest potential to replace short car trips (under 2 km) and cycling offers a good alternative to car journeys under 5 km. The walking strategy of the Local Transport Plan highlights the importance of improving conditions for pedestrians through a number of measures that include:- insuring that the pedestrian network is protected; and creating a network of direct, coherent pedestrian routes. While the footpath adjacent to Craig Lea is unadopted, it forms a useful link to an off-road cycleway and footpath, reducing pedestrian journey times, and is part of the wider pedestrian network. While the applicant indicates that the link is rarely used, the Highway Authority have received numerous complaints from users of the link since its closure. I would therefore recommend refusal of this application for the following reasons:- The footpath adjacent to 36 Craig Lea forms a useful link within the pedestrian network. Incorporation into the domestic curtilage of 36 Craig Lea will permanently remove this link, contrary to the provisions of the Local Transport Plan, PPGI 3 and RPGI 0, which seek to increase walking and cycling through provision and protection of a coherent route network. The County Highway Authority have agreed to

adopt the footpath if required with no contribution for a commuted sum in the circumstances. SOMERSET AND AVON CONSTABULARY there was one recorded crime in Craig Lea in the last year; I have met the applicant about 2-3 years ago and advised that it would be beneficial to close the footpath from a crime prevention point of view. The community beat officer helped the residents to get the exit blocked off as they said they were suffering from vandalism. This vandalism was happening to the fences adjacent the footpath with graffiti on the wall by the exit. Closing the link has made residents feel safer and has designed out crime.

RIGHTS OF WAY OFFICER the issue addressed by the application appears to be incorrect, in legal terms, if the footpath concerned has been adopted. If it has been adopted, then the only option the owners have is to have the footpath extinguished on a legal basis, in this case by the County Council. If the footpath has not been adopted, I cannot see any reason why it cannot be removed without planning permission. However, if planning legislation requires an application to modify a condition of the original planning permission that a footpath was to be adopted, then so be it. We would not have a view, mainly because the additional link, all be it convenient, is not crucial to the improvement of access in general. On another legal point, the back up submissions by police etc., would not carry much weight at a public inquiry if the footpath concerned was a definitive footpath and was to be extinguished. The only criteria that an extinguishment must follow is that the footpath "is not needed for public use". This footpath could easily be proved to be needed for public use. The social problems in the area are one for more effective police action, and nothing to do with the public needs for access for whatever purpose. On balance and to remain consistent in policy, I would move slightly in favour of retention of the footpath. However, I am not privy to the planning implications.

21 LETTERS OF SUPPORT, including a petition with 14 signatures from Peile Drive - teenagers use the area as a meeting place and exhibit antisocial behaviour such as foul language; threatening behaviour; and there is even evidence of drugs; 36 Craig Lea along with other properties in the area have been vandalised, litter causes a problem; the footpath is used by residents of the Kingston Road area for dog walking and dogs have been allowed to foul in front gardens; several owners of properties in Peile Drive have created their own openings and do not need to use the footpath now; the footpath was used as a get away route after our car was broken into, since the closure there have been no incidents of crime in the area other than some continued vandalism of the land where the footpath link was, whilst the footpath provided flexibility of movement for residents it also provided an easy second entry and exit to Craig Lea for non-residents with criminal intent; the Somerset and Avon Police were instrumental in recommending the closure of the path; as a resident of the estate we were not notified about the provision of the footpath link, the residents of Peile Drive did not accept the provision of the link in their area; as adjacent residents we have suffered eggs and gravel being thrown at our windows; youths urinating in our gardens; dog and human excrement in our gardens; being woken up at 4 a.m. by loud youths and an inordinate amount of litter; there is strong police support for blocking off the footpath; whilst the closure of the path will cause some inconvenience residents of the estate will be protected better from crime; an 80 year old neighbour has timed the detour as an extra 4 minutes only (1 minute on a bicycle); for children cycling to the adjoining school it amounts to 150 m along wide pavements where a cycle could be pushed; anyone from outside the estate will have already had to negotiate Kingston Road to get there; the blocking of the link

has removed the problems at a stroke; prior to closing the link we sought advice from the police and planning department; (the Planning Officer's advice was that planning permission would be required); we also carried out a straw poll among neighbours and the majority supported the proposal; the footpath link is not a right of way, the benefit to the majority outweigh the minor inconveniences incurred by all and what I consider to be the largely frivolous objections of a small minority; only a minority of Peile Drive residents use the link to go to town, why did those residents turn down the chance of a link at Peile Drive?

COMMENTS OF THE NEIGHBOURHOOD WATCH CO-ORDINATOR the following unacceptable behaviour has taken place prior to the closure of the link:- a lady was attacked while walking her dog; motorbikes and mopeds have been driven (at day and night times) at dangerous speeds along the cycle path despite a concrete bollard; cyclists have wheeled to the front door of the houses nearest the gap; cyclists have cut corners damaging lavender hedges; human faeces have been deposited in the garden of 36 Craig Lea; condoms have been left nearby; youths have been urinating on a mimosa tree nearby the gap; dog fouling is a problem from a minority of dog walkers; eggs have been thrown twice and gravel once at the window of 37 Craig Lea; the one mother using the link to go to school has left the area; since the closure of the fence there has been no burglaries; problems or anti social behaviour other than the uprooting of plants and bushes and the throwing of a large plant container over the fence; a female cyclist has also expressed her support for the closure of the link as she was concerned about possibly being ambushed by the youths who meet around the gap. This confirms our concern from last year when the neighbourhood watch sign was daubed "this way for drugs, house No 30" occupied at time by an elderly lady. I have spoken to some dog owners who have understood when the situation has been explained to them and are content to walk their dogs elsewhere. The vast majority of Craig Lea residents support the closure as the additional walk is more than compensated by the added security. Living near the gap I have been concerned about people walking aimlessly through, I have used the link but consider that its closure is acceptable, I have been effected by shouting and throwing rubbish into my garden and I have been intimidated when coming home late one night, the closure has stopped skateboarders carrying out their sport, closing the gap has stopped burglars using the path as an escape route, when walking home one night my wife and I were sure three cyclists were going to attack us, they went on to ride up Craig Lea, a few nights later a resident of the area was attacked when exercising her dog in the area, following various anti social incidents my wife is afraid to go out after dark; as the Police Community Safety Team, Taunton Deane Community Initiatives Unit, Local Transport Development Group and the Highway Authority all recognise the validity of the closure of the link I am surprised that the Jeffries have had to make an application; a relative was verbally abused and threatened while putting her car away and empty bottles and half eaten takeaways have been deposited in our hedge; there wasn't a footpath link at that point from the previous school, the provision of the footpath was not a condition of the original planning permission, the land is now privately owned and maintained by the applicant.

