



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 31ST MARCH 2004 AT 17:00.

(RESERVE DATE : MONDAY 5TH APRIL 2004 AT 17:00)

AGENDA

1. Apologies
2. Minutes
3. Public Question Time
4. COMBE FLOREY - 11/2004/003LB
ERECTION OF TWO STOREY AND SINGLE STOREY EXTENSION, REPLACEMENT
TIMBER STORE/GARAGE, PARTIAL REMOVAL OF WALL TO PROVIDE
HARDSTANDING AND TURNING AREA, TREBLES HOLFORD, SEVEN ASH, COMBE
FLOREY
5. COMBE FLOREY - 11/2004/004
ERECTION OF TWO STOREY AND SINGLE STOREY EXTENSION, REPLACEMENT
TIMBER STOREY GARAGE, PARTIAL REMOVAL OF WALL TO PROVIDE
HARDSTANDING AND TURNING AREA, ERECTION OF STABLE, TREBLES
HOLFORD, SEVEN ASH, COMBE FLOREY.
6. HATCH BEAUCHAMP - 19/2004/002
ERECTION OF RETIREMENT/CLOSE CARE UNIT ON LAND TO THE SOUTH WEST
OF BEAUCHAMP BUNGALOW, HATCH BEAUCHAMP AS AMENDED BY AGENTS
LETTER DATED 12TH MARCH, 2004 AND ATTACHED DRAWING NO. 4A
7. LANGFORD BUDVILLE - 21/2004/005
ERECTION OF EXTENSIONS, AND ALTERATIONS TO INCREASE HEIGHT AND
SIZE OF SKITTLE ALLEY TO FORM 8 NO. HOLIDAY UNITS IN CONJUNCTION WITH
PUBLIC HOUSE, THE MARTLETT INN, LANGFORD BUDVILLE AS AMPLIFIED BY
AGENTS LETTER RECEIVED 9TH FEBRUARY, 2004
8. MILVERTON - 23/2004/007
CHANGE OF USE FROM CONFERENCE ROOM TO DWELLING, RETENTION OF
BATHROOM EXTENSION AND REMOVAL OF SPIRAL STAIRCASE, BARN 1, COURT
FARM, MILVERTON AS AMENDED BY
9. MILVERTON - 23/2004/008LB
RETENTION OF BATHROOM EXTENSION AND REMOVAL OF SPIRAL STAIRCASE,
BARN 1, COURT FARM, MILVERTON
10. STOKE ST GREGORY - 36/2004/003
ERECTION OF STORAGE AND LIVESTOCK BUILDING (A) AT MEARE GREEN

FARM, FROG LANE, STOKE ST GREGORY.

11. STOKE ST GREGORY - 36/2004/004
ERECTION OF STORAGE AND LIVESTOCK BUILDING (B) AT MEARE GREEN
FARM, FROG LANE, STOKE ST GREGORY.
12. TAUNTON - 38/2004/024CA
DEMOLITION OF FORMER FOUR ALLS PUBLIC HOUSE, CORPORATION STREET,
TAUNTON.
13. TAUNTON - 38/2004/025
DEMOLITION OF EXISTING BUILDING AND ERECTION OF FIVE STOREY BUILDING
COMPRISING 2 OFFICE SUITES & 21 FLATS AT FOUR ALLS PUBLIC HOUSE,
CORPORATION STREET, TAUNTON.
14. TAUNTON - 38/2004/061
DEMOLITION OF EXISTING DWELLING & COMMERCIAL GARAGE BUILDINGS AND
THE ERECTION OF A BLOCK OF 15 FLATS AT EASTWICK FARM COTTAGE,
EASTWICK ROAD, TAUNTON.
15. WEST BAGBOROUGH - 45/2004/001
ERECTION OF ATTACHED GARAGE, INTERNAL AND EXTERNAL ALTERATIONS
TO HOUSE AT EASTER COTTAGE, WEST BAGBOROUGH.
16. WEST BUCKLAND - 46/2004/002
USE OF PART OF DWELLING FOR NURSERY FOR UP TO 18 CHILDREN UNDER 5
YEARS OLD, AND RETENTION OF CAR PARK AND FORMATION OF PLAY AREA,
HAM FARM, HAM, WELLINGTON AS AMENDED BY LETTER DATED 28TH
JANUARY, 2004 WITH ADDITIONAL INFORMATION IN LETTER DATED 16TH
MARCH, 2004
17. COMEYTROWE - 52/2004/001
ERECTION OF 12 DWELLINGS ON SITE OF NEW BARN (TO BE DEMOLISHED) AND
FORMATION OF ACCESS THERETO, 41 COMEYTROWE LANE, TAUNTON AS
AMENDED BY DRAWINGS ATTACHED TO APG ARCHITECT'S LETTER DATED 2ND
MARCH, 2004

G P DYKE
Member Services Manager

The Deane House
Belvedere Road
TAUNTON
Somerset

TA1 1HE

23 March 2004

TEA FOR COUNCILLORS WILL BE AVAILABLE FROM 16.45 ONWARDS IN COMMITTEE ROOM NO.2

Planning Committee Members:-

Councillor Mrs Allgrove (Chairman)
Councillor Mrs Hill (Vice-Chairman)
Councillor Beaven
Councillor Bowrah
Councillor Miss Cavill
Councillor Croad
Councillor Denington
Councillor Floyd
The Mayor (Councillor Govier)
Councillor Guerrier
Councillor Henley
Councillor House
Councillor Morrell
Councillor Miss Peppard
Councillor Mrs Smith
Councillor Stuart-Thorn
Councillor Vail
Councillor Wedderkopp

Planning Committee - 3 March 2004

Present: Councillor Mrs Allgrove (Chairman)
Councillor Mrs Hill (Vice-Chairman)
Councillors Beaven, Bowrah, Miss Cavill, Croad, Denington, Floyd, Henley,
House, Miss Peppard, Mrs Smith, Stuart-Thorn, Vail and Wedderkopp.

Officers: Mr N T Noall (Chief Planning Officer), Mr T Burton (Area Planning
Officer (East)), Mr J Hamer (Area Planning Officer (West)), Mrs J Moore
(Principal Planning Officer (East)), Mrs J M Jackson (Senior Solicitor) and
Mr R Bryant (Review Support Manager)

(The meeting commenced at 5.00 pm)

22. Apologies

The Mayor (Councillor Govier) and Councillor Morrell

23. Minutes

The minutes of the meeting held on 18 February 2004 were taken as read and were signed.

24. 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 development, subject to the standard conditions adopted by Minute No 86/1987 of the former Planning and Development Committee and such further conditions as stated:-

(Councillor Floyd declared a personal interest in the following application and left the meeting during its consideration).

38/2004/029

Erection of dwelling with integral garage and also a detached garage (to be used in connection with No 44) on land to north of 44 Haines Park, Taunton.

Conditions

- (a) C005 - outline - reserved matters;
- (b) C009 - outline - time limit;
- (c) C014 - time limit;
- (d) C013 - site levels;
- (e) C101 - materials;
- (f) C201 - landscaping;

- (g) C207 - existing trees to be retained;
- (h) C208A - protection of trees to be retained;
- (i) C215 - walls and fences;
- (j) C213 - hedge to be retained;
- (k) There shall be no construction works within 1m of the hedgerow which runs along the northern boundary;
- (l) Sufficient space for one garage and one parking space together with a vehicular access thereto shall be provided for each dwelling, before the new dwelling is occupied, in a position approved by the Local Planning Authority. The said spaces and accesses shall not be used other than for the parking of vehicles or for the purpose of access;
- (m) Any garage erected shall be at least 6m from the highway boundary;
- (n) Before the dwelling hereby permitted is first occupied, a properly consolidated and surfaced access shall be constructed (not loose stone or gravel), details of which shall have been submitted to, and approved in writing by, the Local Planning Authority;
- (o) The proposed access (or drive) shall incorporate splays on both its sides to the rear of the existing footway based on co-ordinates of 2m x 2m;
- (p) Any entrance gates erected shall be hung to open inwards and shall be set back a minimum distance of 4.5m from the carriageway edge;
- (q) There shall be no obstruction to visibility greater than 600mm above adjoining road level forward of a line drawn 2m back and parallel to the nearside carriageway edge over the entire site frontage of 44 Haines Park. Such visibility shall be fully provided before works commence on the erection of the dwelling hereby permitted and shall thereafter be maintained at all times;
- (r) Before the dwelling hereby permitted is first occupied, the existing access from Pikes Crescent shall be stopped-up and its use permanently abandoned in a manner to be agreed in writing with the Local Planning Authority.

(Notes to applicant:- (1) NO37 - drainage/water; (2) Having regard to the powers of the County Highway Authority under the Highways Act 1980, applicant was advised that a Section 184 Permit must be obtained from the Highway Services Manager, Taunton Deane Area. Application for such a permit should be made at least three weeks before access works are intended to commence; (3) The access hereby permitted shall not be brought into use until dropped kerbs have been installed at the carriageway edge and a vehicle crossover constructed across the footway fronting the site for the width of the access; (4) N111 - disabled access; (5) N112 - energy conservation; (6) N114 - meter boxes; (7) N115 - water conservation; (8) N118 - disabled access; (9) N118A - disabled access; (10) N024 - development in accordance with approved plans; (11) Applicant was advised to contact Wessex Water prior to the commencement of any works to agree connection points onto the Wessex Water system; (12) Applicant was advised that with regard to condition (f), the landscaping scheme should include the provision of a tree (for example rowan, field maple or whitebeam) in the north east corner of the site; (13) Applicant was advised to take care during construction to avoid causing nuisance to

neighbours; (14) Applicant was advised that there may be a subterranean stream crossing the site. This matter should be investigated prior to construction).

Reason for granting outline planning permission:-

The application site lay within the settlement limits of Taunton and it was considered that the proposal would not be prejudicial to highway safety or harm the character or appearance of the area. Therefore, the proposal was considered to accord with Taunton Deane Local Plan Revised Deposit Policy H1.

- (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:-

38/2004/016

Erection of two storey extension to Nursing Home, single storey glazed link, new parking area and hard and soft landscaping, Murley House Nursing Home, Wyvern Road, Taunton.

Conditions

- (a) C001 - time limit;
- (b) C102A - materials;
- (c) The existing hedge on the southern boundary of the application site shall be retained and shall be thickened with native hedgerow planting and new oak trees in accordance with a scheme which shall first be submitted to, and approved in writing by, the Local Planning Authority. Such approved scheme shall be completed before the development hereby permitted is occupied;
- (d) Before any part of the permitted development is commenced, a scheme for hard and soft landscaping of the new garden and the two new car parking areas shall be submitted to, and approved in writing by, the Local Planning Authority. Such scheme shall be completely implemented before the development hereby permitted is commenced.
(Note to applicant:- Applicant's attention is drawn to the possibility of liability for bridge and road maintenance).

Reason for granting planning permission:-

The proposed development would not adversely affect visual or residential amenity or road safety. Accordingly, the proposal did not conflict with Taunton Deane Local Plan Revised Deposit Policies S1, S2, M1, M2 and M3.

42/2004/002

Erection of two storey side extension at Sweethay Court, Sweethay, Trull

Conditions

- (a) C001 - time limit;

- (b) C102A - materials;
- (c) The highway boundary wall, where demolished to make way for the footings of the proposed front extension, shall be re-laid using the same stone materials, to the same height as existing and of the same design as the extension.

Reason for granting planning permission:-

The proposed development would not adversely affect residential or visual amenity and, accordingly, did not conflict with Taunton Deane Local Plan Revised Deposit Policies S1, S2 and H19.

47/2004/002

Demolition of cottage and erection of replacement dwelling, Pooles Cottage, Meare Green, Wrantage.

Conditions

- (a) C001 - time limit;
- (b) C101 - materials;
- (c) Before the development hereby permitted is first commenced, details of the surface treatment to the drive and turning area shall be submitted to, and approved in writing by, the Local Planning Authority;
- (d) C201 - landscaping;
- (e) Before any part of the development is commenced, detailed drawings shall be submitted to, and approved in writing by, the Local Planning Authority showing existing and proposed levels and contours of the site;
- (f) C215 - walls and fences;
- (g) All existing hedges shall be retained to the satisfaction of the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority;
- (h) P001A - no extensions;
- (i) P006 - no fencing;
- (j) P003 - no ancillary buildings;
- (k) C010 - drainage;
- (l) Details of proposed floor levels shall be submitted to, and approved in writing by, the Local Planning Authority before development commences.

(Notes to applicant:- (1) Applicant was advised that to drain the foul effluent from the development via septic tanks would be acceptable provided a Consent to Discharge from the Environment Agency under the Water Resources Act 1991, Schedule 10, is applied for and is granted. Applicant was further advised that during the Consent to Discharge application, they will need to demonstrate that:- (i) The foul drainage will be kept separate from clean surface and roof water; (ii) the soakaway(s) is/are located at a safe distance from any watercourse, any other foul soakaway or any source of water supply; and (iii) percolation tests on the irrigation area confirm adequate porosity in accordance with BS6297:83; (2) Applicant was advised to agree with Wessex Water, prior to the commencement of any works on

site, a connection onto Wessex Water infrastructure; (3) Applicant was advised that localised flooding occurred here in 2000, and was therefore further advised to design floor levels to take account of this).

Reason for granting planning permission:-

The proposed development would not adversely affect either visual or residential amenity and, accordingly, the proposal did not conflict with Taunton Deane Local Plan Revised Deposit Policies S1, S2 and H10.

- (3) Telecommunications Notification No TEL/02/2004. That the notification be approved for the installation of a 15m monopole mast with three antennas, 1 x 300mm dish and 1 x 600mm dish with radio equipment housing and ancillary development at land at Thornwater Farm, Thornfalcon, subject to satisfactory landscaping details being agreed.

Reason for the Telecommunications Notification being approved:-

The proposed mast was required to facilitate the growth of new and existing telecommunications systems and the impact on the visual amenity of the surrounding area was not considered to be detrimental, in accordance with the requirements of Taunton Deane Local Plan Revised Deposit Policies S1 and C13.

25. Erection of two storey and single storey extension, replacement timber store/garage, partial removal of wall to provide hardstanding and turning area, Trebles Holford, Seven Ash, Combe Florey (11/2004/003LB)

Reported this application.

RESOLVED that subject to the receipt of no representations raising new issues by 19 March 2004, the Chief Planning Officer be authorised to determine the application in consultation with the Chairman and, if listed building consent was granted, the following conditions be imposed:-

- (a) C002 - time limit - listed building;
 - (b) C103A - materials - listed building;
 - (c) Prior to commissioning, specific details of all new windows, doors (internal and external) and staircase shall be submitted to, and approved in writing by, the Local Planning Authority;
 - (d) C664 - windows - recessed;
 - (e) There shall be no bell casts to the rendered areas, to the windows or door heads;
 - (f) Details of the means of venting the roofs shall be submitted to, and approved in writing by, the Local Planning Authority;
 - (g) Details of the finished treatment to the joinery shall be submitted to, and approved in writing by, the Local Planning Authority.
- (Notes to applicant:- (1) N024 - development in accordance with approved plans; and (2) N065A - listed building).

Reason for listed building consent, if granted:-

The proposal was considered not to harm the character or appearance of the listed building and was sympathetic in design and materials to the original building, in accordance with Taunton Deane Local Plan Revised Deposit Policy EN18.

26. Erection of two storey and single storey extension, replacement timber store/garage, partial removal of wall to provide hardstanding and turning area, erection of stable, Trebles Holford, Seven Ash, Combe Florey (11/2004/004)

Reported this application.

RESOLVED that subject to the receipt of:-

- (1) No adverse views from the County Highway Authority; and
- (2) No letters of representation raising new issues by 19 March 2004, the Chief Planning Officer be authorised to determine the application in consultation with the Chairman and, if planning permission were granted, the following conditions be imposed:-
 - (a) C001 - time limit;
 - (b) C102A - materials;
 - (c) C201 - landscaping;(Notes to applicant:- (1) N024 - development in accordance with approved plans; (2) N040A - drainage/water; (3) N066 - listed building; (4) Applicant was advised that:- (a) The site should be drained on a separate system with all clean and surface water being kept separate from foul drainage; (b) All foul drainage, including foul surface water run-off, should be disposed of in such a way as to prevent any discharge to any well, spring or watercourse, including dry ditches with a connection to a watercourse; (c) Manure/dung heaps should be sited in an area where it/they will not cause pollution of any watercourse or water source by the release of contaminated run-off; (d) The subsequent storage and disposal of collected wastes should be undertaken in accordance with the MAFF Code of Good Practice for the Protection of Water and the Protection of Air).

Reason for planning permission, if granted:-

The proposal was considered not to harm the character or appearance of the listed building or harm the residential and visual amenity of the area, in accordance with Policies H19 and EN18 of the Taunton Deane Local Plan Revised Deposit.

27. Change of use to Hotel/Bed and Breakfast at Cornerwood House and Courtway, Norton Fitzwarren (now known as Trenchard Park Gardens (25/2002/017)

Reported that planning permission for this development had been granted on 19 August 2002.

In recent months, concerns had been raised by the Parish Council and the Ward Councillor that the use of Trenchard Park Gardens might be in breach of the planning approval in that it was now being used as a hostel for homeless people.

An investigation had taken place and it had become clear that whilst the application was being determined, the owner of the property had had discussions with other departments within Taunton Deane about providing accommodation for homeless people.

This had raised little concern at the time with the Chief Planning Officer as there were several examples of hotels/bed and breakfast establishments locally who also provided accommodation for homeless families.

However, it was now known that the Housing Department had been referring homeless persons to the existing hotel/bed and breakfast accommodation for some time, in the knowledge that it was being operated as a hostel.

In the view of the Council's Planning Solicitor, the existing use could well be exempt from planning enforcement action as the intended occupation of Trenchard Park Gardens by homeless people was "known" at the time planning permission was granted for the hotel/bed and breakfast use.

There was clearly corporate support for the current operation taking place at the premises, at least in terms of the Council's Housing Strategy. It was therefore felt that no further action from a planning view point should currently be taken.

RESOLVED that the report be noted.

(Councillor House declared a personal interest in the matter covered by Minute No 28 below and left the meeting during its consideration).

28. Unauthorised erection of front boundary wall/fence at 2 Meare Green, Stoke St Gregory

Reported that despite planning permission to retain a front boundary wall/fence at 2 Meare Green, Stoke St Gregory being refused at the end of December 2003, no action to remove the structure or reduce its height had been taken to date. Noted that the wall/fence adjoined the highway and was over 1m high.

RESOLVED that:-

- (a) Enforcement action be taken seeking either the removal or reduction in height of the wall/fence that formed the front boundary of 2 Meare Green, Stoke St Gregory; and
- (b) Subject to being satisfied with the evidence, the Solicitor to the Council institute legal proceedings should the Enforcement Notice not be complied with.

(Councillors Miss Cavill and Wedderkopp declared personal interests in the matter covered by Minute No 29 below, and both left the meeting during its consideration).

29. Unauthorised temporary covered walkway at Taunton School, Staplegrove Road, Taunton

Reported that in 1993, planning permission and listed building consent had been granted for the alteration and extension of the memorial hall and library at Taunton School, Staplegrove Road, Taunton to form an Arts Centre. Part of the approved scheme involved the conversion of the Memorial Hall to a theatre and the erection of a glazed covered link between the theatre and library to provide a foyer.

In 1995, listed building consent was granted for a temporary covered walkway to be provided until the glazed foyer was built. This temporary consent had since been renewed twice even though the other parts of the originally approved scheme had been implemented.

Further reported that in 2001, discussions had taken place with the School regarding a revised design of the foyer, but to date, no such amended scheme had been submitted.

As the "temporary" structure had been in place for nine years, it was felt that action should now be taken to seek its removal.

RESOLVED that:-

- (a) Listed building enforcement action be taken seeking the removal of the temporary covered walkway connecting the theatre to the library at Taunton School, Staplegrove Road, Taunton;
- (b) Subject to being satisfied with the evidence, the Solicitor to the Council institute legal proceedings should the Listed Building Enforcement Notice not be complied with; and
- (c) The Solicitor to the Council be also authorised to institute legal proceedings in respect of the unauthorised works undertaken to the listed structure.

(Councillors Floyd and Henley both left the meeting at 7.17 pm).

(The meeting ended at 7.31 pm).

11/2004/003LB

MR & MRS WATSON

**ERECTION OF TWO STOREY AND SINGLE STOREY EXTENSION, REPLACEMENT
TIMBER STORE/GARAGE, PARTIAL REMOVAL OF WALL TO PROVIDE
HARDSTANDING AND TURNING AREA, TREBLES HOLFORD, SEVEN ASH,
COMBE FLOREY**

14986/33016

LISTED BUILDING CONSENT-WORKS

PROPOSAL

This application went before the Committee on 3rd March, 2004 when permission was granted subject to no further representations by 19th March, 2004. The application is now before the Committee as one letter of objection has been received.

Erection of two-storey and single storey extension, replacement timber garage to side, partial removal of wall to provide hardstanding and turning area, and new stable. The two storey and single storey extension is to the side of the house attached by a small link. The extensions will provide space for a garage and games room with a study above. Materials for the extensions are to match existing. Materials for the garage will be timber with reclaimed clay tiles. The stable will be sited next to an existing stable. Materials for the stable will be timber, stone, and reclaimed clay tiles to match existing.

The application has come to the Planning Committee, as the applicant is a Borough Councillor.

A planning application has also been submitted (11/2004/004) and is later in this agenda.

CONSULTATIONS AND REPRESENTATIONS

CONSERVATION OFFICER pre application discussion re a similar scheme in late 2001. Concern reference the encroachment into orchard to north, addressed to some degree by current proposal. Main difference between schemes is the introduction of a two-storey element, single-storey games room previously discussed. The two-storey extension, due to its configuration, fenestration and scale, competes visually with the original dwelling. A single- storey games room, of natural unpainted stone and less fussy windows, linked to the existing house by a light-weight fully glazed structure, would assist in emphasizing the distinction between original house and ancillary structures. Objection as proposal stands. RIGHTS OF WAY OFFICER development will not affect footpath.

PARISH COUNCIL no objection in principle to application, assuming owner of Pennbridge Court is content with work being done on the end of his building; little justification given for the games room as house already has six bedrooms.

ONE LETTER OF OBJECTION raising the following:- objections to extension as north elevation shows boundary marked in wrong place; proposed garage eaves will overhang our property; drawings do not show that extension will be attached to existing dwelling that belongs to us; no agreement to attached building; proposal vastly extends building thus changing listed building and our converted stable from detached to semi-detached; massive extension, much higher than our existing dwelling; proposal will overlook our property and take away privacy; advised it will be an illegal act to build as drawn; new drawings will need to be submitted; no objection to new garage/store; a stone stable and wooden shelter have already been built, is another structure in the same field acceptable?

POLICY CONTEXT

Policy EN18 of the Taunton Deane Local Plan Revised Deposit allows extensions and alterations to Listed Buildings provided certain criteria are met, including: the design and materials must be sympathetic to the age, character and appearance of the building; extensions must not dominate the original building. Policies S1 (general requirements) and S2 (design) are also relevant to the application.