23 LETTERS OF OBJECTION raising the following points:- the footpath provides a much used shortcut to surrounding schools and family, the footpath link has been used for 40 years as there was a right of way through the previous school, outsiders should not be allowed to come in and close off the footpath link, the footpath link provides a safe route for children to school, the footpath should be re-opened and adopted, the

footpaths provide an attractive and safer route to town away from traffic, the footpath link supports Taunton's own policy to provide and maintain footpath access throughout the town, alternative provisions should be made to improve the security and safety of residents living nearby rather than denying the public a useful amenity, a major factor in living in this estate was the presence of the footpath shown on the developers maps and it is upsetting to think of it being closed without prior consultation, a locked gate could be provided to enable residents of the estate to continue to use the footpath link, I use the footpath route to cycle to work every day, there are no more undesirable characters in this residential area than anywhere else but I notice that some people seem to find youths (who ever they are) threatening surely that cannot justify the closure of a valued amenity? The closure of the footpath has affected our quality of life as well so those of the surrounding community, I now have to go much further to pick up my grandson from school, If this footpath is allowed to close then others will follow and we will have no footpaths or rights of way as anyone living nearby will object, our gardens back onto the footpath and we have had no trouble over the last 6 years even from "motor cycles and mopeds", we use the lane 3/4 times per day and have never had or seen any trouble, the mugging of a lady who had used the gap took place away from the lane and cannot be attributed to the presence of the gap. Vandalism happens all over Taunton not just at Craig Lea, we have used this footpath to take our son to school for the past three and a half years and now have to drive our son to school instead as Kingston Road is not safe for a 7 year old to cycle along, the footpath is environmentally friendly and provides a lit path for people to walk and cycle along and use Taunton's Cycle/footpath network, the applicants would have been aware of the footpath when buying their houses, I am annoyed that the link was closed without prior consultation, a gate and key system could be installed as I understand this works at French Weir, I regularly use the footpath between 7 a.m. and 9.30 p.m. and have never seen any sign of condoms, syringes, drug dealing, or fouling of the area by dogs; we are not convinced that the closure of the link is the only alternative a straw poll supported the idea of a lockable gate, we were shocked that the link was closed before planning permission but are glad of an opportunity to comment, consultations on the closure of the link have excluded many residents of the estate, we were not aware of any major crime and disorder issues and would be interested to see the actual recorded crime figures and incidents, I have used the path at least 4 out of 7 days in the week and have only once seen a group behaving in a suspicious manner and they moved on when they saw me looking; a well used link will deter undesirables, there must be dozens of other example of footpath links in Taunton will these all be closed? Craig Lea is probably safer than most, the references to "consultation" are misleading we live in Peile Drive and have not been consulted before, what about people who use the link and live further a field?

POLICY CONTEXT

Regional Planning Guidance 10 and Planning Policy Guidance 13 seek to encourage the use of more sustainable transport modes, in particular walking , cycling and public transport. Walking has the greatest potential to replace short car trips (2 km) and cycling to replace trips of up to 5 km.

Somerset and Exmoor National Park Joint Structure Plan Review Policies STR1 requiring proposals to be a sustainable development. Policy 42 requires the maintenance and extension of the footpath network particularly between residential areas, shops, community facilities work places and schools and by ensuring that improvements to the highway provide for safe use. Policy 44 urban facilities for cyclists should be improved by maintaining and extending the network particularly between residential areas, shops, community facilities, work places and schools and by making the best use of the existing infrastructure. Improvements to the highway should provide for safe use.

Taunton Deane Local Plan Revised Deposit the following policies apply:- H1 governs development within settlement boundaries criteria (A) and (B) require the provision of safe and convenient access by bus, foot or cycles to facilities and employment.

ASSESSMENT

All residents of the estate were notified of the application and site notices displayed adjacent to the site and this has resulted in balanced response from those residents and users of the link.

The applicant has supplied supporting evidence from the Police to highlight that the link should be closed to avoid continued vandalism, anti social behaviour and criminal activity. These documents claim to have undertaken consultations in the area but several objections have made it clear that any such consultation was limited in its extent. I am therefore concerned that a balanced assessment of the situation was not undertaken. The Somerset and Avon Police have commented that there has only been one recorded crime in Craig Lea in the last year. Incidents of vandalism have not been recorded and whilst regrettable and annoying appears more like bad behaviour than serious safety issues. It is an objective of Taunton Deane Borough Council to improve access throughout the town especially to encourage safe alternatives to the car like walking and cycling. The representations show that the link is valued within the local community for access to Taunton School and the town. The County Highway Authority have advised that the closure of the link would be contrary to those objectives as well as the objectives of RPG10 and PPG13. I am concerned that the closure of this footpath for the reasons put forward could set a precedent for the closure of other such links so undermining the objectives of providing for good access around the town other than by the main roads and the likely use of the car. Proposal considered unacceptable

RECOMMENDATION

Permission be REFUSED for the following reason:- the proposal results in the loss of a useful link to the adjacent footpath contrary to the requirements for increased sustainability and alternative modes of travel to the car outlined in RPG10 and PPG13 and would be contrary to the aims and objectives of policy 42 of the Somerset and Exmoor National Park Structure Plan and Policy H1 (A) and (B).

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:

TAUNTON VALE PROPERTIES LTD

CONSTRUCTION OF WIDER VEHICULAR ACCESS, INVOLVING DEMOLITION OF WALL, TO THE REAR OF 39 TRULL ROAD, TAUNTON AS AMENDED BY AGENTS LETTER DATED 14TH OCTOBER, 2002 AND ACCOMPANYING PLAN NO 02/32/01B

22100/23600

FULL PERMISSION

PROPOSAL

The proposal is for the demolition of part of the existing stone wall on the northern boundary of 39 Trull Road, to form a wider vehicular access to the rear of 39 - 47 Trull Road. The vehicular access to the rear of the properties is onto the Haines Hill Road and is within the Haines Hill conservation area. Amended plans have been received which propose to widen the existing access from 2.62 m to 3.70 m. A new brick wall is proposed to replace the existing brick wall to the rear of 39 Trull Road.

CONSULTATIONS AND REPRESENTATIONS

CONSERVATION OFFICER (on original plans) no justification given, although access tight if cars accessing/exiting at the same time; suggest amendment to allow for wider access at junction with street, with narrower access to garages beyond; opening up the site in the manner proposed, would be regrettable, (on amended plans) amended plans an improvement.

6 LETTERS OF OBJECTION (on original plans) raising issues of: solid white line opposite drive preventing parking, yet this is given as a reason to widen the drive; no reason to widen the drive to 5 m, a width of 3.5 m would be more than enough; it would "advertise" the fact that the drive leads to the back of the buildings thus encouraging burglars to investigate; no neighbouring properties have been consulted on the proposals by the applicant; it will erode the nature of the area by removing more mature hedge; will have a detrimental effect on the leafy tranquillity and character of the Trull Road end of Haines Hill; no difficulty at present in entering or exiting the lane; resulting vast open expanse would result in more casual parking in the lane; Victorian Lane is an integral part of the character and beauty of this Conservation Area; to lose the existing weathered brick wall and established hedge and shrubs which offer considerable privacy and seclusion, would be of detriment to the area; desirability and value of the neighbouring properties would be affected; unnecessary to permit vehicles to pass along the lane; widening of the road will increase the speed at which the users will be able to travel, thus increasing the noise level; if allowed this could be the thin end of the wedge for future applications therefore destroying this quiet Conservation Area; to widen the access would be totally out of character with all other relativities within the Haines Hill Conservation Area; changes could help increase occupancy of other properties and lead to higher use of the lane.