ASSESSMENT

The proposed timber garage replaces an existing garage and is set away from the house. The garage will also be screened by a group of existing trees. The proposed extension is set away from the main listed building by means of a small link. The new access will be screened by existing trees within the orchard and is considered not to impact on the setting of the listed building. The proposal is therefore not likely to adversely impact on the character or setting of the listed building, and despite the views of the Conservation Officer and is considered acceptable.

RECOMMENDATION

Consent be GRANTED subject to conditions of time limit, materials, specific details of new windows, doors (internal and external), new staircase, means of venting covered roofs, finished treatment of joinery, windows recessed, no bell casts to window or door heads. Notes re: compliance and planning permission.

REASON(S) FOR RECOMMENDATION: - The proposal is considered not to harm the character or appearance of the listed building and is sympathetic in design and materials to the original building, in accordance with Taunton Deane Local Plan Revised Deposit Policy EN18.

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:

11/2004/004

MR & MRS M WATSON

**ERECTION OF TWO STOREY AND SINGLE STOREY EXTENSION, REPLACEMENT
TIMBER STOREY GARAGE, PARTIAL REMOVAL OF WALL TO PROVIDE
HARDSTANDING AND TURNING AREA, ERECTION OF STABLE, TREBLES
HOLFORD, SEVEN ASH, COMBE FLOREY.**

14987/33015

FULL PERMISSION

PROPOSAL

This application went before the Committee on 3rd March, 2004 when permission was granted subject to no further representations by 19th March, 2004. The application is now before the Committee as one letter of objection has been received.

Erection of two storey and single storey extension, replacement timber garage to side, partial removal of wall to provide hardstanding and turning area, and new stable. The two storey and single storey extension is to the side of the house attached by a small link. The extensions will provide space for a garage and games room with a study above. Materials for the extensions are to match existing. Materials for the garage will be timber with reclaimed clay tiles. The stable will be sited next to an existing stable. Materials for the stable will be timber, stone, and reclaimed clay tiles to match existing.

The application has come to the Planning Committee, as the applicant is a Borough Councillor.

A listed building application has also been submitted (11/2004/003LB).

CONSULTATIONS AND REPRESENTATIONS

LANDSCAPE OFFICER no objection. CONSERVATION OFFICER pre application discussion re a similar scheme in late 2001. Concern reference the encroachment into orchard to north, addressed to some degree by current proposal. Main difference between schemes is the introduction of a two-storey element, single-storey games room previously discussed. The two-storey extension, due to its configuration, fenestration and scale, competes visually with the original dwelling. A single- storey games room, of natural unpainted stone and less fussy windows, linked to the existing house by a light-weight fully glazed structure, would assist in emphasizing the distinction between original house and ancillary structures. Objection as proposal stands. RIGHTS OF WAY OFFICER development will not affect footpath. ENVIRONMENT HEALTH OFFICER no objection subject to notes re; drainage; MAFF code of conduct.

PARISH COUNCIL no objection in principle to application, assuming owner of Pennbridge Court is content with work being done on the end of his building; little justification given for the games room as house already has six bedrooms.

ONE LETTER OF OBJECTION raising the following:- objections to extension as north elevation shows boundary marked in wrong place; proposed garage eaves will overhang our property; drawings do not show that extension be will attached to existing dwelling that belongs to us; no agreement to attached building; proposal vastly extends building thus changing listed building and our converted stable from detached to semi-detached; massive extension, much higher than our existing dwelling; proposal will over look our property and take away privacy; advised it will be an illegal act to build as drawn; new drawings will need to be submitted; no objection to new garage/store; a stone stable and wooden shelter have already been built, is another structure in the same field acceptable?

POLICY CONTEXT

Policy H19 allows extensions to dwellings provided the proposal does not harm the residential amenity of other dwellings; the form and character of the dwelling and is subservient to it in scale and design. Policy EN18 of the Taunton Deane Local Plan Revised Deposit allows extensions and alterations to Listed Buildings provided certain criteria are met, including: the design and materials must be sympathetic to the age, character and appearance of the building; extensions must not dominate the original building. Policies S1 (general requirements) and S2 (design) are also relevant to the application.

ASSESSMENT

The proposed timber garage replaces an existing garage and is set away from the house. The garage will also be screened by a group of existing trees. The proposed extension is set away from the main listed building by means of a small link. The new access will be screened by existing trees within the orchard and is considered not to impact on the setting of the listed building. The amenity of the neighbouring property will not be affected by this proposal. The stable is set into a slope adjoining an existing stable that will not have any visual impact on the area. The proposal is therefore not likely to adversely impact on the character or setting of the listed building, or upon the residential and visual amenity of the area and despite the views of the Conservation Officer and is considered acceptable.

RECOMMENDATION

Permission be GRANTED subject to conditions of time limit, materials, landscaping. Notes re: compliance, drainage, MAFF Code of Conduct and listed building consent.

REASON(S) FOR RECOMMENDATION: - The proposal is considered not to harm the character or appearance of the Listed Building or harm the residential and visual amenity of the area, in accordance with Policies H19 and EN18 of the Taunton Deane Local Plan Revised Deposit.

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:

19/2004/002

BEAUCHAMP COUNTRY HOUSE CARE

ERECTION OF RETIREMENT/CLOSE CARE UNIT ON LAND TO THE SOUTH WEST OF BEAUCHAMP BUNGALOW, HATCH BEAUCHAMP AS AMENDED BY AGENTS LETTER DATED 12TH MARCH, 2004 AND ATTACHED DRAWING NO. 4A

30140/20665

FULL PERMISSION

PROPOSAL

The proposal is for the erection of a new 2 bedroom dwelling to the rear of Beauchamp Bungalow for use as a retirement/close care unit in association with Beauchamp Nursing Home which lies directly to the north of the site. The unit would be sited adjacent to the walled garden where newly built retirement/close care units are situated. The unit would be constructed with render walls and double roman tiles, to match the existing bungalow. There would be a pedestrian access through the walled garden into the main Hatch Beauchamp Nursing Home site. Access would be via the existing vehicular access. The walls to the front of the access would be reduced in height to 900mm to allow for improved visibility to the north. There would be three parking spaces with an area of land between them and the highway for use as a turning area so that cars can leave in a forward gear.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY no objection subject to conditions. COUNTY ARCHAEOLOGIST no objection. WESSEX WATER the Borough Council must be satisfied with the foul and surface water drainage for the site. There is mains water available in the vicinity of the site.

LANDSCAPE OFFICER the proposed tree felling will have limited impact on the local amenity of the area in what is a discreet local landscape. To offset this loss of amenity I suggest 2 wild cherry 8-10 m from the proposed dwelling. CONSERVATION OFFICER views awaited. DRAINAGE OFFICER soakaways should be constructed in accordance with Building Research Digest 365 (Sept 1991); an existing surface water culvert passes through the grounds of the adjacent property. Its position should be found to ensure this development is kept away from it.

PARISH COUNCIL objects to the proposal, the access is inadequate to serve the proposed dwelling.

POLICY CONTEXT

Somerset and Exmoor National Park Joint Structure Plan Review policy 49 requires proposals for development to be compatible with the existing transport infrastructure, or, if not, provision should be made for improvements to infrastructure to enable

development to proceed. Taunton Deane Local Plan Revised Deposit policies:- S1 All proposals for development, taking account of any mitigation measures proposed, will be required to meet the following criteria, in addition to any other Development Plan policies which apply in a particular case: (A) additional road traffic arising, taking account of any road improvements involved, would not lead to overloading of access roads, road safety problems or environmental degradation by fumes, noise, vibrations or visual impact; (D) the appearance and character of any affected landscape, settlement, building or street scene would not be harmed as a result of the development; H1 Housing development will be permitted within defined limits of settlements providing (G) 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; M3a Residential development will be permitted provided that off - street parking is provided in convenient locations capable of natural surveillance at a standard not exceeding 1.5 parking spaces per dwelling.

ASSESSMENT

Permission was granted in 2003 for the conversion of the adjacent bungalow into three units of accommodation served off the existing access with three parking spaces. This proposal has now been amended by a more recent application (this year) that has reduced the conversion of the existing bungalow to two dwellings. The current proposal, (in association with the conversion to two units) is for the construction of a third unit in the garden area of the bungalow adjacent to the walled garden. The use of the dwellings would be linked to the adjacent Hatch Beauchamp Nursing Home with pedestrian access through a gateway in the walled garden. As a result, if allowed the proposed unit would create the same number of dwellings (3) served off the existing access as established in the 2003 permission. The County Highway Authority have requested the reduction in the height of the roadside wall and the provision of a turning area to the front of the parking spaces to ensure that cars can enter and leave the site in a forward gear and an amended plan has now been received that indicates this. Three parking spaces are considered adequate for this proposal due to the nature of the proposed use and the link with Hatch Beauchamp Nursing Home. Proposal considered acceptable.

RECOMMENDATION

Permission be GRANTED subject to conditions of time limit, materials, landscaping, access to be constructed in accordance with submitted plan, proposed access hardsurfaced, entrance gates to open inwards and set back, gradient of access, parking and turning spaces as on the plan, drainage of drive, ancillary to Nursing Home, alternative permission (to the existing permission to convert the bungalow into three units), hedge on eastern boundary retained, reduction in height of boundary walls. Notes re permit for highway works, disabled access, energy conservation, meter boxes, lifetime homes, secure by design.

REASON(S) FOR RECOMMENDATION:- The proposal is located within the settlement limits of a recognised village with acceptable impact on the surrounding area, neighbouring occupants and highway access and is considered to be in accordance with the Somerset and Exmoor National Park Joint Structure Plan Review Policy 49 and Taunton Deane Local Plan Revised Deposit Policies S1 and H1.

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:

21/2004/005

MR V BIGG

ERECTION OF EXTENSIONS, AND ALTERATIONS TO INCREASE HEIGHT AND SIZE OF SKITTLE ALLEY TO FORM 8 NO. HOLIDAY UNITS IN CONJUNCTION WITH PUBLIC HOUSE, THE MARTLETT INN, LANGFORD BUDVILLE AS AMPLIFIED BY AGENTS LETTER RECEIVED 9TH FEBRUARY, 2004

11071/22739

FULL PERMISSION

PROPOSAL

The proposal is for extensions and alterations to an existing skittle alley to form 8 holiday units in conjunction with the public house. The skittle alley is a single storey building to the rear of the public house. The extension measures 21 m x 6 m x 7.2 m to the ridge, with a staircase at the rear. A balcony is proposed along the south west elevation that looks onto the car park. The north east elevation has only two rooflights serving two bathrooms. Materials are to be submitted.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY would not like to see residential units on site; holiday units will generate less vehicular movements than the present skittle alley, therefore from a highway point of view there is no objection to proposal. WESSEX WATER prior to commencement of any works on site, a connection onto Wessex Water infrastructure should be agreed.

ENVIRONMENTAL HEALTH OFFICER no objection. TOURISM OFFICER support application as current accommodation stock in Langford Budville area totals one establishment at the other end of the scale being a 3 star luxury hotel; proposal will fill gap in accommodation stock and is located well for local tourist attractions and countryside area; proposal is also supported by the Taunton Deane Tourism Strategy 1999-2004.

FOUR LETTERS OF OBJECTION raising the following:- building another floor with veranda will overlook our property and garden; plans show trees in front of proposal, no trees at the moment, how long will trees take to grow; if the venture fails will permission be sought to turn them into residential; concern that people will sit on veranda playing loud music during the daytime; increased noise and disturbance as arrival and departure times will be unpredictable as surface of car park is rough and uneven; children staying will play in the play area in the pub garden; concerned over loss of amenity of skittle alley which is an integral part of Somerset pubs; loss of part of our local culture and tradition; application refers to 6 units when plans show 8; proposal would not appeal to families; detrimental to ambience of rural village; poor visibility as car park has no visibility splay, making potentially dangerous situation even worse; additional traffic would be hazardous and create more noise.

POLICY CONTEXT

Policy EC18 of the Taunton Deane Local Plan Revised Deposit allows tourist accommodation to be built subject to criteria including: the proposal is within a classified settlement; there would be no harm to the natural or built landscape; the proposal is accessible. Policies S1 (General Requirements) and S2 (Design) are also relevant.

Policy WD/RT/15 of the West Deane Local Plan allows improvements to existing tourist facilities provided: there is an increase in the quantity or quality of facilities available to the tourist or local residents; extends the tourist season of the facility

ASSESSMENT

The proposal is to the rear of the existing public house where the skittle alley is at present. As the proposal is to the rear it will have little impact on the village, from the roadside. A landscaping condition will be attached to the approval to allow some screening of the building at the side. It is not considered that the proposal will create any more noise than the existing pub or skittle alley, and there are no objections from the Environmental Health Officer. The County Highway Authority also has no concerns, raising the point that the number of vehicular traffic movements will be less than existing. The balcony on the side of the building will face towards the garden of one of the objectors. Given the distance to the garden (approximately 40 m) and that the balcony is there to provide access to the first floor rooms, any overlooking will be kept to a minimum. The north east elevation looks onto fields with agricultural buildings and a barn, there are no residential properties to this elevation. A condition will be attached to the approval restricting the occupation to holiday makers only. Not considered to have an adverse effect on visual or residential amenities.

RECOMMENDATION

Permission be GRANTED subject to conditions of time limit, materials to be submitted, occupancy condition, landscaping, no windows on north east elevation. Notes re: compliance, building over sewer, energy conservation, water conservation, further extensions will need planning permission.

REASON(S) FOR RECOMMENDATION:- The proposal will not harm the visual or residential amenities of the area. It will improve tourist facilities in the area in accordance with Taunton Deane Local Plan Revised Deposit Policies S1, S2, and EC18 and West Deane Local Plan Policy WD/RT/15.

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:

23/2004/007

MIKE & GAY BROOK

CHANGE OF USE FROM CONFERENCE ROOM TO DWELLING, RETENTION OF BATHROOM EXTENSION AND REMOVAL OF SPIRAL STAIRCASE, BARN 1, COURT FARM, MILVERTON AS AMENDED BY

11305/26002

FULL PERMISSION

PROPOSAL

The former barn has previously been converted to a seminar/lecture hall in connection with the adjacent herb company. The current proposal is for use of the building as a dwelling and retains the building as existing other than the removal of the spiral staircase, which is unauthorised. The bathroom extension is also unauthorised and the current application seeks its retention. The extension is at first floor level on 'stilts', measures 2.7 m x 4.2 m and is of timber construction. See also next item.

CONSULTATIONS AND REPRESENTATIONS

CONSERVATION OFFICER see next item.

PARISH COUNCIL no objection to the change of use or the removal of the spiral staircase. However they do not feel that the extension is in keeping with the barn.

POLICY CONTEXT

Policy 9 of the Somerset and Exmoor Park Joint Structure Plan Review states that the setting, local distinctiveness and variety of buildings and structures of architectural or historical interest should be maintained and where possible enhanced.

Policy WD/EC/18 of the West Deane Local Plan states that the alteration or conversion of a listed building will normally only be permitted where certain criteria are met. It is considered that the criteria are met with the current proposal.

Policy EN18 of the Taunton Deane Local Plan Revised Deposit states that the change of use, alteration, conversion or extension of a listed building will not be permitted unless certain criteria are met. It is considered that the criteria are met with the current proposal.

ASSESSMENT

The relationships between the building and the adjacent dwelling are considered to be acceptable. The bathroom extension is tucked away to the side of the building adjacent to an area of trees. The Conservation Officer raises no objection and I consider that in view of that the proposal is acceptable. It does not have a sufficiently detrimental impact on the building, which is listed by virtue of curtilage to justify refusal.

RECOMMENDATION

Subject to the receipt of satisfactory amplifying plans, 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 and removal of GPDO rights for extensions, ancillary buildings, doors/windows and means of enclosure. Note re listed building consent.

REASON(S) FOR RECOMMENDATION:- the proposal is considered to comply with Policy EN18 of the Taunton Deane Local Plan Revised Deposit for the change of use, alteration and extension of the listed building.

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:

23/2004/008LB

MIKE & GAY BROOK

RETENTION OF BATHROOM EXTENSION AND REMOVAL OF SPIRAL STAIRCASE, BARN 1, COURT FARM, MILVERTON

11305/26002

LISTED BUILDING CONSENT-WORKS

PROPOSAL

The former barn has previously been converted to a seminar/lecture hall in connection with the adjacent herb company. The current proposal is for use of the building as a dwelling and retains the building as existing other than the removal of the spiral staircase, which is unauthorised. The bathroom extension is also unauthorised and the current application seeks its retention. The extension is at first floor level on 'stilts', measures 2.7 m x 4.2 m and is of timber construction. See also next item.

CONSULTATIONS AND REPRESENTATIONS

CONSERVATION OFFICER no objection. Important that the spiral staircase be conditioned for removal within a short period (6 months) to rectify the impact on the character of the barn.

PARISH COUNCIL no objection to the change of use or the removal of the spiral staircase. However they do not feel that the extension is in keeping with the barn.

POLICY CONTEXT

Policy 9 of the Somerset and Exmoor National Park Joint Structure Plan Review states that the setting, local distinctiveness and variety of buildings and structures of architectural or historical interest should be maintained and where possible enhanced.

Policy WD/EC/18 of the West Deane Local Plan states that the alteration or conversion of a listed building will normally only be permitted where certain criteria are met. It is considered that the criteria are met with the current proposal. Policy EN18 of the Taunton Deane Local Plan Revised Deposit states that the change of use, alteration, conversion or extension of a listed building will not be permitted unless certain criteria are met. It is considered that the criteria are met with the current proposal.

ASSESSMENT

The relationships between the building and the adjacent dwelling are considered to be acceptable. The bathroom extension is tucked away to the side of the building adjacent to an area of trees. The Conservation Officer raises no objection and I consider that in view of that the proposal is acceptable. It does not have a sufficiently detrimental impact on the building, which is listed by virtue of curtilage to justify refusal.

RECOMMENDATION

Subject to the receipt of satisfactory amplifying plans, the Chief Planning Officer in consultation with the Chair/Vice Chair be authorised to determine and consent be GRANTED be subject to conditions of time limit and removal of the spiral staircase within 6 months. Note re planning permission.

REASON(S) FOR RECOMMENDATION:- The proposal is considered to comply with Policy EN18 of the Taunton Deane Local Plan Revised Deposit for the change of use, alteration and extension of the listed building.

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:

36/2004/003

MR C J PINE & MRS J C PINE

ERECTION OF STORAGE AND LIVESTOCK BUILDING (A) AT MEARE GREEN FARM, FROG LANE, STOKE ST GREGORY.

33380/26620

FULL PERMISSION

PROPOSAL

This proposal is one of two current proposals for the erection of a total of two new agricultural buildings adjacent to each other. This application is for the erection of an agricultural building measuring 26 m x 18.4 m x 6.6 m(h). The building would be constructed of low concrete walling with timber spaced boarding above and a fibre cement roof. The south eastern elevation will be open and the south western elevation will have four sheeted doors. The buildings are to be used for agricultural storage and livestock purposes. The building would be sited to the north of the existing agricultural buildings forming part of the yard complex for the farm. The existing access would be used as at present.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY views awaited. SOMERSET WILDLIFE TRUST given the application site is a relatively short distance away from the Curry and Hay Moors SSSI the Authority should consult English Nature, the slurry lagoon on the site should be of sufficient size to accommodate both foul and surface water, any planting on the new bund should be of native species. ENVIRONMENT AGENCY views awaited. ENGLISH NATURE views awaited

PARISH COUNCIL raise no objection to the principle of the proposal but are concerned that the following matters should be resolved: - The footpath is obstructed by a post and rail fence. Users of the footpath have to either climb a fence or exit via a gate into a muddy yard at the bottom of the drove. This matter has been reported to the footpaths officer; the condition of Frog Lane, where it leaves North Curry - Stoke St Gregory road is effected by effluent from the silage clamp leaking onto the road and corroding the surface of the road. Tractors moving between the silage clamps and the cattle yard have compounded this problem. As a result we feel that all traffic movements should be contained within the site and the effluent should be properly piped from the silage clamp to the pumping station. Residents are obliged to use a car to collect their children from the bus, as the road is too muddy to walk down. On two previous occasions the Council has raised concerns about car parking at the site and the planning permission granted in 2003 for the provision of a new access and the provision of a tanker-turning circle would have improved the situation. This new access area is smaller than approved and the tanker turning circle is marked with parking spaces for the new offices and business activities. It was understood that the farm wished to separate out the farm uses from the residential and commercial uses. In association with this application, the Council request that plans should be provided showing a new access off Frog lane with a tanker turning area, separate from the car park if possible, a new internal track from the slurry

pit to the new buildings that does not involve driving over the Frog Lane and that these access/turning area should be provided prior to the commencement of development on the new building.

1 LETTER OF OBJECTION has been received raising the following points:- the movement of traffic around the farm leads to a build up of effluent and slurry over the public highway, as the proposal will result in additional livestock on the farm this will increase the current problem even further and traffic movement around the farm via Frog Lane should be sorted out now.

POLICY CONTEXT

Somerset And Exmoor National Park Joint Structure Plan Review policy STR6 requires all development outside Towns, Rural Centers and Villages to be strictly controlled and restricted to that, which benefits economic activity, maintains or enhances the environment and does not foster growth in the need to travel. Policy 49 requires proposals for development to be compatible with the existing transport infrastructure, or, if not, that provision should be made for improvements to infrastructure to enable development to proceed. Taunton Deane Local Plan Revised Deposit policy S1 requires all proposals for development, taking account of any mitigation measures proposed, to meet the following criterion, in addition to any other Development Plan policies which apply in a particular case: (A) additional road traffic arising, taking account of any road improvements involved, would not lead to overloading of access roads, road safety problems or environmental degradation by fumes, noise, vibrations or visual impact. Policy S8 states that outside defined settlement limits, new building will not be permitted unless it maintains or enhances the environmental quality and landscape character of the area and (A) is for the purposes of agriculture or forestry; (D) supports the vitality and viability of the rural economy in a way which cannot be sited within the defined limits of a settlement. New structures or buildings permitted in accordance with this policy should be designed and sited to minimise landscape impact, be compatible with a rural location and meet the following criteria where practicable: - (E) avoid breaking the skyline; (F) make maximum use of existing screening; (G) relate well to existing buildings; and (H) use colours and materials which harmonise with the landscape.

ASSESSMENT

The proposed agricultural building has a good functional relationship to the existing farm buildings. The barns are in a position where internal access to the silage clamp could be provided and this would avoid an increase in the use of Frog Lane. Recent barn conversions on the site for office or residential use have resulted in the removal of a large agricultural building located adjacent to Frog Lane so the overall increase in floor space is minimal. The permission for an alternative access and tanker turning area has not been implemented on site. This was a separate application that was not linked to the implementation of other permissions. Generally the tanker arrives early in the morning and turns in the parking area before the employees have arrived by car. The applicants agent has stated that there will be no change in the milk tanker' collection schedule as a result of this application and the current situation will not be made worse. The farm buildings have a similar design and materials to the existing and the creation

of a planted bund to the north west will minimise the impact of the proposal on the surrounding area. Proposal considered acceptable.

RECOMMENDATION

Subject to the receipt of no objections from the County Highway Authority, English Nature and the Environment Agency, 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, internal access road.