POLICY CONTEXT

Policy 9 of the Somerset & Exmoor National Park Joint Structure Plan Review states that: "The character or appearance of Conservation Areas should be preserved or enhanced." Policy EN15 of the Taunton Deane Local Plan Revised Deposit states that "Development within or affecting a Conservation Area will only be permitted where it would preserve or enhance the appearance or character of the Conservation Area". Policies S1 and S2 of the Taunton Deane Local Plan Revised Deposit are also relevant to this application.

ASSESSMENT

The site is situated towards the western end of the Haines Hill Conservation Area. The area is characterised by large residential dwellings set back from the road with front gardens onto the Haines Hill Road. The road is fronted by stone walls and hedges, which gives the Conservation Area its distinct character. The amended plans show the width of the vehicular access widened to 3.7 m, compared with 5 m originally proposed, which the agent has indicated is the minimum width needed to allow a fire appliance to access the rear. The main consideration when determining this application is the impact the widening of the access will have on the conservation in terms of its visual appearance. There are similar accesses along the road at present, which do not impact on the enclosed feeling of the area. The initial concerns from the widening of the access was that the opening up of a rear access to this degree would detrimentally affect the character of the area in terms of its enclosed nature, and lead to a visual separation of the houses on Trull Road from those on Haines Hill. It is considered the amended plans that reduce the width of the proposed access overcome these initial concerns, and the impact on the visual appearance and character of the Conservation Area is not so detrimental as to warrant a refusal of the application.

RECOMMENDATION

Permission be GRANTED subject to the conditions of time limit, materials. Notes re surface water.

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:

ENGLISH CHURCHES HOUSING GROUP

RETENTION OF TWO STOREY EXTENSION TO REAR TO PROVIDE ADDITIONAL BEDSITS AND OFFICE AT LINDLEY HOUSE, EAST REACH, TAUNTON AS AMENDED BY PLANS NOS. BS251-08C RECEIVED 18TH OCTOBER, 2002

23609/24710

FULL PERMISSION

PROPOSAL

It has been brought to the Local Planning Authority's attention that the extension permitted by the planning committee in September 2001 (38/2001/290 & 291LB) has not been built in accordance with the approved plans. Planning permission and listed building consent is therefore required for the alterations and the retention of the works which have been completed. The two alterations from the original plans are that the roof ridge on the extension to the rear is 0.4 m higher than the approved plans, and there is a parapet introduced to the porch to the front of the extension.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAYS AUTHORITY no observations.

CONSERVATION OFFICER no observations to make on this planning application. HOUSING OFFICER fully support the scheme to provide much needed additional bedsits and office facilities. ENVIRONMENTAL HEALTH (HOUSING STANDARDS) all works must comply with the current Building Regulations; considerations should be given to the existing fire precautions already installed within the main building.

AVON & SOMERSET CONSTABULARY (COMMUNITY SAFETY) no adverse comments to make. SOMERSET FIRE BRIGADE detailed recommendations concerning fire safety matters will be made at the Building Regulations stage. WESSEX WATER previous comments still applicable, no further comments to make.

4 LETTERS OF OBJECTION received raising issues of: roof is obviously higher than on the plans, double doors have appeared opening onto the car park; if a mere normal citizen was having building work this would surely not have been overlooked; Alfred Street Residents Association contacted TDBC building services expressing concern over the height of the building and apparently nothing was done; if this is an error then it betokens inefficiency and incompetence, if it is not then such a practice exhibits a disregard and contempt for the authority of the planning committee and TDBC and surely cannot be tolerated; it is considered that the size and design of the modern extension does not satisfactorily respect the character and appearance of Lindley House which is a listed building; application is contrary to the policies within the development plan framework regarding the preservation of such important buildings; accepted that an appropriate use of this building needs to be ensured to secure its future survival, but such users should take care to maintain the property so as to retain

its original character and appearance as much as is feasibly possible. It does not seem that TAH are exercising such due care and attention.

ALFRED STREET RESIDENTS ASSOCIATION building roof line is over 3 feet higher than the plans that had been approved, access gates have been added, the porch erected bears no resemblance to the one on the approved plans, and the contractors have painted some of the window reveals (although none had been painted originally); some of the re-pointing that has been done is completely out of character and sympathy with a listed building; can only be supposed that the only reason for this 'mistake' is to create a roof void space that with the installation of suitable roof lights and doors could be used as additional bedrooms/ offices, something that the ASRA would be vehemently opposed to; all work not done according with the original plans should be removed.

POLICY CONTEXT

Policies that were taken into consideration when determining this application were: Somerset & Exmoor National Park Joint Structure Plan Policy 9 (The Built Environment), Taunton Deane Local Plan Revised Deposit Policies EN17 & EN18 (Listed Buildings), S1 (General Requirements), and S2 (Design).

ASSESSMENT

The alterations to the originally approved plans that this application tries to rectify are the minor changes in the roof height of the extension to the rear of the property and the changes in design to the porch to the front of the extension. The issues that needs to be considered are whether these changes to the approved plans are so detrimental to the character of the listed building, or impact on the neighbouring properties to such an extent, as to warrant their refusal. The raising of the roof by 0.4 m is not considered to have a detrimental impact on the neighbouring properties in terms of loss of light or overbearing nature of the extension. Although any raising of the roof creates more bulk to the extension to the rear, it is not considered to significantly impact on the character or appearance of the Grade II listed building. The porch to the front of the extension which can be viewed from the East Reach elevation is not built to the approved plans. A parapet has been added to the front of part of the porch that is visible from the street. This addition is considered to improve the appearance of the extension from this elevation as it simplifies the appearance of the extension when viewed in relation to the main building, in line with the simple, appearance of the listed building. The proposals are considered to be in line with the policies of the Structure and Local Plan as detailed above, and the recommendation is therefore one of approval. With regards to the other issues raised by the representations received the addition of the double doors in the wall on the Alfred Street boundary does not require listed building consent or planning permission. The re-pointing of the brickwork on the original listed building and the re-roofing is a repair and does not require listed building consent. This re-pointing has been carried out with the full consultation with the Conservation Officer, with the original mortar examined, and the new mortar mixed to match the existing. Once weathered down the mortars should be an exact match. With regards to the painting of the window reveals, this does require listed building consent, and a note be attached to any permission requesting an application be submitted in order that these works may be

assessed, and no further painting be carried out without the permission of the Local Planning Authority.

RECOMMENDATION

Permission be APPROVED.

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:

ENGLISH CHURCHES HOUSING GROUP

RETENTION OF TWO STOREY EXTENSION TO REAR TO PROVIDE ADDITIONAL BEDSITS AND OFFICE AT LINDLEY HOUSE, EAST REACH, TAUNTON AS AMENDED BY PLAN BS251-08C RECEIVED 18TH OCTOBER, 2002

23690/24710

LISTED BUILDING CONSENT-WORKS

PROPOSAL

It has been brought to the Local Planning Authority's attention that the extension permitted by the planning committee in September 2001 (38/2001/290 & 291LB) has not been built in accordance with the approved plans. Planning permission and listed building consent is therefore required for the alterations and the retention of the works which have been completed. The two alterations from the original plans are that the roof ridge on the extension to the rear is 0.4 m higher than the approved plans, and there is a parapet introduced to the porch to the front of the extension.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAYS AUTHORITY no observations.

CONSERVATION OFFICER no observations to make on this planning application. HOUSING OFFICER fully support the scheme to provide much needed additional bedsits and office facilities. ENVIRONMENTAL HEALTH (HOUSING STANDARDS) all works must comply with the current Building Regulations; considerations should be given to the existing fire precautions already installed within the main building.

AVON & SOMERSET CONSTABULARY (COMMUNITY SAFETY) no adverse comments to make. SOMERSET FIRE BRIGADE detailed recommendations concerning fire safety matters will be made at the Building Regulations stage. WESSEX WATER previous comments still applicable, no further comments to make.

4 LETTERS OF OBJECTION received raising issues of: roof is obviously higher than on the plans, double doors have appeared opening onto the car park; if a mere normal citizen was having building work this would surely not have been overlooked; Alfred Street Residents Association contacted TDBC building services expressing concern over the height of the building and apparently nothing was done; if this is an error then it betokens inefficiency and incompetence, if it is not then such a practice exhibits a disregard and contempt for the authority of the planning committee and TDBC and surely cannot be tolerated; it is considered that the size and design of the modern extension does not satisfactorily respect the character and appearance of Lindley House which is a listed building; application is contrary to the policies within the development plan framework regarding the preservation of such important buildings; accepted that an appropriate use of this building needs to be ensured to secure its future survival, but such users should take care to maintain the property so as to retain

its original character and appearance as much as is feasibly possible. It does not seem that TAH are exercising such due care and attention.

ALFRED STREET RESIDENTS ASSOCIATION building roof line is over 3 feet higher than the plans that had been approved, access gates have been added, the porch erected bears no resemblance to the one on the approved plans, and the contractors have painted some of the window reveals (although none had been painted originally); some of the re-pointing that has been done is completely out of character and sympathy with a listed building; ; can only be supposed that the only reason for this 'mistake' is to create a roof void space that with the installation of suitable roof lights and doors could be used as additional bedrooms/offices, something that the ASRA would be vehemently opposed to; all work not done according with the original plans should be removed.

POLICY CONTEXT

Policies that were taken into consideration when determining this application were: Somerset & Exmoor National Park Joint Structure Plan Policy 9 (The Built Environment), Taunton Deane Local Plan Revised Deposit Policies EN17 & EN18 (Listed Buildings), S1 (General Requirements), and S2 (Design).

ASSESSMENT

The alterations to the originally approved plans that this application tries to rectify are the minor changes in the roof height of the extension to the rear of the property and the changes in design to the porch to the front of the extension. The issues that need to be considered are whether these changes to the approved plans are so detrimental to the character of the listed building, or impact on the neighbouring properties to such an extent, as to warrant their refusal. The raising of the roof by 0.4 m is not considered to have a detrimental impact on the neighbouring properties in terms of loss of light or overbearing nature of the extension. Although this raising of the roof creates more bulk to the extension to the rear, which is regrettable, it is not considered to significantly impact on the character or appearance of the Grade II listed building. The porch to the front of the extension which can be viewed from the East Reach elevation is not built to the approved plans. A parapet has been added to the front of part of the porch that is visible from the street. This addition is considered to improve the appearance of the extension from this elevation as it simplifies the appearance of the extension when viewed in relation to the main building, in line with the simple, appearance of the listed building. The proposals are considered to be in line with the policies of the Structure and Local Plan as detailed above, and the recommendation is therefore one of approval. With regards to the other issues raised by the representations received the addition of the double doors in the wall on the Alfred Street boundary does not require listed building consent or planning permission. The re-pointing of the brickwork on the original listed building and the re-roofing is a repair and does not require listed building consent. This re-pointing has been carried out with the full consultation with the Conservation Officer, with the original mortar examined, and the new mortar mixed to match the existing. Once weathered down the mortars should be an exact match. With regards to the painting of the window reveals, this does require listed building consent, but does not form part of the present applications. A note is recommended to be attached to any permission requesting an application be submitted for these works, and no further painting be carried out without the permission of the Local Planning Authority.

RECOMMENDATION

Permission be APPROVED. Note added regarding the painting of the reveals above the windows.

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:

TAUNTON DEANE BOROUGH COUNCIL

ERECTION OF ONE 6 M HIGH MAST AT FORE STREET, ONE 6 M HIGH COMBINED MAST AND LIGHTING COLUMN AT MANTLE STREET, AND FIXING OF 4 CCTV CAMERAS TO EXISTING BUILDINGS AT HIGH STREET AND NORTH STREET, WELLINGTON AS AMENDED BY APPLICANTS LETTER AND PLAN RECEIVED 22ND AUGUST, 2002 (AMENDED PROPOSAL)

13000/20000

FULL PERMISSION

PROPOSAL

The amended proposal is for the installation of 4 building mounted CCTV cameras, with dome, along High Street and North street, the erection of 1 pole mounted dome CCTV camera, and a 6 m combined pole mounted dome CCTV mast and lighting column. Separate Listed Buildings applications have been received. The building mounted CCTV cameras will be located approximately 5 m above ground level.

The above planning application was considered by the Planning Committee at its meeting on 20th February, 2002 when it was determined that subject to the receipt of amended plans, the relocation of camera 5, and no further representations, I was authorised to determine the application in consultation with the Chairman.

Amended plans altering camera 5 from a 6 m pole mounted dome CCTV camera to a 6 m combined lighting column and CCTV dome have been received. Camera 6 has been changed from a 6 m pole mounted dome CCTV camera to a wall mounted camera at 11 North Street, and a Listed Building application has been submitted (43/2002/105LB). Camera 4 has been positioned to the rear of the footway.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY have no objection now that cameras 4, 5 and 6 have been relocated. AVON AND SOMERSET CONSTABULARY no comments.

CONSERVATION OFFICER no observations subject to relocation of camera 5.

TOWN COUNCIL no objection to original or amended scheme.