REASON(S) FOR RECOMMENDATION:- The proposed agricultural building is considered to be in accordance with Somerset and Exmoor National Park Joint Structure Plan Review Policy STR6 and Taunton Deane Local Plan Revised Deposit Policies S1 and S8.

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:

36/2004/004

MR C J PINE & MRS J C PINE

ERECTION OF STORAGE AND LIVESTOCK BUILDING (B) AT MEARE GREEN FARM, FROG LANE, STOKE ST GREGORY.

33380/26620

FULL PERMISSION

PROPOSAL

This proposal is one of two current proposals for the erection of a total of two new agricultural buildings adjacent to each other. This proposal is for the erection of an agricultural building measuring 26 m x 12 x 6.6m (h). The building would be constructed of low concrete walling with timber spaced boarding above and a fibre cement roof. The south eastern elevation will be open and the south western elevation will have four sheeted doors. The buildings are to be used for agricultural storage and livestock purposes. The building would be sited to the north of the existing agricultural buildings forming part of the yard complex for the farm. The existing access would be used as at present.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY views awaited. SOMERSET WILDLIFE TRUST given the application site is a relatively short distance away from the Curry and Hay Moors SSSI the Authority should consult English Nature, the slurry lagoon on the site should be of sufficient size to accommodate both foul and surface water, any planting on the new bund should be of native species. ENVIRONMENT AGENCY views awaited. ENGLISH NATURE views awaited

PARISH COUNCIL raise no objection to the principle of the proposal but are concerned that the following matters should be resolved: - The footpath is obstructed by a post and rail fence. Users of the footpath have to either climb a fence or exit via a gate into a muddy yard at the bottom of the drove. This matter has been reported to the footpaths officer; the condition of Frog Lane, where it leaves North Curry - Stoke St Gregory road is effected by effluent from the silage clamp leaking onto the road and corroding the surface of the road. Tractors moving between the silage clamps and the cattle yard have compounded this problem. As a result we feel that all traffic movements should be contained within the site and the effluent should be properly piped from the silage clamp to the pumping station. Residents are obliged to use a car to collect their children from the bus, as the road is too muddy to walk down. On two previous occasions the Council has raised concerns about car parking at the site and the planning permission granted in 2003 for the provision of a new access and the provision of a tanker-turning circle would have improved the situation. This new access area is smaller than approved and the tanker turning circle is marked with parking spaces for the new offices and business activities. It was understood that the farm wished to separate out the farm uses from the residential and commercial uses. In association with this application, the Council request that plans should be provided showing a new access off Frog lane with a tanker turning area, separate from the car park if possible, a new internal track from the slurry

pit to the new buildings that does not involve driving over the Frog Lane and that these access/turning area should be provided prior to the commencement of development on the new building.

1 LETTER OF OBJECTION has been received raising the following points:- the movement of traffic around the farm leads to a build up of effluent and slurry over the public highway, as the proposal will result in additional livestock on the farm this will increase the current problem even further and traffic movement around the farm via Frog Lane should be sorted out now.

POLICY CONTEXT

Somerset and Exmoor National Park Joint Structure Plan Review policy STR6 requires all development outside Towns, Rural Centres and Villages to be strictly controlled and restricted to that which benefits economic activity, maintains or enhances the environment and does not foster growth in the need to travel. Policy 49 , requires proposals for development to be compatible with the existing transport infrastructure, or, if not, that provision should be made for improvements to infrastructure to enable development to proceed. Taunton Deane Local Plan Revised Deposit policy S1 requires all proposals for development, taking account of any mitigation measures proposed, to meet the following criterion, in addition to any other Development Plan policies which apply in a particular case:- (A) additional road traffic arising, taking account of any road improvements involved, would not lead to overloading of access roads, road safety problems or environmental degradation by fumes, noise, vibrations or visual impact. Policy S8 states that outside defined settlement limits, new building will not be permitted unless it maintains or enhances the environmental quality and landscape character of the area and (A) is for the purposes of agriculture or forestry; (D)supports the vitality and viability of the rural economy in a way which cannot be sited within the defined limits of a settlement. New structures or buildings permitted in accordance with this policy should be designed and sited to minimise landscape impact, be compatible with a rural location and meet the following criteria where practicable:- (E) avoid breaking the skyline; (F) make maximum use of existing screening; (G) relate well to existing buildings; and (H) use colours and materials which harmonise with the landscape.

ASSESSMENT

The proposed agricultural building has a good functional relationship to the existing farm buildings. The barns are in a position where internal access to the silage clamp could be provided and this would avoid an increase in the use of Frog Lane. Recent barn conversions on the site for office or residential use have resulted in the removal of a large agricultural building located adjacent to Frog Lane so the overall increase in floor space is minimal. The permission for an alternative access and tanker turning area have not been implemented on site. This was a separate application that was not linked to the implementation of other permissions. Generally the tanker arrives early in the morning and turns in the parking area before the employees have arrived by car. The applicants agent has stated that there will be no change in the milk tanker' collection schedule as a result of this application and the current situation will not be made worse. The farm buildings have a similar design and materials to the existing and the creation

of a planted bund to the north-west will minimise the impact of the proposal on the surrounding area. Proposal considered acceptable.

RECOMMENDATION

Subject to the receipt of no objections from the County Highway Authority, English Nature and the Environment Agency, 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, internal access road.

REASON(S) FOR RECOMMENDATION:- The proposed agricultural building is considered to be in accordance with Somerset and Exmoor National Park Joint Structure Plan Review Policy STR6 and Taunton Deane Local Plan Revised Deposit Policies S1 and S8.

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:

38/2004/024CA

GADD HOMES LTD

DEMOLITION OF FORMER FOUR ALLS PUBLIC HOUSE, CORPORATION STREET, TAUNTON.

22528/24454

C.A. CONSENT - DEMOLITION OF UNLISTED BUILDING IN C.A.

PROPOSAL

The proposal seeks the demolition of the former Four Alls public house whilst not listed, this is an important and prominent landmark building. The demolition application should be considered in relation to the redevelopment proposals (see application 38/2004/025).

CONSULTATIONS AND REPRESENTATIONS

CONSERVATION OFFICER (1) Four Alls a "landmark" building on the approach to Taunton from the west. (2) Whilst not of listable quality, it does make a positive contribution to the street scene and Conservation Area and is a good neighbour to the adjacent former Dragon Bookshop - a Grade II listed building. (3) PPG15 quite rightly advises that "the general presumption should be in favour of retaining buildings which make a positive contribution to the character or appearance of a conservation area". The advise goes on to say that when considering such proposals, the criteria in respect of demolition of listed buildings, should apply. In addition, "consent for demolition should not be given unless there are acceptable and detailed plans for any redevelopment". (4) the concurrent application for redevelopment of the site, does not address the above advice and more importantly, in my opinion, has not produced an acceptable scheme such as to justify demolition of the Four Alls - see observations on 38/2004/025. Objection raised.

RIGHTS OF WAY OFFICER the footpath will not be affected however the demolition works must not affect the continuous use of the footpath. Barriers should be erected to conform to Health and Safety legislation.

POLICY CONTEXT

The proposal should be considered against the requirements of Taunton Deane Local Plan Revised Deposit Policy EN16 - There is a strong presumption against the demolition of buildings which make a positive contribution to the character or appearance of a Conservation Area. Proposals involving the demolition of other buildings within or affecting a Conservation Area will not be permitted unless acceptable proposals for any redevelopment or new use for the site have been approved. This requirement will also apply in the very rare circumstances where proposals involving demolition of buildings which make a positive contribution are allowed.

ASSESSMENT

The building undoubtedly makes a positive contribution to this part of Taunton. The demolition would also affect the setting of the adjacent listed building. Therefore its demolition should only be accepted in the exceptional circumstances where a reasoned justification is provided and the proposed redevelopment is of such quality that it outweighs any loss from demolition. This is certainly not such a case.

RECOMMENDATION

Permission be REFUSED for reason of the building making a positive contribution to the character of the Conservation Area and the setting of the adjacent listed building. In the absence of suitable redevelopment proposals there is a strong presumption against its demolition.

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

CONTACT OFFICER: 356464 MR T BURTON

NOTES:

38/2004/025

GADD HOMES LIMITED

DEMOLITION OF EXISTING BUILDING AND ERECTION OF FIVE STOREY BUILDING COMPRISING 2 OFFICE SUITES & 21 FLATS AT FOUR ALLS PUBLIC HOUSE, CORPORATION STREET, TAUNTON.

22528/24454

FULL PERMISSION

PROPOSAL

The proposal seeks the demolition of the former Four Alls public house and its replacement with a mixed use building accommodating 21 flats and two office suites. The proposed building is five storeys in height with access to semi-basement car parking from Corporation Street.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY there is no visibility at the proposed accesses. Also the accesses are too close to the roundabout and the pedestrian crossing. Therefore I would recommend that this application be refused on highway grounds for the following reasons:- 1. The formation of an access together with the introduction of conflicting traffic movements on Corporation Street such as would be generated by the proposed development would be prejudicial to road safety. 2. The proposed accesses onto Corporation Street do not incorporate the necessary visibility splays which are essential in the interests of highway safety. COUNTY ARCHAEOLOGIST the site lies within an Area of High Archaeological Potential as defined by the Local Plan (Policy EN24). It lies in the area identified by the English Heritage Extensive Urban Survey as being part of the Saxon town and burials have been discovered very close to the proposal site. Although it is accepted that there may be disturbance to the remains in this area it is likely that significant archaeology will be impacted by this proposal. However, at present the application contains insufficient information concerning the effects on remains. For this reason I recommend that the applicant be asked to provide further information on any archaeological remains on the site prior to the determination of this application. This is likely to require a field evaluation and I am happy to provide a specification for this work and a list of suitable archaeologists to undertake it. ENGLISH HERITAGE no information has been supplied on the existing building, which appears to date from the late 19th or early 20th century, and is brick and tile hung, with a banded clay tiled roof with ornate crestings. It has a moulded stone ground floor facade to the public house with a projecting timber bay on carved brackets above. The roof has several gables with ornate stone dressings to the oculi. The whole appears as a well-mannered but quite ornate example of a building of the period. It undoubtedly makes a positive contribution to the conservation area, enhanced by its key corner location at the convergence of Corporation St and The Crescent, looking out onto Park St, opposite County Hall. The applicants have provided no justification for the demolition in the terms required by PPG15, paragraphs 3.16-3.19 and 4.27, other than a brief mention of lack of viability. This is inadequate for a building whose presence enhances the appearance of the conservation area. English Heritage therefore objects to the demolition of this building. I

also have concerns regarding the replacement structure and in particular its scale in relation to the adjacent buildings of note, as well as its rather bland elevation treatment. This will harm the appearance of the conversation area when compared with the qualities of the existing described above.

CONSERVATION OFFICER (1) Demolition of Four Alls not justified in accordance with PPG15 - see observations on 38/2004/024CA. (2) Design statement lacking in detail and substantive justification for approach advocated. (3) Archaeological assessment required. (4) Principle of redevelopment - retain Four Alls or note - to be welcomed/encouraged (such would be even better if the adjoining single storey buildings on Corporation Street, were also included, hence providing a comprehensive scheme). (5) I have not considered the details of the proposal, as these are principle concerns reference the scale, massing, density, overdevelopment and un neighbourliness of the scheme. Objection raised. ARCHITECTURAL ADVISOR the site is located on the western edge of the Conservation Area. No. 14 The Crescent is a Listed Building which, together with Nos. 17/19 Bath Place, form an interesting group of predominantly two-storey vernacular brick buildings. The Four Alls Public House is a larger two-storey Arts and Crafts style building with good detailing, mouldings, etc. The site and building are extremely prominent, approaching Taunton town centre from the west. If the existing Public House is to be demolished, then an exemplary modern building on this prime site is essential. I consider that the 5 no. storey building proposed is not justified although the top storey is set back slightly. In the past, other new buildings in the vicinity have been limited to 3 no. storey and some of the design solutions have unfortunately been rather drab or mundane to say the very least. I am not convinced that the relationship of the new building, scale, mass etc have been fully considered and explored, and feel that it is unsympathetic and will totally dominate/dwarf the small scale buildings adjacent to Bath Place and Corporation Street, which form part of the intrinsic charm and character of the Conservation Area and Bath Place. It is also difficult to judge the impact of the new building without some three dimensional representation, which would help to show its relationship with the existing properties more clearly, as well as the courtyards/spaces formed and the modelling of the facades.