ONE LETTER OF OBJECTION RECEIVED with regard to the following: relocation of camera 5 in close proximity to my property; I will be under camera surveillance when I enter and leave my home; gross intrusion of privacy; camera lens directed at my windows and into the rooms; need for CCTV cannot be justified, presence of camera more intimidating than any perceived or possible activity; presence of camera is extremely disturbing and harassing.

POLICY CONTEXT

Taunton Deane Local Plan Revised Deposit Policies EN17 (listed buildings), EN15 (Conservation Areas), S1 (General Requirements - criteria (D) appearance/character of settlement and (E) nuisance arising).

ASSESSMENT

The four building mounted CCTV cameras will have a minimal impact on the street scene due to the location of the cameras, and due to conditions attached to the Listed Building applications for cameras 2 & 3 assuring materials match the existing buildings. Camera 4 which is pole mounted, is proposed to be located at the corner of Fore Street and Squirrel Court. Camera 5 has been relocated away from the facade of the former Methodist Church to be replaced with a combined lighting and CCTV pole on the footway outside of Nos. 5 & 7 Mantle Street. Privacy issues with regard to the CCTV cameras will be dealt with accordingly by the Service Support Manager who has overseen this project.

RECOMMENDATION

Permission be GRANTED subject to conditions of time limit. Notes re: attention drawn to Listed Building Applications 43/2002/012LB, 43/2002/013LB, and 43/2002/105LB.

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:

MR R LEITNER

RETROSPECTIVE APPLICATION FOR RETENTION OF WALLS AND FENCES AT 1, 2 AND 3 CALWAYS BARN, MONUMENT ROAD, WELLINGTON AS AMENDED BY LETTER DATED 28TH JANUARY, 2002 WITH ACCOMPANYING DRAWING NO. 1154/01/3 ISS.2

14440/18470

RETENTION OF BUILDINGS/WORKS ETC.

PROPOSAL

The proposal is a retrospective application to retain fences and walls at a group of recently completed barn conversions. These comprise a 1.73 m high brick wall separating the barn conversions from the adjacent farmhouse, boundary treatment between the 3 barn conversions comprising a brick wall varying between 1.8 m and 2.1 m in height and a 1 m high post and rail fence and 1m high post and rail fence to the road frontage.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY the original planning application for the barn conversions at this location indicated a large grass verge across the site frontage, which offered no impediment to visibility from the accesses. Vehicle speeds on Monument Road are in the region of 40 mph and above, and the accesses onto this road should have minimum visibility splays of 120 m x 2.4 m. The walls and fences as constructed severely restrict visibility at the accesses to both Calways Barn and Calways Farm. Therefore recommend that the walls and fences are either lowered or set back such that there is no obstruction to visibility greater than 900 mm above adjoining road level within the above splay areas.

ONE LETTER OF OBJECTION wall between the barns and Calways farm is not high enough - under the impression that it was going to be 2 m high and concerned will be overlooked; understood all windows in barn conversion facing property were to be obscure glazed.

POLICY CONTEXT

Calways Barns are the result of a barn conversions scheme. Policies WD/SP/3 and WD/SP/4 of the West Deane Local Plan are therefore relevant. These policies indicate that change of use of buildings outside defined settlement limits will be allowed provided certain criteria are met. Two of these criteria are that the appearance structure and surroundings of the building would not be materially harmed and that there would be no harm to highway safety and the residential amenity of neighbouring properties. It is

considered that these criteria are met with the current proposal. Policy H9 of the Taunton Deane Local Plan Revised Deposit states that outside the defined limits of settlements, the conversion of buildings to residential use will not be permitted unless certain criteria are met. Two of these criteria are that the building is in keeping with its surroundings and it does not involve the creation of a residential curtilage which would harm the rural character of the area. It is considered that the relevant criteria are met with the proposal.

ASSESSMENT

The proposal originally included a 1.85 m high panel fence along one of the boundaries. This has subsequently been amended to a 1m high post and rail fence which I find more acceptable. Although the strict requirements for visibility requested by the County Highway Authority are not met, I consider that in this rural location the visibility splays provided are appropriate. Whilst there is an intimate relationship between the barn conversions and the former farmhouse, this is to be expected in this form of development. Furthermore, the objector was the applicant for the barn conversions and the plans did not show obscure glazing to the windows facing Calways Farm.

RECOMMENDATION

Permission be GRANTED.

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:

MR & MRS E BIGGS

INSERTION OF 3 DORMER WINDOWS AND ERECTION OF CONSERVATORY ON THE WEST ELEVATION OF THE COACH HOUSE, TRISCOMBE.

15180/35090

FULL PERMISSION

PROPOSAL

This stable conversion was granted planning permission in 1991 where the permitted development rights were removed for extensions and windows. This application is for the insertion of 3 dormers in the western elevation and the erection of a conservatory on the same elevation. The conservatory measures 7.9 m long x 3.5 m deep. The dwarf wall is to be brick with all timber to be stained to match the existing dwelling.

CONSULTATIONS AND REPRESENTATIONS

PARISH COUNCIL no objections.

POLICY CONTEXT

The West Deane Local Plan (adopted May 1997) is the adopted local plan for this site. WD/EC/13 (AONBs) where the Local Planning Authority will safeguard the exceptional landscape quality through positive measures and enhancement. Policy WD/HO/10 is policy that 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), where the appearance and character of any affected landscape, settlement, building or streetscene should not be harmed as a result of the development; H19 (Extensions to dwellings) where the policy will allow extensions to dwellings where the form and character of the dwelling are not harmed; EN10 (Area of Outstanding Natural Beauty) where priority will be given to preserving and enhancing the natural beauty of AONBs. Development which would adversely affect the landscape, character and appearance of AONBs will not be permitted. The protection of views to and from AONBs will be an important consideration. I would also refer to policies WD/SP/3 and 4 of the West Deane Local Plan and policy H9 of the Taunton Deane Local Plan Revised Deposit which relate to barn conversions. Whilst these policies are not strictly related to the application proposal, they formed the background against which the original decision was taken to grant the conversion of a former agricultural building into a dwelling. They therefore defined the character of the existing property by dictating that the historic and architectural qualities of the building be retained.

ASSESSMENT

In light of these policies, I consider that the proposal does adversely affect the appearance and character of the building and the street scene. The simple form and character of the dwelling is compromised, even though the conservatory and dormers are subservient to the dwelling in scale and design. This elevation is reasonable visible from the main road and visitors to the tea rooms. Whilst there are other dormers in the locality, the character of these other properties is not that of a converted outbuilding. The proposal does not harm the residential amenity of neighbouring dwellings or the amenities of the existing property.

RECOMMENDATION

Permission be REFUSED on the grounds that the design and appearance of the dormers and conservatory is such that it will detract from the present character of the dwelling and which derives from the conversion of formers stables and will have a detrimental impact on the integrity and character of the dwelling and adversely affect the visual amenity of the locality.