TOWN CENTRE PARTNERSHIP the scale of this proposed building is out of proportion and context with its surroundings, and I would suggest not entirely fitting with the area as a conservation area. I appreciate that at this key entry point to the town centre it is important to have a landmark building but I think it is important that the building should not dwarf its neighbours. The scale of the Bath Place buildings and the building occupied by Sally Edwards cafe are I believe entirely dwarfed by this proposal. May I also ask that in any future proposal for this site the entry point to Bath Place, off The Crescent should be part of the enhancement.

CIVIC SOCIETY in respect of the proposals for the demolition and redevelopment of the old Four Alls, latterly the George; the committee of Taunton and District Civic Society are dismayed by what looks to be a case of gross overdevelopment. Furthermore, we are strongly against the removal of the frontage of the public house for several reasons. The Four Alls building has a long history; in the 1890s, when it had to make way for the building of Corporation Street, it was considered important enough to be carefully demolished and rebuilt in its present position. It appears in Harry Friers' painting, it is part of the Heritage Trail, and one of its old signs hangs in the Somerset County

Museum. Viv Richards and Ian Botham both liked to drink there, so it is part of Taunton's cricketing history as well. More importantly, the planned redevelopment would be an unpleasant neighbour to the remaining cottages, both 'Corsetry Cottage' in Bath Place, to which it would abut, and the ark, presently housing Sally Edwards restaurant, one of our oldest buildings whose distinctive but diminutive gable end could so easily be swamped by this insensitive plan. The scale of the proposed building, even after an amendment reducing the building to five storeys, is far too overwhelming for that particular site, and is just as out of scale on the less sensitive Corporation Street side. One of our members has pointed out that it would completely block the sun from Corporation Street for much of the day. This site is a main gateway to Taunton's town centre from the west, and is approached from several directions. Whereas the existing building is a warm looking, rather quirky and utterly unique introduction to the town, we can only consider the proposed development to be an oversized bulk, lacking aesthetic integrity. We urge you to insist on a development more fitting for this high profile, sensitive site.

BATH PLACE COMMUNITY ASSOCIATION with the large change envisaged for this area of Corporation Street/Bath Place with the demise of the above, our Association wonder if the developers could be asked to contribute to the enhancement cum possible pedestrianisation of the Crescent end of Bath Place? We are aware Bath Place is a public highway until the first tunnel but, there are many times a day when accommodating cars, pedestrians and wheelchairs is a very risky affair. I attach a photocopy of a plan dated 1998 that was once put forward for the enhancement of the Crescent end of Bath Place. Secondly, Bath Place is in need of new lighting throughout the whole street- removing the present uplighters and replacing them with down lighters, lights have been identified for this purpose but the money required is not available. Thirdly, back in 2002 our Association had designed a wrought iron sign for the Crescent end of Bath Place, copy attached. Planning permission has not been sort, as the landlords of the Four Alls/George Pub would not countenance an approach until a solution to their property was found. Roger Hagley (Heritage -C/Council?) has seen the design and even suggested that lighting under the sign would work well.

FIVE LETTERS AND E-MAILS RAISING OBJECTION on the following grounds:- continued loss of landmark buildings in the town; impact on access to Unison House; building should be preserved; will dominate Dragon Bookshop building and entrance to Bath Place; parking problem; scale inappropriate; monolithic; building should be reused.

POLICY CONTEXT

The proposal needs to be judged against Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review in respect of highway safety. In terms of new housing Policy H1 of the Taunton Deane Local Plan Revised Deposit is relevant - Housing development will be permitted within defined limits of settlements, provided that: (A) there is safe and convenient access by or on foot to facilities and employment. In the case of proposals of a significant scale, bus or walking access to a town centre or rural centre will be required, taking account of any off-site works proposed in accordance with criteria (B); (B) necessary provision is made for off-site public transport, cycling and pedestrian facilities and highway improvements to cater safely for the expected number of trips generated by the development and minimise the proportion of car trips; (C) traffic calming, pedestrian, cycle and bus measures are

incorporated where necessary to give priority to safe and convenient access and circulation by means other than the car; (E) the layout allows people with impaired mobility or a disability safe and convenient access and movement to and between dwellings by careful positioning of potential obstructions, ramps, dropped kerbs, textured surfaces and reserved car parking;(G) 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; (H) a coherent approach to the overall design is adopted, including layout, landscaping, building designs, materials, open spaces and circulation routes, to create locally distinctive developments well related to their surroundings; and (I) existing and proposed dwellings will enjoy adequate privacy and sunlight. Policy S1 is also relevant particularly criteria (D) harm to the appearance and character of the street scene.

Policies EN15, EN15 and EN17 are relevant in terms of impact on Conservation Area and siting of listed buildings. EN15 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. EN16 There is a strong presumption against the demolition of buildings which make a positive contribution to the character or appearance of a Conservation Area. Proposals involving the demolition of other buildings within or affecting a Conservation Area will not be permitted unless acceptable proposals for any redevelopment or new use for the site have been approved. This requirement will also apply in the very rare circumstances where proposals involving demolition of buildings which make a positive contribution are allowed. EN17 Development proposals which would harm a listed building, its setting or any features of special or historic interest which it possesses, will not be permitted.

ASSESSMENT

A five storey building in this location represents a gross overdevelopment of this site, which totally ignores the contributions to the character of the area that this site makes. The impact from this building would be devastating to this part of the town. It falls well short of the requirements for development in Conservation Areas.

Access from Corporation Street would create dangerous conflicting traffic movements which will conflict with highway safety.

RECOMMENDATION

Permission be REFUSED for reasons of conflicting traffic movements, inadequate visibility splays, scale, massing, overdevelopment, impact upon Conservation Area and adjacent listed buildings.

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

CONTACT OFFICER: 356464 MR T BURTON

NOTES:

38/2004/061

MITCHELL DEVELOPMENTS LTD

**DEMOLITION OF EXISTING DWELLING & COMMERCIAL GARAGE BUILDINGS
AND THE ERECTION OF A BLOCK OF 15 FLATS AT EASTWICK FARM COTTAGE,
EASTWICK ROAD, TAUNTON.**

23250/26473

FULL PERMISSION

PROPOSAL

The proposal is for the demolition of an existing 2 storey semi-detached dwelling and associated single storey commercial garage/workshop and storage buildings and the construction of three linked blocks of flats. The blocks are two storey in height but provide accommodation within the roof structure providing a two and a half storey development. The development would provide seven one bed-roomed flats, 4 two bedroomed flats and 4 studio flats (bedsitting room) making 15 in total. The proposal is designed at a similar height to the two storey dwelling and would be constructed half brick and half render with double roman tiles. The proposal would use the existing vehicular access and drive with a bin store adjacent to the northern boundary. There are no proposed on site car parking or turning areas.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY whilst there is no objection to residential development in principle I would require 1 parking space per dwelling, a turning area and acceptable access details. COUNTY ARCHAEOLOGIST no objection. WESSEX WATER water supply, foul and surface water sewers are available.

PLANNING POLICY parking provision would be required in this location. DRAINAGE OFFICER no observations to make. ENVIRONMENTAL HEALTH no objection in principle subject to a contaminated land condition. LEISURE AND RECREATION OFFICER the proposed development does not make provision for children's play although it will generate extra needs. In accordance with the Council's policy, contributions should be sought in order to improve Lyngford Park for both young and old.

2 LETTERS OF OBJECTION have been received raising the following points:- this is an over-development of the site, the proposal would result in living room windows within 8 m of the adjacent dwelling's living room windows; an outline plan showing the position of the existing buildings would establish the relative positions of the existing and proposed buildings; any increase in the height of the proposed blocks will have a detrimental impact on the adjacent dwelling; additional information regarding the construction works to or near the boundary are required; there is no off site parking to be provided and this will exacerbate local parking problems; the increased domestic activity associated with 15 dwellings will have a detrimental impact on the amenity of surrounding occupants; the access to the site encroaches onto land outside the ownership of the applicant and when the garage site is vacated a new boundary wall will

be constructed that prevents vehicular access to the site; the applicant does not own the access to the site and only has rights of access over a part of it; the access drive is the subject of a court order preventing parking along it; there would only be space for 2 cars (max) to park outside the development and this is likely to result in cars parking along the drive (which is prohibited by court order); there would be no room for delivery vans or emergency vehicles; the three storey building will have an overpowering effect on the adjacent rear garden and block light from the dining room; the proposed dwelling would result in overlooking of adjacent properties; with an open front garden the additional movements of pedestrians past my front door will reduce my privacy; an existing neighbouring chimney would be effected by the proposed demolition; The proposed development exceeds the existing footprint and massing on the site.

POLICY CONTEXT

Somerset and Exmoor National Park Joint Structure Plan Review Policy 49 requires that proposals for development should be compatible with the existing transport infrastructure, or, if not, provision should be made for improvements to infrastructure to enable development to proceed. In particular development should:- (a) provide access for pedestrians, people with disabilities, cyclists and public transport; (b) provide safe access to roads of adequate standard within the route hierarchy and, unless the special need for and benefit of a particular development would warrant an exception, not derive access directly from a National Primary or County Route; and (c) in the case of development which will generate significant freight traffic, be located close to rail facilities and/or National Primary Routes or suitable County Routes subject to satisfying other Structure Plan policy requirements.

Taunton Deane Local Plan Revised Deposit Policy S1 proposals for development, taking account of any mitigation measures proposed, will be required to meet the following criteria, in addition to any other Development Plan policies which apply in a particular case: (A) additional road traffic arising, taking account of any road improvements involved, would not lead to overloading of access roads, road safety problems or environmental degradation by fumes, noise, vibrations or visual impact; (B) the accessibility of the development by public transport, cycling and pedestrian networks would be consistent with its likely trip generation and minimising the need to use the car; (D) the appearance and character of any affected landscape, settlement, building or street scene would not be harmed as a result of the development; S2 Development must be of a good design. Its scale, density, height, massing, layout, landscaping, colour, materials and access arrangements will be assessed to ensure that the proposal will, where reasonable and feasible: (F) minimise adverse impact on the environment, and existing land uses likely to be affected; (H) make full and effective use of the site; H1 Housing development will be permitted within defined limits of settlements, provided that: (A) there is safe and convenient access by bus, or on foot to facilities and employment. In the case of proposals of a significant scale, bus or walking access to a town centre or rural centre will be required, taking account of any off-site works proposed in accordance with criteria (B); (G) 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; (I) existing and proposed dwellings will enjoy adequate privacy and sunlight.

Parking needs to take account of the location of the development and its accessibility to employment opportunities and services and the type and mix of proposed dwellings. Parking should not permit more than 1.5 car parking spaces/dwelling unit. Car free residential development will be considered within or adjoining Taunton town centre.