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:

THE FELLOWSHIP OF INDEPENDENT EVANGELICAL CHURCHES LTD

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

08490/27800

OUTLINE APPLICATION

PROPOSAL

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

CONSULTATIONS AND REPRESENTATIONS

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

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

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

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

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

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

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

POLICY CONTEXT

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

ASSESSMENT

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

RECOMMENDATION

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

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

CONTACT OFFICER: 356461 MR J HAMER

NOTES:

MR R WILSON & MRS P WILSON

CHANGE OF USE AND CONVERSION OF BARN TO SINGLE DWELLING AND ASSOCIATED GARAGING TO THE REAR OF 24 NORTH STREET, WIVELISCOMBE.

08050/27950

FULL PERMISSION

PROPOSAL

This application is for the change of use, the addition of a first floor extension and the conversion of a barn and outbuildings to a single dwelling to the rear of the properties fronting North Street and adjacent to the access road to the side of the public car park on North Street. The buildings comprises a two storey barn and single storey outbuildings, forming an L-shaped complex. The site is approached from an existing access onto the access lane running to the side of the premises.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAYS whilst there is no objection in principle to a dwelling on this site, I am concerned about the lack of forward visibility on this access lane. The lane is not shown as public highway, and it does not appear as a public footpath on the road records. I must assume that it is in private ownership, with a right of access over it. I am concerned that vehicles leaving the site have limited visibility of traffic/pedestrians/cyclists using the lane to access North Street, and that the visibility is extremely substandard upon leaving the lane to enter North Street. It would seem from the application that the site was used previously as a garage facility, and as such it may be unreasonable to raise objection to this proposal despite the potential conflict of vehicles and pedestrians. I would be interested in any alternative parking arrangements that are being made for the existing dwellings, which I am assuming this previous garage served.

RIGHTS OF WAY OFFICER - the access to the new dwelling is along the footpath but it may be wide enough if showed not to be obstructed by opening gates etc. The door onto the footpath at the rear should open into the property. Drainage of the whole plot should not be allowed to affect the footpath, especially at the rear.

PARISH COUNCIL raise concerns about the suitability of the access, as it is a footpath and already carries a lot of traffic; the application will set a precedent for further development, and an application in respect of a nearby property has already been refused.

1 LETTER OF CONCERN raising various non-planning issues such as access for builders, concern about damage to property and making good.

POLICY CONTEXT

The West Deane Local Plan (adopted May 1997) is the adopted local plan for this site. In Special Landscape Areas, the Borough Council will exercise strict control of development and encourage positive measures of enhancement in accordance with policy WD/EC/16. WD/EC/23 (Conservation Areas):- where appropriate alternative uses for buildings under threat will be supported where these lead to the retention and future use of the building; the removal of unsightly and unnecessary street furniture will be encouraged; particular attention will be given to the reinstatement of derelict or vacant land; the demolition of buildings which are important to the character of the Conservation Area will be resisted; ways of reducing the volume of vehicular traffic and on-street parking in parts of the Conservation Areas will be investigated; there will be a presumption in favour of the retention of existing trees and hedgerows of amenity value and stone walls; planning permission will not normally be granted for any development unless it is to a standard of design which preserves and enhances the particular character of the Conservation Area. WD/EC/30 (Area of High Archaeological Potential): here Structure Plan policy AH5 will apply. Appropriate evaluation will be required to determine the archaeological value of the site before any planning applications are determined. In the assessment of this application, the following Taunton Deane Local Plan Revised Deposit (November 2000) policies are taken into account:- S1 (General requirements), EN 15 (Conservation Areas), where development should preserve or enhance the appearance or character of the Conservation Area. EN24 (Areas of High Archaeological Potential) states that if a proposal affects a site of archaeological interest of Area of High Archaeological Potential, or if it is suspected the development could affect archaeological remains, developers must provide satisfactory evaluation of the archaeological value of the site, and the likely effects on it, before planning applications are determined. S6 (Rural Centres) these are appropriate for selective development, which enhances or maintains their local social and economic role and environmental quality and does not lead to a significant increase in car travel. Policy H1 (Housing within classified settlements) permits development within defined limits of settlements provided that there is safe and convenient access by bus or on foot to facilities and employment, provision for off-site public transport, cycling and pedestrian facilities and highway improvements, traffic calming, pedestrian, cycle and bus measures where necessary, convenient access and movement for people with impaired mobility, the character or residential amenity of existing residential areas is not eroded, a coherent approach to the overall design is adopted, and existing and proposed dwellings will enjoy adequate privacy and sunlight. WV2 limits new housing to small scale developments including infilling, within the settlement limits.

ASSESSMENT

In light of these policies, I consider that the principle of converting this building to residential use is acceptable as the site is within the recognised settlement limits of Wiveliscombe. I consider that the proposal does not adversely affect the appearance or character of the building or the street scene at this point. The first floor extension element of a proposal is considered to be a good design, reinforcing the local character and distinctiveness of the area. The form and character of the dwelling are not compromised, by the extension or conversion. I consider that the proposal does not harm the residential amenity of neighbouring dwellings or the amenities of the existing property. It can be argued that the proposal preserves and enhances the character and appearance of the Conservation Area. As the building can be converted to ancillary accommodation without the benefit of planning permission and the outbuildings are

currently used for garaging, the use of the lane to serve the proposal is not considered to be refusable. The developers are being advised to incorporate measures to minimise the use of energy and water in the use of the building. The site referred to by the Parish Council is to the rear (north) of this site and was for the erection of a new dwelling rather than conversion of an existing building. That application was refused on the grounds that the site was of insufficient size to satisfactorily accommodate a dwellinghouse and, if allowed, would result in a cramped form of development to the detriment of the visual amenities of the area. The site was within the Conservation Area where the character at this point is of outbuildings and land associated with the principal buildings on North Street. It was considered that the new built dwelling would be at variance with this established character. Concern was also raised with the access leading to the proposed site but the lane narrows at the gable of this proposed conversion and County Highways Authority raise no objection.

RECOMMENDATION

Subject to the receipt of no further representations raising new issues by the 12th November, the Chief Planning Officer in consultation with the Chair/Vice chair be authorised to determine the application and if permission be GRANTED be subject to conditions of time limit, material as application forms, good quality second hand slate or other slate on the roof, schedule of works, flush rooflights, salvaged materials for repairs, boundary details to be submitted, new timber windows and doors, services underground, removal of permitted development rights for windows/dormers, extensions and gates, walls etc, meter boxes, rainwater goods to be submitted, parking for 2 vehicles, turning space, entrance gates to open inwards. Notes re conversion letter, energy conservatory, meter boxes, Sick and Disabled Act, access for the disabled, water conservation.

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:

ROBIN & DAPHNE HORSHAM

CHANGE OF USE OF PUBLIC HOUSE TO A RESIDENTIAL DWELLING AT THE BLACK SMOCK INN, STATHE, BURROWBRIDGE.

37880/28140

FULL PERMISSION

PROPOSAL

The proposal is for the change of use of the Blacksmock Inn to a dwelling. The Inn is sited adjacent to the River Tone, on the opposite bank to the River Parrett trail, and is just under a mile from the settlement limits of Burrowbridge..