ASSESSMENT

The proposal is located within a residential area where there are operational problems, including access and parking, for the existing tyre business. The proposed blocks replace a collection of one and two storey buildings with three linked blocks of flats. Whilst the blocks have been at the same height as the existing semi-detached dwelling and the footprint is similar, the overall bulk of the proposal is greater than the existing buildings on the site. The fenestration details now introduce windows for all three levels of accommodation in the south western elevation where there were none before. I consider that this will result in an unacceptable reduction in the amenity of the adjacent occupants. Policy M3a requires all new dwellings outside the central area to have on-site car and bicycle parking and for this size of development I consider a minimum of 15 car and 15 bicycle parking spaces should be provided. The agent has argued that the flats are designed for the lower end of the market and are within walking distance of the local shops, and services at Priorswood and buses to the town centre. However the Policy Section have confirmed that distance of site from the town centre is such that parking in this location is required. The exception in the Town centre recognises the availability, amount and range of services within easy walking distance and the scale of the services at Priorswood does not compare with this. In conclusion, whilst the principle of residential development on this site is considered acceptable I consider that the proposed scheme would result in an overdevelopment of the site, resulting in an unacceptable impact on the amenity of occupants of neighbouring properties with inadequate off street parking that will result in an exacerbation of on street car-parking contrary to highway safety. Proposal considered unacceptable.

RECOMMENDATION

Permission be REFUSED for the reasons of overdevelopment of the site detrimental to the privacy and amenity of adjacent occupants, inadequate parking

REASON(S) FOR RECOMMENDATION:- Over-development of the site resulting in an unacceptable impact on the amenity of occupants of neighbouring properties and would be contrary to Taunton Deane Local Plan Revised Deposit S2 (f), and H1 (g) and (I) with inadequate off street parking that will result in an exacerbation of on street car-parking contrary to highway safety and contrary to the requirements of Somerset and Exmoor National Park Joint Structure Plan Review Policy 49 and Taunton Deane Local Plan Revised Deposit Policies S1(A) and M3a (E(ii)).

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:

45/2004/001

MR & MRS R KRIEL

ERECTION OF ATTACHED GARAGE, INTERNAL AND EXTERNAL ALTERATIONS TO HOUSE AT EASTER COTTAGE, WEST BAGBOROUGH.

17042/33387

FULL PERMISSION

PROPOSAL

Easter Cottage is on the southern side of the main street in West Bagborough nearly opposite the Rising Sun Inn. It is intended to demolish the existing detached garage to the west of the property (subject of application No. 45/2004/002CA) and erect a double garage to front of dwelling, abutting the highway (this application). The structure would project 5.7 m beyond the existing dwelling towards the highway, would be 5.5 m wide and would have a shallow pitched roof of approximately 30 degrees. Materials for the garage are to match the existing dwelling. It is also proposed to take down the tall trees/shrubs that currently provide screening between the dwelling and the highway.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY no objection.

CONSERVATION OFFICER objects on grounds that structure will be highly visible especially from west side and the proposed shallow pitch does not reflect the local architecture. Suggests that new garage is set back, as per siting of existing.

PARISH COUNCIL no objection.

POLICY CONTEXT

Policy EN15 of the Taunton Deane Local Plan Revised Draft opposes development that would not enhance the appearance or character of a Conservation Area. Policies S1 (D) (effect on street scene) and S2 (design) are also relevant to this application. West Bagborough Village Design Statement give guidance on design and conservation policies.

ASSESSMENT

By removing the shrubs to the front of the dwelling, the garage because of its size and position would be highly visible and prominent from the road, especially from the west side, and as such would adversely affect the street scene in this Conservation Area. The shallow pitch is not typical of the area and would also adversely affect the street scene. The proposal is not considered acceptable with regards to the Conservation Area policy nor on grounds of visual amenity.

RECOMMENDATION

Permission be REFUSED on grounds of inappropriate siting and design and detrimental to the character and appearance of the village Conservation Area.

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

CONTACT OFFICER: 356569 ISABELLE CAILLET

NOTES:

46/2004/002

MR & MRS H MORRISH

USE OF PART OF DWELLING FOR NURSERY FOR UP TO 18 CHILDREN UNDER 5 YEARS OLD, AND RETENTION OF CAR PARK AND FORMATION OF PLAY AREA, HAM FARM, HAM, WELLINGTON AS AMENDED BY LETTER DATED 28TH JANUARY, 2004 WITH ADDITIONAL INFORMATION IN LETTER DATED 16TH MARCH, 2004

15605/21747

FULL PERMISSION

PROPOSAL

Use of part of dwelling for up to 18 children under 5 years old and retention of car park and formation of play area, Ham Farm, Ham Wellington.

The building is the main Farmhouse at Ham Farm, which is a Listed Building. Ham is less than half a mile from the A38. The owners use all the ground floor for cots/highchairs/play area during the week, then these are pushed to one side in evenings in some rooms and all rooms at weekends are for 'normal' family life. The nursery currently has 12 children, a use commenced without planning permission, having been established for over 3 years as part of a farm diversification process. The previous dairy farm use has ceased and thus the traffic generation associated with the creamery and people calling to pickup cream, milk and eggs has also ceased. This apparently resulted in more traffic than would be generated by the nursery proposal. The applicants have stated that there is a lack of childcare for young babies; they take them at 3 months. There is a waiting list at both Wellington nurseries. Opening times are from 8.30 a.m. to 5.30 p.m., but parents drop children off any time between 8.30 a.m. and 10.00 a.m. and pick up between 3.30 p.m. and 5.30 p.m.. There are currently 3 people employed, which would be increased to four or five, who would be local. The car park has already been constructed to the west of the main house, and is currently surfaced in loose grey chippings. The area of the car park was previously used for vehicles including a horse box, dung heaps, and has always been post and railed, the applicant wishes to retain a view to see livestock in the adjacent field, but is willing to plant some landscaping in this area. Other areas have been improved and landscaped and this will be part of future investments. The proposed play area would be in the currently walled gardens to the southwest of the house. In respect of the increase to 18 children, the applicant has advised that there are often siblings of children currently being cared for, and she would like to be able to offer these younger children a space. With the siblings, vehicles would be bringing 2 children rather than 1 child. The applicants also claim that the new business units at Chelston will also increase demand for places and there had apparently been a nursery in the hamlet several years ago, but this did not give rise to any complaints or problems.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAYS AUTHORITY the site is outside the limits of settlement in an area with limited public transport, increased dependence on cars, unsustainable development contrary to the Development Plan, substandard access at road junction, approach roads are sub standard. There have been two slight injuries accidents on this road in the last three years. Recommends refusal. If Members feel minded to approve the application, it should be limited to 12 children as its present use. There should be no increase in traffic which may jeopardize the safety record of this junction. SOCIAL SERVICES (UNDERFIVES) no issues to raise; parking and access has now been resolved. Ofsted will have to register the extension of numbers.

CONSERVATION OFFICER no objection to change of use as no physical changes required to the Listed Building, a note required re alterations. Unhappy about the car park area, and would not wish to see hedging or fencing erected. Suggest a stone wall, to match the garden. The surface needs to be upgraded to grass-crete or bound gravel. Remove all PD rights, no play equipment without planning permission, no play equipment near the listed building. LANDSCAPE OFFICER suggests planting scheme. ENVIRONMENTAL HEALTH OFFICER the play area be sited to the north of the garden area, the nursery shall not operate outside the hours of 8 a.m. to 6 p.m. on weekdays and no working on weekends or public holidays. There should be no more than two specified playtimes where children will be outside in the garden are i.e. 2 hours in the morning and 2 hours in the afternoon. DRAINAGE OFFICER the proposal is just outside the known floodplain as shown on the Environment Agency's records, the applicant should be made aware of this and advised to take any necessary measures they feel are warranted.

PARISH COUNCIL traffic generation is unlikely to be significant as both arrivals and departures are staggered. The Parish Council feel that any permission must have a condition that the parents must use the car park and turn at the rear. This provides rural employment. It has also been reported that there have been problems with parking on verges, churning up verges and parents being rude to residents.

POLICY CONTEXT

Somerset and Exmoor National Park Joint Structure Plan Review Policies STR1 and STR6 Sustainable development and to restrict developments outside towns, rural centres and villages; Taunton Deane Local Plan Revised Deposit Policy S1 (General Requirements) seeks, inter alia, to ensure that additional road traffic would not lead to overloading of access roads, road safety problems, that the character of the street scene is unaffected, and that environmental degradation does not occur. Policy S2 seeks to ensure good design. Policy EC2 relates to working from home, keeping the residential character, limiting the type and level of activity including hours of work, and deliveries to that consistent with a residential area, preventing any harmful future intensification, and a small advertisement only. EC 4 relates to rural employment, guiding development of employment to sites near public roads, adjacent to the limits of a village, no other sites available and no harm to residential amenity, landscape or highway safety, and adequate arrangements can be made for provision of services. EC5 relates to Farm Diversification. Policy EN 17 does not permit development

proposals which would harm a Listed Building, its setting or its setting or any features of interest.

ASSESSMENT

The nursery currently caters for 12 young children without the benefit of any planning permission. No complaints have been received in respect of the current situation. Having regard to the County Highways Authority's comments, it is considered that the site is sited not far from the A38 and is used by parents who are travelling between home and work, rather than making a special visit to the nursery. As the building is Listed, it is not considered to be in the interests of the historic character or its setting to ask for any improvements in visibility. Given the farm diversification policy, the existing use of the building, the local facility and local employment, it is considered that these factors outweigh the highway objections.

The house itself is sufficiently large to enable the additional number of children in the nursery to be accommodated without the need for additional floorspace. Siting the play area to the north of the garden would be in conflict with the Conservation Officer's comments in respect of the setting of the listed building. The use of part of the garden as play area is considered to be acceptable in use terms, however given that the building is listed, there would be a restriction on the construction of any sheds or other building in the area. The car park has already been constructed and following the objections from the Conservation Officer, the applicant has agreed to carry out some landscaping and reconsider the surface. The area formerly had a post and rail fence, so a reintroduction for such feature is considered to be acceptable. It is considered to be too onerous to require a stone wall in this area, given limited views to the area. In respect of the Parish Council,'s views it is not considered that a condition to ensure parents use the car park would be enforceable but a note to ask that this take place has been included.

RECOMMENDATION

Permission be GRANTED subject to conditions of materials of car park, landscaping, no buildings within garden area, car park to be available with gate open at all times during nursery drop off/pick up times, no ancillary buildings, hours of operation 8 a.m. to 6 p.m. Monday to Friday excluding Bank Holidays, specific play times and play areas away from listed building. Notes re parents/carers to use the car park when dropping off/picking up and area is close to area liable to flood.

REASON FOR RECOMMENDATION:- The provision of this working farm house facility will provide rural employment and farm diversification in line with Policies SC2, EC4 and EC5. It will provide a needed child care facility and an acceptable use for the listed building (Policy EN17). These benefits are considered to outweigh the concerns of the County Highways Authority in respect of the Structure Plan Policies.

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:

52/2004/001

SWAN HILL HOMES LTD

**ERECTION OF 12 DWELLINGS ON SITE OF NEW BARN (TO BE DEMOLISHED)
AND FORMATION OF ACCESS THERETO, 41 COMEYTROWE LANE, TAUNTON
AS AMENDED BY DRAWINGS ATTACHED TO APG ARCHITECT'S LETTER DATED
2ND MARCH, 2004**

20821/23575

RESERVED MATTERS

PROPOSAL

The site comprises a substantial dwelling set in almost half a hectare of garden. The site is currently largely screened from Comeytrowe Lane by a belt of trees. To the rear of the house is a very large beech tree, which is subject to a Tree Preservation Order. Outline permission for the demolition of the house and the principle of residential development of the site was granted in July 2003.