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY no objection the site is located remote from essential services and facilities, in an area with very limited transport choices. The existing access suffers from restricted visibility, but given that the traffic generation of a single dwelling is likely to be significantly less than that of a pub, I would not wish to raise an objection to this proposal. ENVIRONMENT AGENCY objects, the site lies within an area at risk of flooding from the River Parrett. In accordance with PPG25, (Development and Flood Risk), local authorities should use their planning powers to guide development away from such areas. Access to the proposal would be lost in severe events. If development were permitted this would place additional burdens on the emergency services during flood events when existing commitments stretch resources. The site is within an area liable to flood and from a flood defence aspect the building would not be suitable for conversion to a dwelling. WESSEX WATER the proposal is not within a sewered area and the local authority to be satisfied that the arrangements for foul and surface water disposal are acceptable. There is a water supply in the vicinity of the site.

TOURISM OFFICER As the Tourism Officer for Taunton Deane Borough Council I am eager to assist in safe-guarding our rural heritage for the future economic benefits to the host communities it serves and retaining public houses as an important tourism asset. The diminishing numbers of rural hostelrys is threatening the very essence that is the rural appeal to potential visitors and repeat visitors. It is a unique selling point and a vital ingredient to any holiday or short break. The loss of any public house facility is regrettable but in this instance the above establishment has the potential to continue to play an important role in the local economy and the tourism sector. This proposal requires careful assessment and I would like you to consider the following information before a decision is reached on this proposal:- The Black Smock Inn in particular is a key accommodation provider and hostelry situated on the River Parrett Trail (an internationally and nationally recognised walking trail). The Black Smock Inn has advertised and been promoted by the Tourism Unit from 1997 - 2002 and has established itself as a three diamond English Tourist Board inspected Inn with Bed and Breakfast. The inn is located in one of the most important wetlands in England and attracts a high number of bird watchers and walkers throughout the year. There is

immense potential for future tourism development on the Levels and Moors with the recently awarded EU funding (Leader +). Equine tourism, cycling and teashop tourism projects are already under development in the area (Peddle the Levels & Horse Accommodation Tourism). Following the visit from the Time Team and further excavation and recordings by Somerset County Council, Athelney has been granted a site of significant national importance, which will attract new visitors to the area. In addition, the Willows and Wetland Centre one of Taunton Deane's major attractions in the area has been awarded NFU Rural Attraction of year 2002. From an economic perspective Levels and Moors Partnership and Celebrate Somerset are regenerating and raising the profile of the Willow Industry. The development of an artists studio and willow workshop at the existing willow yard at Stathe is due to commence in January 2003. PLANNING POLICY I note that Stathe is not classified as a village within the Taunton Deane Local Plan (Revised Deposit 2000). Accordingly, the provisions of policy EC10 (service provision in rural centres, villages and associated settlements) cannot apply to this proposal. However, the loss of any public house facility is to be regretted, as this will usually involve the loss of a social facility important to local character and identity. In addition, the loss of such establishments can lead to more travel, as locals are required to go elsewhere for similar facilities (I note that this may be limited in this instance, given the small number of dwellings in the locality). I also note that this facility has the potential to play an important role in the local economy, given recent tourism initiatives within the Borough (refer to the comments of the Tourism Officer). Accordingly, I refer you to Structure Plan policy 23 (Tourism Development in the Countryside). These are issues of acknowledged importance (sustainable development/economic development), and as such the proposal needs careful assessment. In addition to the views of other consultees, there are a number of questions that must be addressed before a decision is reached on this proposal. These include:- 1. What is the population of the settlement and where is the nearest alternative provision? Is it within comfortable walking distance. Accordingly, what is the potential impact on sustainable travel? 2. How long has the current landlord/landlady been resident at the pub? The public house obviously has a history of being a viable concern. Has anything changed to alter this? What is the quality of the management? Could it be improved to make the facility more attractive? 3. Are there any other facilities within the local community which act as a community/social focus? 4. Has there been any increase in nearby competition through the introduction of new facilities, refurbishment of existing nearby premises etc? 5. Has there been any attempt to sell the facility as a going concern? 6. Has diversification been tested? This could include changing the image of the pub, proving catering (if not already provided), or exploring joint use as a pub/shop/post office? 7. Is there any financial support for such facilities. I suggest contact with David Gary and officers within the Regeneration Unit. The answers to the above questions require careful consideration and should help determine the recommendation for this proposal.

PARISH COUNCIL object to the proposal. This is a famous and historic pub attracting tourists and provides a good local amenity. It would be a great loss and would be the third pub in the area to close in the last 2 years thereby depriving locals of a social venue.

1 LETTER OF OBJECTION the public house is an important part of the local community as it is the only meeting place within miles, local parties, receptions and skittles are held there, the pub is on the Somerset Levels and near the wetlands Conservation Office

who regularly use it to entertain visitors as well as being used by walkers along the Parrett trail, many country amenities are being lost leaving residents isolated, closure of the pub would force local people to travel further a field.

POLICY CONTEXT

Somerset and Exmoor National Park Joint Structure Plan Review the following policies apply:- Policy 19 encourages the provision of development that creates or enhances local employment and community facilities. Policy 23 this policy requires the improvement of existing attractions and accommodation in settlements or defined Tourism Development Areas and the provision of an extension to the tourism development subject to various criteria. Policy 39 requires development proposals to be compatible with the road network or, if not, to provide an acceptable improvement and achieve a shift in transport modes to alternatives to the private car.

Taunton Deane Local Plan Revised Deposit the following policies apply:- Policy H9 controls the detail of conversions of rural buildings to dwellings. Policy EC7a promotes the provision of local services within or adjacent to the defined limits of a rural centre or village. EC10 requires that the range of service facilities, serving associated settlements; rural centres and villages shall be maintained and enhanced. EC15 allows for new tourism and recreation facilities to be provided outside of settlement limits subject to 2 criteria, Increased visitor pressure would not harm the area and new buildings should be of small scale. EC30 proposals on land liable to flood will not be permitted unless the development will not be affected by the intrusion of flood water; the capacity of flood storage would not be reduced; flood water and flows would not be impeded; flooding risks should not be increased and the maintenance of existing flood measures would not be impeded. Policy EC30 has been superseded by the Planning policy Guidance 25 (Development and Flood Risk). The above policies encourage the provision of new tourist development. The public house is in the open countryside away from recognised rural centres or villages. As the site is already a pub with living accommodation for the landlord the impact on PPG25 is limited.

ASSESSMENT

There have been several applications for change of use of Public Houses/Inns to residential over the past few years resulting in an increasing commitment to retain such facilities where they serve a local community and are not included within the settlement limits where restrictive policies apply. The Canal Inn at Wrantage and The Crown Inn at Creech Heathfield are two such examples. In both of these cases there were significant objections (15 and 17 respectively) received from local people concerned at the loss of such a valuable local amenity. Both applications were refused and the Canal Inn is currently at appeal and awaiting determination. The Blacksmock Inn is not situated within a centre of population and relies on its customers driving to it or making a detour when walking or cycling along the Parrett trail or within the area. In reply to the

consultations and a site notice posted adjacent to the Inn only Burrowbridge Parish Council and 1 resident, within the area, have written to object to the closure. The Blacksmock Inn is located in the open countryside remote from either a rural centre or village. The policies, EC7a and EC10, regarding the maintenance and provision of services contained within the Taunton Deane Local Plan, apply to defined settlements and do not apply to this site. The Blacksmock Inn is located on the opposite side of the river to the River Parrett Trail and the Tourism Officer values its contribution to the tourism facilities of the area. Policy 19 of the Somerset and Exmoor National Park Structure Plan seeks to enhance and promote development for employment and community facilities within the rural area and Policy 23 gives priority to the improvement of existing tourist attractions. In this respect the Blacksmock Inn is an important tourist facility that was providing key holiday accommodation and sustenance for tourists to the area. The tourist Unit has actively marketed the Inn from 1997-2002 and I consider that this needs to be carefully balanced against the applicants desire to close the Inn. In support of their application the applicant has stated that only 11 people from Burrowbridge have used the Inn in the last few weeks; the two pubs that have closed are in North Curry parish; There are still 2 pubs at Stoke St Gregory and North Curry plus another Inn at Burrowbridge; The objector lives in the Yeovil district; The Blacksmock Inn does not hold parties and receptions on a regular basis; The wetlands Conservation Office referred to by the objector does not exist and I presume he means the RSPB who eat at the pub occasionally not regularly; The Parrett Trail is on the other side of the River and the only access to the Blacksmock Inn is via a footbridge approximately half a mile away and publications on the Parrett Trail do not include this Inn, The King Alfred and Rose and Crown at Stoke St Gregory are listed but I was advised we were not included as we were not on the trail itself; The Environment Agency objection is groundless as the existing Inn includes accommodation and a public house and the proposal will result in less, not more, people in need of the emergency services; a letter has been included from the applicants stating that the profits over the last two years have been low and would not pay for a full time manager; The applicants husband is terminally ill and it has become unrealistic to continue running the Inn. (I can confirm that the Blacksmock Inn is included in Taunton Deane's visitor guide and the River Trail documents). Whilst I regret the loss of a tourism facility and local employment provider I do not consider that the proposal is contrary to any policies within either the Structure or Local Plan. One balance having regard to the relative remoteness of the inn and the low level of objections from the public I consider the proposal acceptable.

RECOMMENDATION

Permission be GRANTED subject to conditions of time limit, removal of permitted development rights for extensions; ancillary buildings and fences etc.

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:

Report of the Chief Planning Officer

MISCELLANEOUS ITEM

10/2002/009 CHANGE OF USE AND CONVERSION OF BARN TO DWELLING AND FORMATION OF ACCESS (REVISED PROPOSAL) AT TRENTS FARM, MOOR LANE, CHURCHINFORD

This application was reported to Committee on 10th July, 2002 and permission was granted.

Amended plans have been received which alter the rooflights on the west elevation, insert a garden access gate adjacent to the garage and amend the main entrance door and rear single garage access door.

The Parish who objected to the application on the grounds that there should be no rooflights, have written in response to the amendment suggesting that this compounds the problem and is in contravention of the Council's guidance on conversion of rural buildings.

The building is not located in open countryside, but on the edge of the village, where it is felt that this number of rooflights would not appear incongruous.

No additional rooflights are proposed, but they have been resited to allow them to drain to the gutter. This will not have any material visual impact upon the completed development.

RECOMMENDATION

The amended plan be approved as a minor amendment to the original planning permission

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

Report of the Chief Planning Officer

ENFORCEMENT ITEM

Parish: Halse

1. **File/Complaint Number** E131/18/2002
2. **Location of Site** Land to the north of Lower Stoford, Halse.
3. **Names of Owners** Mr A J W Hill
4. **Names of Occupiers** Mr A J W Hill
5. **Nature of Contravention** Formation of hardstanding and access track to stable block.
6. **Planning History**

It was brought to our attention that works were being carried out to form a hardstanding in an existing gateway together with a track to the previously approved stable block located in the corner of a field at Lower Stoford, Halse. The Planning permission granted for the stable block made no mention of the provision of the hardstanding or access track. The owner was contacted in June of this year and again in August requesting an application for the hardstanding and track. The applicant supplied information that the hardstanding inside the gateway was excavated to a depth of 0.5 m and filled with stone. From this information it is considered that this constituted an engineering operation requiring Planning permission. To date an application to regularise this has not been received.

7. **Reasons for taking Action**

It is considered that the formation of a hardstanding and track in this location is an intrusion on 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 that 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

Report of the Chief Planning Officer

ENFORCEMENT ITEM

Parish: Wiveliscombe

1. **File/Complaint Number** E311/49/2001
2. **Location of Site** Hearn, Pyncombe Lane, Wiveliscombe, Somerset
3. **Names of Owners** Mr J Tidboald, Briddicott Farm, Carhampton, Minehead.
4. **Names of Occupiers** Mr J Chaplin
5. **Nature of Contravention**
Use of caravan as permanent residential accommodation.
6. **Planning History**

It was brought to the Council's attention that a gypsy style caravan is stationed at the junction of Pyncombe Lane and the Wiveliscombe to Wellington road. The occupier, Mr Chaplin was visited in November 2001 and said he usually travelled the country during the summer months but this year was unable to do so due to the Foot and Mouth outbreak. He used to live in Wiveliscombe but sold his house after his wife died and intended to go travelling after restoring the caravan. He returns during the winter months and whilst on site has an involvement in caring for the animals housed in the agricultural buildings at Briddicott Farm. He also over winters his horse in the buildings. Due to the foot and mouth situation and other factors he has not been able to travel this year and therefore has been resident on site for nearly 12 months. An application from the owners of the land has been requested together with any supportive evidence to prove that Mr Chaplin needs to be on site to look after the animals. This has not been forthcoming. It has also been suggested that the agricultural land and buildings have been let to a third party and the cattle on the land are tended by this person and not Mr Chaplin, thereby making his presence on the land, in terms of an agricultural need, unnecessary.

7. **Reasons for taking Action**

The site is in open countryside where it is the policy of the Local Planning Authority to resist new housing development unless demonstrated that the dwelling serves a genuine agricultural need. In the absence of any information the Local Planning Authority considers that the development is contrary to Central Government advice contained in PPG7, Policy STR6 of

the Somerset and Exmoor National Park Joint Structure Plan Review, Policy WD/HO/1 of the West Deane Local Plan and Policy H14 of the Taunton Deane Local Plan Revised Deposit

8. Recommendation

The Solicitor to the Council be authorised to serve an enforcement notice and take prosecution action subject to satisfactory evidence should the notice not be 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