This reserved matters application was originally submitted for fourteen dwellings and included the felling of the beech tree. Following concerns over the loss of the tree and the impact of three storey dwellings close to the rear boundary of the site, revised proposals have been submitted reducing the number of houses to twelve, whilst also retaining the tree. However, four three-storey dwellings are retained, two either side of the access point and two towards the centre of the site.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY the access is in the correct position and adequate visibility can be achieved. However, there are deficiencies in the internal layout. WESSEX WATER no objections. POLICE ARCHITECTURAL LIAISON OFFICER the rear gardens of several, if not most, of the properties appear to be open, or insecure, to the front or the side. Statistics show that the majority of dwelling burglaries occur where access is gained at the rear. Therefore, I would recommend that fencing and lockable gates, to 1.8 m in height, should be installed where necessary to secure the rear gardens. These gates should be installed as close to the front building line as possible to allow greatest natural surveillance and avoid hiding places. ENVIRONMENTAL HEALTH OFFICER suggests note re construction noise. LANDSCAPE OFFICER (to original proposal involving felling of beech tree) the Tree Preservation Order tree has significant amenity value and I do not consider that the proposed replacement trees would equal that amenity either when planted or in the longer term and would therefore not have the potential stature of the Beech. The eastern boundary treatment should be planned to provide a landscape corridor to the open spaces to the south east through management of the existing vegetation and where necessary new hedgerow and tree planting on a bank. The frontage planting and layout provide some scope for landscape treatment subject to details. Overall the density of the proposed housing does not allow for a good landscaping scheme for the site. ARCHITECTURAL ADVISOR (on original

scheme) the site is fronting onto Comeytrove Lane, which forms the northern boundary, and slopes away to the south, where a retaining wall 2.0-3.0 m high forms the boundary. The site is surrounded by predominantly 1970/1980's 2 storey low density housing, built mainly of brick/render with tiled roofs. The proposed new development is 14 no. detached/semi-detached houses. Four semi-detached houses, which relate to the existing houses at either end of the Comeytrove Lane frontage, with 2 no. 3-storey Gateway Houses flanking the new central access road, which serves the remainder of the site, comprising 2/3 storey detached houses, with south facing private gardens. The plot widths are quite narrow (11.0 m average) but have greater depth which, with the 2/3 storey massing, produces a fairly tight urban design of higher density. I am concerned at the close proximity of the 2/3 storey Gateway Houses with the semi-detached Houses each side. The 1.0 m gap seems mean, and access to the garages of Plots 3 and 4 from the shared access road would, in my view, be difficult. However, it is the overlooking factor of the avenue of houses to the south of the site, Plot Nos. 10, 11, 12 and 13, that particularly concerns me. Although the second storey rooms are partially within the roof, I consider that the overlooking of the private rear gardens of the existing houses nos. 21, 23 and 25 Glasses Mead from the first and second floor balconies of these houses is unacceptable, when you draw in the site lines, over the retaining wall (cross section D-D). Similarly, the overlooking of the rear garden areas to nos. 15/17 Glasses Mead by plot No. 9, main window master bedroom is also unacceptable, and to a lesser extent no. 39 Comeytrove Lane by plot No. 14. The general design of the houses and proposed use of materials - brick and render with tiled roofs, overhanging eaves, hips, bonnet hips, etc would blend in with the general character of the area and adjoining houses.

PARISH COUNCIL (original comments) - (1) the plans are not accurate and plans 2 and 3 do not "tie-up" with plans 4 and 5. Plans 4 and 5 only add up to 12 dwellings and the plot numbers and house types H1 to H4 do not link up properly with plans 1 to 4. (2) the proposed 3 storey dwellings on 10 of the 14 plots are totally out of keeping with the prominent location of the site, the sloping nature of the site and the surrounding area and properties. They would be an intrusion in the area and overbearing because of their height and multiple roof structures. The balconies on the dwellings at the bottom of the site are an intrusion to surrounding properties and their privacy, especially those below them in Glasses Mead and six dwellings so close together at the bottom of the site is over development. It would appear that the only way that a site of this size could accommodate 14 dwellings is to have 3 storey dwellings, because of the reduced ground floor space required and in view of the other problems this creates, the Council feel that this is unacceptable. (3) as stated in their letter of 15 May 2003 the Council feel strongly that 14 dwellings are too many for the site, its density, size and physical characteristics. As mentioned in 2 above, if the only way to get 14 dwellings is by having 10 of them 3 storey, then it is over development and unacceptable. In addition, the Council would like to make the following comments/observations:- (4) in view of the previous and present (well documented) problems of traffic and road safety in Comeytrove Lane, especially towards Galmington Road, where there are no pavements, the Council would be pleased if the Developer could be asked to contribute towards a suitable scheme, to assist with the safety of pedestrians and cyclists. (5) the colour of the roof-tiles should be in keeping and should not be a visual intrusion to the area, in view of the prominent position of the site (6) although the Council are pleased with the suggestion for the mature trees to be planted in the centre of the site, they would like to ask if more native species could be considered, as these would seem to be

more appropriate. (7) every care should be made to ensure that associated works, e.g. pavements, street lighting, at the site are in keeping with and blend in with the surrounding area and properties. (8) the Parish Council would be pleased if they could be consulted over a suitable street name for the new development. In view of the above, the Council would be pleased if you would let them have any views that you have on the proposed development, especially as the Council can consider the application again, if necessary, at their next meeting on 1st March, 2003. (Comments on Revised Proposal) - at their meeting held on 15 March 2004, the Parish Council agreed to oppose the above application on the following grounds:- (1)for the second time, the Design Report and the plans are not accurate. (2) although the number of 3 storey dwellings has been reduced, the Council are still totally opposed to any 3 storey dwellings on the site because they are out of keeping with the prominent location of the site, the sloping nature of the site and the surrounding area and properties. They would be an intrusion in the area and overbearing because of their height and multiple roof structures. (3)although the 4 dwellings at the bottom of the site have been reduced to 2 storey, they should still have no balconies, on the first floor level, at the rear of the dwellings (one of the plans shows a balcony). (4) the 4 dwellings, especially plots 9 and 10, are too close to the wall and properties at the rear in Glasses Mead, which have an adverse affect on the privacy of these houses because they are being overlooked from above, on a steep slope. (5) although the number of dwellings has been reduced from 14 to 12, the Council feel that this has only been done to accommodate the retention of the TPO tree. The area taken for the 12 dwellings appears in fact, to be the same area as the previous 14 dwellings were on. In effect, the density of the site has not changed and 12 dwellings are too many for the site, its size and physical characteristics. The proposed dwellings are still too close together, especially at the bottom of the site and it is therefore, over development of the site and unacceptable. (6)the Council feel that the road into the site should be constructed to an adoptable standard and that it should be adopted by the Local Highway Authority. The Council feel that if the road is adopted, it removes any possible problems in the future from the possible lack of maintenance or safety issues. (7) the Council feel that if the TPO tree remains and the small surrounding area becomes a grassed open space, then they should both be adopted and taken over for future maintenance by Taunton Deane Borough Council. Again, this would prevent any possible problems over ownership and maintenance from occurring in the future. The Council would still like their comments/observations numbers 4 to 8 in their letter to you dated 6 February 2004 taken into account.

16 LETTERS AND E-MAILS RECEIVED OBJECTING TO 14 DWELLINGS raising following concerns:- impact of increased traffic flows and need to calm Comeytrowe Lane: three storeys out of keeping with area particularly on an elevated site; overlooking of houses in Glasses Mead; tree should be retained; gateway houses should be reduced to two-storeys; need to protect bat colony; over development; balconies will overlook; balconies, railings and porthole windows not traditional in this area; need to keep screening along boundaries; gardens too small; boundary fences will cause loss of light to neighbouring properties; new lawn should be retained and incorporated into scheme; three access points are inappropriate therefore intensity of dwellings will be oppressive; with be visible from long distance.

ONE LETTER OF SUPPORT has been received.

ONE E-MAIL RECEIVED OBJECTING TO REVISED PROPOSALS on grounds that area under tree will be a dumping ground; remaining three-storey buildings should be reduced to two-storey.

POLICY CONTEXT

Taunton Deane Local Plan Revised Deposit Policy S2 gives advice on design as follows:- Development must be of a good design. Its scale, density, height, massing, layout, landscaping, colour, materials and access arrangements will be assessed to ensure that the proposal will, where reasonable and feasible:- (A) reinforce the local character and distinctiveness of the area, including the landscape setting of the site and any settlement, street scene and building involved; (B) incorporate existing site features of environmental importance; (C) reinforce nature conservation interest; (D) minimise the creation of waste in construction and incorporate recycled and waste materials; (E) include measures to reduce crime; (F) minimise adverse impact on the environment, and existing land uses likely to be affected; (G) include facilities to encourage recycling; (H) make full and effective use of the site; and (I) subject to negotiation with developers, incorporate public art. Policy H1 gives criteria for new housing; Housing development will be permitted within defined limits of settlements, provided that:- (A) there is safe and convenient access by or on foot to facilities and employment. In the case of proposals of a significant scale, bus or walking access to a town centre or rural centre will be required, taking account of any off-site works proposed in accordance with criteria (B); (B) necessary provision is made for off-site public transport, cycling and pedestrian facilities and highway improvements to cater safely for the expected number of trips generated by the development and minimise the proportion of car trips; (C) traffic calming, pedestrian, cycle and bus measures are incorporated where necessary to give priority to safe and convenient access and circulation by means other than the car; (E) the layout allows people with impaired mobility or a disability safe and convenient access and movement to and between dwellings by careful positioning of potential obstructions, ramps, dropped kerbs, textured surfaces and reserved car parking; (G) 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; (H) a coherent approach to the overall design is adopted, including layout, landscaping, building designs, materials, open spaces and circulation routes, to create locally distinctive developments well related to their surroundings; and (I) existing and proposed dwellings will enjoy adequate privacy and sunlight. Policy EN5 gives protection to trees that contribute to an area's landscape or wildlife character. Policy S1 provides general criteria for all new development, including criterion (E) that the amenity of existing dwellings and the local environment will not be harmed.

ASSESSMENT

The principle of development has been established and it is not therefore now possible to insist upon the retention of the existing house.

The beech tree is an important feature in the landscape. The applicant's commissioned an arboricultural report, which has confirmed that it is neither dead, dying nor dangerous. The applicants have therefore accepted the Landscape Officers' advice that it should be retained, which has resulted in the deletion of two houses from the original scheme. The design style is different from that surrounding and for this reason specific architectural advice was sought. As can be seen above, the conclusion of the Council's advisor is that the houses will satisfactorily blend into the area. The key issue therefore is to balance the need to maximise development of this brownfield site, with maintaining the suburban character currently found in this area and protecting the amenities of nearby residents. Whilst it was considered that three storey houses (particularly with balconies) at the rear of the site would be unneighbourly for existing properties in Glasses Mead, it is not considered that three-storey development is inappropriate elsewhere on the site. Whilst revised details of the internal layout are awaited, the County Highways Authority do not object to the arrangements in principle. Concerns in respect of maintenance of the area surrounding the tree are understood and clarification in this respect has been sought.

RECOMMENDATION

Subject to corrections to annotation of plans, revised highway layout and clarification in respect of area surrounding tree, the Chief Planning Officer in consultation with the Chair/Vice Chair be authorised to determine and permission be GRANTED subject to conditions of materials, landscaping, protection of trees, walls and fences, service trenches, garages and meter boxes. Notes re: surface water, street naming, S106, bats Part M construction, noise, compliance, highway drainage and other conditions.

REASON(S) FOR RECOMMENDATION:- The proposal represents a suitable reuse of this previously developed site in accordance with Taunton Deane Local Plan Revised Deposit Policy H1. The design proposed is considered acceptable in accordance with Policy S1 whilst the amenities of nearby occupiers are maintained.

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:

