



## 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 19TH MAY 2004 AT 17:00.

(RESERVE DATE : THURSDAY 20TH MAY 2004 AT 17:00)

---

### AGENDA

1. Appointment of Chairman
2. Appointment of Vice-Chairman
3. Apologies
4. Minutes
5. Public Question Time
6. LANGFORD BUDVILLE - 21/2004/007 - ERECTION OF SINGLE STOREY VILLAGE HALL, ASSOCIATED CAR PARKING AND ACCESS DRIVEWAY, LAND AT RITHERDONS (O.S. REF. ST108228), LANGFORD BUDVILLE AS AMENDED BY LETTER DATED 19 APRIL, 2004 WITH ACCOMPANYING DRAWING NOS. 03060.P20B, 21B, 22B AND 23B REPORT ITEM
7. LANGFORD BUDVILLE - 21/2004/011 - ERECTION OF VILLAGE HALL, FORMATION OF ACCESS DRIVEWAY AND CAR PARKING FOR HALL, CHURCH AND SCHOOL AND IMPROVEMENT OF ACCESS, LAND TO NORTH AND EAST OF ST. PETER'S CHURCH, LANGFORD BUDVILLE REPORT ITEM
8. BISHOPS LYDEARD - 06/2004/020  
ERECTION OF DWELLING, OLD HOSPITAL SITE, DENE ROAD, COTFORD ST LUKE.
9. CREECH ST MICHAEL - 14/2004/013  
ERECTION OF TWO DWELLINGS, GARAGES AND ACCESS DRIVES AT THE FORMER CROWN INN CAR PARK, CROWN LANE, CREECH HEATHFIELD
10. MILVERTON - 23/2004/009  
DEMOLITION OF EXISTING OUTBUILDING AND ERECTION OF DWELLING WITH GARAGE AND REPLACEMENT GARAGE FOR LODGE BARTON AT LAND TO REAR OF LODGE BARTON, WOOD STREET, MILVERTON
11. MILVERTON - 23/2004/011  
ERECTION OF 2 NO. DETACHED DWELLINGS AT LAND AT

ROSEBANK ROAD, MILVERTON AS AMENDED BY ADDITIONAL INFORMATION RECEIVED 30TH APRIL, 2004 AND AS AMENDED BY PLAN NOS. T228/3B, 4B, 5B, 6B, 7B AND 8 RECEIVED 10TH MAY, 2004

12. NORTH CURRY - 24/2004/007  
ERECTION OF DETACHED DWELLING AT LAND TO WEST OF YEW TREE COTTAGE, WRANTAGE
13. PITMINSTER - 30/2004/008  
EXTENSION, DORMER WINDOWS, ALTERATIONS AND DETACHED DOUBLE GARAGE AT FAIRVIEW, BLAGDON HILL.
14. WELLINGTON - 43/2004/034  
RETENTION OF FIRST FLOOR WINDOWS, 4 HIGHLAND PLACE, HIGH STREET, WELLINGTON.
15. WELLINGTON - 43/2004/038  
EXPANSION OF BUSINESS ONTO LAND TO BE USED FOR COVERED AND OPEN STORAGE OF RAW MATERIALS AND FINISHED PRODUCTS TOGETHER WITH ACCESS AND LANDSCAPING, LAND ADJOINING UNIT 2, RYLANDS FARM INDUSTRIAL ESTATE, BAGLEY ROAD, WELLINGTON.
16. WEST BAGBOROUGH - 45/2004/004  
ERECTION OF NINE STABLES AND TACK ROOM TO REPLACE FOUR STABLES AND TACK ROOM, FIELD ADJOINING TALLY HO COTTAGE, TRISCOMBE.
17. WEST BUCKLAND - 46/2004/008  
REMOVAL OF CONDITION 03 ATTACHED TO PLANNING PERMISSION 46/2003/015 TO ALLOW USE OF GARAGE AS DOMESTIC ACCOMMODATION, THE OLD PIGGERY, GERBESTONE MANOR, WELLINGTON
18. COMEYTROWE - 52/2004/008  
ERECTION OF 2 STOREY SIDE EXTENSION AT 48 NEWBARN PARK ROAD, TAUNTON
19. COMEYTROWE - 52/2004/010  
ERECTION OF CONSERVATORY AT REAR, 14 ASH CRESCENT, TAUNTON
20. E329/19/2003 & 19/2003/020LB - Provision of solar panels to The Cider House, Capland Court, Hatch Beauchamp. Enforcement item
21. E10/38/2004 - Display of internally illuminated sign at Carpetright plc, Unit 2, Priory Fields Retail Park, Taunton. Enforcement item
22. E23/43/2004 - Use of land to store scrap vehicles, Grants of Wellington, 55-60 Mantle Street, Wellington. Enforcement item

Member Services Manager

The Deane House  
Belvedere Road  
TAUNTON  
Somerset

TA1 1HE

12 May 2004

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

Planning Committee Members:-

Councillor Beaven  
Councillor Bowrah  
Councillor Miss Cavill  
Councillor Croad  
Councillor Denington  
Councillor Floyd  
Councillor Govier  
Councillor Guerrier  
Councillor Henley  
Councillor Mrs Hill  
Councillor Hindley  
Councillor House  
Councillor Miss Peppard  
Councillor Phillips  
Councillor Mrs Smith  
Councillor Stuart-Thorn  
Councillor Vail  
Councillor Wedderkopp

## **Planning Committee - 21 April 2004**

Present: Councillor Mrs Allgrove (Chairman)  
Councillor Mrs Hill (Vice-Chairman)  
Councillors Beaven, Bowrah, Croad, Denington, Floyd, Henley, House,  
Phillips, 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 M Jackson (Senior Solicitor) and Mr R Bryant (Review Support Manager).

(The meeting commenced at 5.00 pm).

### 37. Apologies

The Mayor (Councillor Govier) and Councillors Guerrier and Miss Peppard.

### 38. Welcome/Chairman

The Chairman welcomed Councillor Phillips to his first meeting of the Planning Committee.

Councillor Henley reminded Members present that the meeting was the last one before the Chairman stood down to become Mayor of Taunton Deane. On behalf of the Committee, he thanked Mrs Allgrove for the way in which she had undertaken the role of Chairman and wished her a successful year as Mayor.

### 39. Minutes

The minutes of the meeting held on 31 March 2004 were taken as read and were signed.

### 40. Public Question Time

Mr John Lucas brought to the attention of the Committee the fact that an increasing number of businesses were now using the site at Foxmoor Nurseries. He was aware that BT were proposing to lay a larger cable to the site because of the extra demand. He also reported that vacant business space was openly being advertised.

In reply, Mrs Jackson (Senior Solicitor) thanked Mr Lucas for his information. She reported that mediation between the Council and Foxmoor Nurseries was due to take place on 27 April 2004. The outcome of this mediation would determine what action the Council could take to stop the unauthorised business uses taking place at the nursery site.

41. 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 the **detailed plans be approved** for the under mentioned 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:-

**38/2004/135**

Erection of bungalow and garage on land to rear of 36/38 Greenway Crescent and erection of garages for numbers 36 and 38 Greenway Crescent, Taunton.

Condition

- (a) C001- materials.  
(Note to applicant:- N021 - conditions).

Reason for approving detailed plans:-

The proposed bungalow was of an acceptable design and would not result in any material adverse impact upon adjoining properties. The proposal therefore accorded with Taunton Deane Local Plan Revised Deposit Policy H1.

- (2) That **planning permission be granted** for the under mentioned 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:-

**34/2004/013LB**

Re-roof, new floor, internal walls lined, external walls rendered and change of use to retail, barn at Yarde Farm, Norton Fitzwarren.

Conditions

- (a) All works the subject of this application shall be started and completed within one year of the date of this permission. No alteration to this time period shall take place other than as agreed in writing by the Local Planning Authority;
- (b) Within one calendar month of the completion of the conversion works hereby permitted, the unauthorised extension shall be demolished and the farmhouse walls shall be made good, and any variation in this timetable shall be agreed in writing by the Local Planning Authority;
- (c) C103 - materials - listed building;
- (d) Prior to commissioning, specific details of all new windows and doors, balustrade to ramp and enclosure to playground shall be submitted to, and approved in writing by, the Local Planning Authority.
- (e) No bell casts shall be formed in the render over window or door heads;

- (f) The finished colour for the render and external joinery shall first be approved in writing by the Local Planning Authority;
- (g) A breathable felt such as Tyvek shall be used in the re-roofing.

Reason for granting listed building consent:-

It was considered that the proposal was in line with Taunton Deane Local Plan Revised Deposit Policy EN17 in respect of proposals relating to listed buildings.

**42/2004/005**

Enlargement of existing garage with first floor extension at 8 Orchard Close, Trull.

Conditions

- (a) C001 - time limit;
- (b) C102A - materials;
- (c) The proposed garage shall be used for residential purposes only and shall not be used for commercial/industrial purposes.

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 or H19.

**42/2004/008**

Erection of rear extension to Ferring Lodge, 20 Trull Green Drive, Taunton.

Conditions

- (a) C001 - time limit;
- (b) C102 - materials.

Reason for granting planning permission:-

The proposed extension complied with Taunton Deane Local Plan Revised Deposit Policy H19 in that there was no harm to the residential amenity or other dwellings and no harm to the form and character of the dwelling.

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

**46/2004/006**

Use of premises (existing and recent barn conversion) as children's home with attendant education, independence training accommodation support, associated administration office and staff training associated with these uses, Talavera (formerly Manleys Farm/House), West Buckland.

Conditions

- (a) C001 - time limit.

(Notes to applicant:- (1) Applicant was advised to request that staff and visitors park in the designated parking area in the courtyard, rather than on the highway; (2) Applicant's attention is drawn to the need to provide an adequate means of escape from fire and other fire precautions in line with the requirements of the Fire Precautions Act 1971 and the Fire Precautions (Workplace) Regulations 1997 (as amended) for a property of the proposed usage; (3) Applicant was advised that in planning, designing and operating this establishment, you will need to have regard to the requirements of:- The Food Safety (General Food Hygiene) Regulations 1995 (as amended) and The Food Safety (Temperature Control) Regulations 1995 (as amended). Failure to comply with these regulations is a criminal offence. It is strongly recommended that the applicant contacts the Food Safety Team of the Environmental Health Department once plans showing the proposed layout and work flow are available. This is to discuss any details which may need amending to ensure the premises will comply with the current legislation. Applicant was strongly urged to obtain a copy of the relevant Industry Guide, which provides detailed guidance on compliance with these regulations; (4) In view of the close relationship with adjacent dwellings, applicant was requested to install acoustic glazing and insulation on and adjacent to the boundary with those residential properties).

Reason for granting planning permission:-

The proposal was located at premises which were in existing use for the proposed uses, with the proposal consolidating those uses. It was considered that the proposal was in line with the provisions of Taunton Deane Local Plan Revised Deposit Policies S1 and EC3.

42. Change of use from barn to retail outlet at Yarde Farm, Norton Fitzwarren (34/2004/012)

Reported this application.

RESOLVED that subject to the receipt of no adverse views from the Norton Fitzwarren Parish Council by 22 April 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) All works the subject of this application shall be started and completed within one year of the date of this permission. No alteration to this time period shall take place other than as agreed in writing by the Local Planning Authority;
- (b) The retail sales and display area shall be restricted to the areas shown on the submitted plans;
- (c) The existing unauthorised timber structure shall be removed within one month of the completion of the change of use works hereby authorised;
- (d) Full details of all surface and foul drainage shall be submitted to, and approved in writing by, the Local Planning Authority and the scheme shall be completed in accordance with the approved plans before use of the building commences;



- (e) Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls, details of which shall have been submitted to the Local Planning Authority for approval. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10% or 25% of the total volume which could be stored at any one time, whichever is the greater. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground where possible and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund.
- (f) C926B - remediation investigation/certificate;
- (g) C901 - personal permission;
- (h) The business shall only be opened to the public for a maximum of 30 hours per week excluding Sundays and Mondays, and shall not be open prior to 10.00 am or after 4.00 pm on any day the business is open;
- (i) The premises shall be used for the sale of children's clothes and equipment and for no other purpose (including any other purpose in Class A1 of the schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that Order).

(Notes to applicant:- (1) Applicant was advised that the surface water soakaways should be constructed in accordance with Building Research Digest 365 (September 1991); (2) N034 - drainage/water; (3) Applicant was advised that any oil storage facility of 200 litres or more must include a bund, and comply with the Oil Storage Regulations ("The Control of Pollution (Oil Storage) (England) Regulations 2001"); (4) The method of foul drainage is stated as existing septic tank. Applicant was advised however that it is not known whether effluent from this system is connected to a ditch/water course or whether it is directed to a suitably sized and constructed soakaway drainage system. Under normal circumstances, it is permissible to discharge septic tank effluent to an appropriately designed and constructed soakaway, provided ground conditions are suitable. However, it is an offence to discharge septic tank effluent directly to a watercourse. Consequently, when the Environment Agency encounters such discharges, especially those causing water quality/environmental health problems, they are required to cease and the necessary improvements undertaken. Accordingly, the Environment Agency requires clarification regarding this matter; (5) N048A - remediation strategy).

Reason for planning permission, if granted:-

It was considered that the proposal was in line with Taunton Deane Local Plan Revised Deposit Policies S1, S2, EC1a, EC3 and EC5 in that it would assist an existing business in a rural location with no harm to residential amenities and would make appropriate use of an existing building. It was not thought that the intensity of use would be increased significantly. These reasons were considered to outweigh the concerns in relation to traffic generation and sub-standard road junction.

43. Erection of 41 dwellings and formation of access (together with access to adjacent day nursery) on site of former Highways Depot, South Street, Taunton (38/2004/052)

Reported this application.

RESOLVED that subject to the receipt of acceptable revised landscaping proposals adjacent to the access, the Chief Planning Officer be authorised to determine the application in consultation with the Chairman and, if the detailed plans were approved, the following conditions be imposed:-

- (a) C208A - protection of trees to be retained;
- (b) No service trenches shall be dug within the canopy of any existing tree within the curtilage of the site without the prior approval of the Local Planning Authority;
- (c) C416 - details of size, position and materials of meter boxes;
- (d) Before any other works commence, all existing buildings on the site shall be demolished and all materials resulting from the demolition shall be removed from the site. The site boundaries shall then be secured in accordance with a scheme to be approved in writing by the Local Planning Authority before works commence. Adjoining residents shall be notified by the applicants before any such works take place;
- (e) The approved landscaping works in front of Apartment Block B shall be completed before any of the dwellings hereby approved being first occupied, unless otherwise agreed in writing by the Local Planning Authority;
- (f) The windows to be obscure glazed in Apartment Block A shall not be altered without the prior written permission of the Local Planning Authority.  
(Notes to applicant:- (1) N021 - conditions; (2) N024 - development in accordance with approved plans; (3) N075 - Section 106 Agreement; (4) Applicant was advised that noise emissions from the site during the construction phase should be limited to the following hours if nuisance is likely at neighbouring premises:- Monday - Friday 0800 to 1800 hours; Saturdays 0800 to 1300 hours. At all other times, including Public Holidays, no noisy working).

Reason for approval, if granted:-

The principle of development was already established. The details submitted showed a layout acceptable in terms of highway safety, amenity and design. The proposal would not result in demonstrable harm to the amenities of existing residents and therefore accorded with the requirements of Taunton Deane Local Plan Revised Deposit Policy H1.

44. Erection of single storey front extension at 39 Newbarn Park Road, Comeytrove, Taunton (52/2004/011)

Reported this application.

RESOLVED that subject to the receipt of no representations raising new issues by 23 April 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.
- (Notes to applicant:- (1) N024 - development in accordance with approved plans; (2) N040A - drainage/water).

Reason for planning permission, if granted:-

It was considered that the proposal would not harm neighbouring amenity or the appearance of the street scene. Therefore, the proposal accorded with Taunton Deane Local Plan Revised Deposit Policies S1, S2 and H19.

(The meeting ended at 6.19 pm).

21/2004/007

LANGFORD BUDVILLE PARISH COUNCIL (ACTING FOR VILLAGE HALL TRUSTEES)

**ERECTION OF SINGLE STOREY VILLAGE HALL, ASSOCIATED CAR PARKING AND ACCESS DRIVEWAY, LAND AT RITHERDONS (O.S. REF. ST 108228), LANGFORD BUDVILLE AS AMENDED BY LETTER DATED 19TH APRIL, 2004 WITH ACCOMPANYING DRAWING NOS. 03060.P20B, 21B, 22B AND 23B**

10811/22799

---

## 1.0 **RECOMMENDATION**

Permission be REFUSED for the following reasons:-

- 01 The site is beyond the settlement limits in open countryside in an elevated and prominent position not well related to the existing settlement pattern and buildings and its development as proposed would constitute an undesirable intrusion into an attractive area of open countryside to the detriment of the visual amenities of the locality. (Somerset and Exmoor National Park Joint Structure Plan Review Policy STR6 and Taunton Deane Local Plan Revised Deposit Policy S8)
- 02 The development of the site as proposed would adversely affect the setting of St Peter's Church, which is a Grade I listed building, and the setting and character of the Langford Budville Conservation Area when viewed from the public footpath leading from Langford Common to the village by reason of its size and siting. (Somerset and Exmoor National Park Joint Structure Plan Review Policy 9 and Taunton Deane Local Plan Revised Deposit Policy EN15).
- 03 The proposed development does not make adequate provision for a footpath link of an acceptable standard to the site from the village. (Somerset and Exmoor National Park Joint Structure Plan Review Policy 49 and Taunton Deane Local Plan Revised Deposit Policies S1(B) and M1).

### Note to Applicant

- 01 You are advised that a site further down the slope towards the road may be viewed favourably by the Local Planning Authority.

## 2.0 **APPLICANT**

Langford Budville Parish Council (Acting for Village Hall Trustees).

## 3.0 **PROPOSAL**

Erection of single storey village hall with associated car parking and access driveway. The walls for the proposed building are to be rendered and painted over

a dark plinth with a blue/black tiles (Redland Cambrian or similar). The site area extends to approximately 0.494 ha.

The proposed accommodation provides for a main hall (18.5 m x 9 m), a smaller committee room (5.8 m x 4.6 m) and associated office, kitchen, wc and store rooms. The total internal floorspace area is 364 sq m. The overall height of the proposed building is approximately 7.1 m to the ridge. Parking for a minimum of 25 cars included 3 disabled spaces on hard surfacing with overflow parking on hardcore providing an additional 8 spaces. Access to the proposed hall and its parking area is down a 3 m wide access road approximately 100 m in length with parking bays. The first 30 m of the access road will be surfaced in tarmac. The remainder will be hardcore and gravel. The access is to be formed onto the existing lane leading from Two Ashes into the village at a point where there is an existing access gate. Sight lines at the point of access will be improved by cutting back the hedging and banks.

The precise siting of the proposed hall has been moved on the amended plans such that it is now positioned to the west of the footpath that leads from the car parking area, adjacent to Langford Common, to the village and school. The existing field hedging to the north of the proposed building is to be supplemented with additional trees and hedging. New post and wire fencing reinforced with hedging/planting of indigenous species is proposed alongside the proposed access road. The submitted plans also show indicatively the position of 'proposed future playing fields' adjacent to the proposed hall and 'proposed housing by others' adjacent to the access road.

The Village Hall Trustees see the siting of the hall as proposed as having three primary functions. The first, and most important, is that it be as close as possible to the village centre and able to be accessed safely by children. The second is that the position is suitable to the future playing fields. The third function identified by the Trustees is that the placement has as minimal an impact as possible to the immediate area and the village landscape as a whole. The proposed position is adjacent to an existing footpath which the Trustees see as providing a quick and easy link into the centre of the village. Vehicular access is separate and will be encouraged around the village (past the public house), thus seeking to reduce traffic approaching past the school. Traffic exiting the site will be encouraged to turn left towards the Wiveliscombe road and thus back around to the village.

In discussions with the applicants' agent, concern has been expressed in particular in terms of the impact of the proposed hall on views through to the church and village. An alternative position, further down the slope towards the road, has been suggested to the Trustees. However, the Trustees have a number of reservations concerning this lower position, among which is that of drainage, as the land is actually lower than the road and adjacent drains and the Trustees do not wish to suffer the added cost of pumped drainage. They remain of the opinion that a location at the top of the slope meets more of their desired requirements and consider that the amended position will reduce any impact on views through to the church and village. In repositioning the proposed building, it has also been set down some 1.75 m to ensure that only the roofline would be visible in the distant views from the top field gate and Common. The ridge would be 2.24 m lower than

the ground level at the top gate adjacent to the Common. The Trustees believe that the roof will blend into the existing hedgerow (which will be supplemented and strengthened by additional planting) thus mitigating any serious impact on the view.

A letter has been received from the landowner stating the following:-

“Following all the incorrect information that has been sent around the Village, and to your Planning Department, I thought it would be useful if I explained the offer that I have made to the Village.

1. As I am sure you are aware, Langford Budville has been raising money for a Village Hall for many years, and that to date have failed to secure a site on which to build it. I have therefore offered to give a site for a Village Hall without any conditions attached.
2. The Parish Council recently carried out a survey to determine the housing needs of the Village. The survey proved a need for up to six dwellings of various sizes. I have therefore offered a site to a Housing Association to build these dwellings on an area close to the proposed Village Hall.
3. Langford Budville also has no playing field. The area to the south of the proposed Hall would be ideal for this purpose. I have therefore made the following offer. That should I obtain planning consent for a few private dwellings on the small area of land between the proposed Village Hall and the social housing site, that I will give the land required on this site for a Village playing field.

I understand that the footprint for the Hall has been moved within the red line, to a much more acceptable site. The car parking area is now quite small and may be insufficient for the needs of the Hall, If an additional area for parking is required down the slope towards the social housing, then I am willing to provide this also.”

#### 4.0 **THE SITE**

The site is located on the western side of the village of Langford Budville, to the west and south of the area locally known as Ritherdons. The site forms part of a larger field and is currently in agricultural use. Access is in the position of an existing field gate onto the lane into the village from ‘Two Ashes’. The site is beyond the settlement limits.

#### 5.0 **RELEVANT PLANNING HISTORY**

There is no recent relevant planning history related to this site.

Planning permission has previously been granted for a village hall on land south of Heathfield on the road out of the village towards Holywell Lake.

The next item is an application for a village hall elsewhere at Langford Budville.

#### 6.0 **RELEVANT PLANNING POLICY**

## **Somerset and Exmoor National Park Joint Structure Plan Review**

Policy STR1 sustainable development

Policy STR3 rural centres and villages

Policy STR5 development in rural centres and villages

Policy STR6 development outside towns, rural centres and villages

Policy 9 the built historic environment

Policy 37 facilities for sport and recreation within settlement

Policy 38 sport and recreation in the countryside

Policy 48 access and parking

Policy 49 transport requirements of new development

## **West Deane Local Plan**

Policy WD/SP/1 settlements defined as villages

Policy WD/SP/2 development outside settlement limits

Policy WD/RT/1 proposals for recreation or tourist development

Policy WD/RT/5 formal recreation and cultural facilities

Policy WD/LB/4

## **Taunton Deane Local Plan Revised Deposit**

Policy S1 general requirements

Policy S2 design

Policy S7 villages

Policy S8 outside settlements

Policy EN15 conservation areas

Policies M1, M2 and M3 transport, access and circulation requirements of new development

## **7.0 RELEVANT CENTRAL GOVERNMENT POLICY GUIDANCE**

## **PPG1 General Policy and Principle**

Paragraphs 4 - 7

Paragraph 28      A number of the previous themes come together in considering development in the countryside. Here, the planning system helps to integrate the development necessary to sustain economic activity in rural areas with protection of the countryside. Rural areas can accommodate many forms of development without detriment, if the location and design of development are handled with sensitivity. Building in the open countryside, away from existing settlements or from areas allocated for development in development plans, should be strictly controlled. In areas such as National Parks which are statutorily designated for their landscape, wildlife or historic qualities and in areas of best and most versatile agricultural land, policies give greater priority to restraint.

Paragraph 32      Just as well-designed, new development can enhance the existing environment, it is fundamental to the Government's policies for environmental stewardship that there should be effective protection for the historic environment. Those aspects of our past which have been identified as being of historic importance are to be valued and protected for their own sake, as a central part of our cultural heritage. Their presence adds to the quality of our lives, by enhancing the familiar and cherished local scene and sustaining the sense of local distinctiveness which is so important an aspect of the character and appearance of our towns, villages and countryside. Their continued use is important if they are to contribute fully to the life of our communities.

Paragraph 40

Paragraph 50

Paragraph 54/55

## **PPG7 'The Countryside – Environmental Quality and Economic and Social Development**

Paragraphs 1.3 – 1.5

Paragraph 2.3

Paragraph 3.23      People who live in rural areas should have reasonable access to a range of services. Local planning authorities can facilitate provision and help retain existing services by, for example, assessing the nature and extent of rural needs, identifying



suitable sites and buildings for development to meet these needs, and promoting mixed and multi-purpose uses.

### **PPS7 (Draft) Sustainable Development in Rural Areas**

Paragraph 7 People who live or work in rural areas should have reasonable access to a range of services and facilities. Local planning authorities should:-

i. facilitate and provide for new services and facilities (e.g. through the use of planning obligations and the identification of sites in plans), particularly where;

- planning permission is granted for new developments in country towns or other service centres;

- settlements, or the population of their rural catchments, are expanding;

- there is an identified need for new or expanded services to strengthen the role of a particular rural service centre;

ii. seek opportunities (e.g. through planning obligations) to enhance public transport as a means of improving access to service centres;

iii. identify in development plans suitable buildings and development sites for community services and facilities to meet the needs of a range of users, including people with disabilities;

iv. support mixed and multi-purpose uses that maintain community vitality;

v. support the provision of small-scale, local service facilities (e.g. childcare facilities) to meet community needs in areas away from main service centres, particularly where they would benefit those rural residents who would find it difficult to use more distant service centres. These local facilities should be located within or adjacent to existing villages and settlements where access can be gained by walking, cycling and (where available) public transport.

Paragraph 9 Planning authorities should adopt a positive approach to planning proposals designed to improve the viability, accessibility or community value of existing services and facilities, such as village shops and post offices, rural petrol stations, village halls and rural public houses that play a vital role in sustaining village communities. Planning authorities should support the retention of these local facilities and should set out in development plans the criteria they will apply in considering applications that will result in the loss of vital village services (e.g., from conversion to residential use).

## **PPG15 'Planning and the Historic Environment'**

Paragraph 2.26 Conservation of the wider historic landscape greatly depends on active land management, but there is nevertheless a significant role for local planning authorities. In defining planning policies for the countryside, authorities should take account of the historical dimension of the landscape as a whole rather than concentrate on selected areas. Adequate understanding is an essential preliminary and authorities should assess the wider historic landscape at an early stage in development plan preparation. Plans should protect its most important components and encourage development that is consistent with maintaining its overall historic character. Indeed, policies to strengthen the rural economy through environmentally sensitive diversification may be among the most important for its conservation.

Paragraph 4.14 Section 72 of the Act requires that special attention shall be paid in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area. This requirement extends to all powers under the Planning Acts, not only those which relate directly to historic buildings. The desirability of preserving or enhancing the area should also, in the Secretary of State's view, be a material consideration in the planning authority's handling of development proposals which are outside the conservation area but would affect its setting, or views into or out of the area. Local planning authorities are required by section 73 to publish a notice of planning applications for development which would in their opinion affect the character or appearance of a conservation area.

### **8.0 CONSULTATIONS (originally submitted plans)**

#### **County Highway Authority**

“The county road, Ritherdon’s Lane, giving access to the proposed site is very narrow and the junction with the classified un-numbered road is inadequate for an increase in traffic flow and construction traffic. The access as shown on the submitted drawing no 03060.P.20 Rev is acceptable.

The access road will need to be strengthened and widened. The junction at Two Ashes will also need to be improved. Ritherdon’s Lane, which connects with the village is very narrow and is not suitable for access to the proposed site. The route from the village to the proposed site needs to be via the main road and will need to be well signed.

Dennis Quick in the Highway Service Manager's Office has great concerns regarding the proposed site in relation to existing flooding problems. There are

flooding problems in Ritherdon's Lane. The Highway Authority was threatened with legal action last year when properties were flooded.

Surface water discharges from the fields on the opposite side of the lane from the proposed development onto the highway. Surface water from the widened carriageway and the site would flow down Ritherdon's Lane to the village, which will aggravate the flooding problem. The existing surface water sewer is a 150 mm diameter pipe, which does not have the capacity to convey the storm water at present. The 150 mm diameter pipeline is 600 m in length and laid on private land before discharging at Chipley. Improvements to this pipeline would be very difficult and costly.

Ritherdon's Lane is not constructed to take heavy vehicles. The carriageway would need to be reconstructed and widened before any building work was commenced.

The footpath from the site to the village crosses arable land before passing between the properties known as Tranquilla and Yewtree. Over this section the path is very narrow and would need to be improved. There are no footways through the village.

Provided that the above improvements were carried out before construction started on the proposed village hall there would be no objections on highway grounds to this proposal."

### **Environment Agency**

Do not wish to provide comment as proposals are outside the scope of the Liaison Manual.

### **Wessex Water**

"The development is located within a foul sewer area. It will be necessary for the developer to agree a point of connection onto the system for the satisfactory disposal of foul flows generated by the proposal. This can be agreed at the detailed design stage. The nearest public foul sewer will require a considerable length of off-site connecting private lateral pipe from the proposed location.

The developer has proposed to dispose of surface water flows to soakaways. It is advised that your Council should be satisfied with any arrangement for the satisfactory disposal of surface water from the proposal.

With respect to water supply, there are water mains within the vicinity of the proposal. Again, connection can be agreed at the design stage.

It is recommended that the developer should agree with Wessex Water, prior to the commencement of any works on site, a connection onto Wessex Water infrastructure."

### **Somerset Environmental Records Centre**

No Sites of Special Scientific Interest/National Nature Reserves/County Wildlife Sites/County Geological Sites recorded at or adjacent to the site. Three County Wildlife Sites and one SSSI (Langford Heathfield) within 1 km of the site. Badgers and other legally protected species.

### **Somerset Wildlife Trust**

- “1. We have studied the response of the Somerset Environmental Records ; Centre. This response indicates that the application site is very close to Langford Heathfield SSSI. As such, we recommend that English Nature be consulted regarding this application.
2. It is apparent that the application site lies outside of the settlement limit as laid down in the Taunton Deane Local Plan Revised Deposit, November 2000 and, in addition to this, the proposal appears to go against policy S8 of the Local Plan.
3. However, should the Authority not be minded to refuse this application, the Somerset Wildlife Trust would recommend the following:-
  - 3.1 That consideration is given to securing the future retention and sympathetic management of part of the site for wildlife and as an additional amenity for local people, perhaps through the use of a Section 106 agreement.
  - 3.2 That any additional planting is limited to the use of appropriate native species, ideally of a local provenance.”

### **English Nature**

“The Langford Heathfield SSSI extends across the road to include the roadside verge and arguably the boundary hedge where the entrance to the new Village Hall is planned. If the existing gateway is used without any modification to the road access point e.g. to improve visibility and access, then there will be no impact on the SSSI. Any such modification will have an impact and it depends on the extent of what is considered necessary as to nature of that impact. However this is not an important part of the SSSI and it is probable that some modification could be carried out without having any detrimental effect on the special interest of the area. The proposals do include new tree and shrub planting which may be taken as mitigation against the loss of a small amount of vegetation from the SSSI, providing that the trees are native broadleaves. Until the exact nature of the modification (if any) to the entrance is known it is not possible to be more specific.”

### **Landscape Officer**

“My main concerns with the proposed scheme are:-

1. The site is locally prominent from the Wiveliscombe road and public footpath with little opportunity for mitigation.

2. The site would need significant levelling and is likely to look artificial in the 'rolling' landscape.
3. That Highways may require the removal of existing hedgerows to meet visibility splay requirements.

I think it would be better to have the access road closer to the existing hedgerow and so that the future of the 'proposed' housing site can be considered at a later stage and will have less impact in the landscape."

Comments on amended plans:- "The proposed relocation of the position of the Village Hall building should help to soften the wider landscape impact of development but will still require substantial remodelling of the existing levels and landscape proposals to mitigate any impacts."

#### **Landscape Officer (Wildlife)**

"Site adjacent to SSSI Langford Heathfield. "

#### **Conservation Officer**

"Location remote and on elevated site. Surely a site better related to existing development can be found which is also less exposed. Needs to be sited on lower ground, e.g. where the proposed housing is suggested."

#### **Rights of Way Officer**

"According to the plans there is no building on the legal route. However, there is a car park which would constitute an obstruction. I would prefer to have the footpath diverted as there is a further problem of the route to the south that may in the future be obstructed by pitches etc. There is a solution by a straight line from the hall to the existing gate. (I have not been approached for a diversion).

#### **Environmental Health Officer**

No observations.

#### **Drainage Officer**

"Due to the sensitive nature of the surface water drainage systems in the area and the instances of localised flooding a substantial drainage system will have to be provided. This will require some form of on site attenuation and I enclose a copy of our minimum requirements for design.

This application should not be given approval until such a system has been agreed at least in principal, with this officer.

The applicant is therefore requested to contact this officer at an early stage if it appears approval may be forthcoming.

1. Any surface water discharges by whatever means be limited to that which occurs naturally from the catchment and as calculated from a 1 in 1 year storm using 10% impermeability. Any excess flows should be dealt with by on site attenuation.
2. The design storm for any attenuation system shall be for a 1 in 25 year return period storm.
3. Environment Agency should be approached for consent to discharge and for their requirements regarding oil interceptors etc and headwall design.
4. Details required of proposed point of discharge to watercourse together with details of headwall etc.
5. The poor quality of water discharging from surface water outfalls can seriously affect the receiving watercourse. Techniques to reduce the impact of these discharges have been developed and collectively form a range of Sustainable Urban Drainage Systems (SUDs) for dealing with run off. It is strongly recommended that some form of SUD be used at this proposed development.”

#### **Housing Officer**

Would like to see social housing in this village as there is a proven need.

#### **Leisure Development Manager**

“We would support this application as Langford Budville is one of the few villages of any size within Somerset currently without a village hall.

It would however appear that the proposed building although of a good layout is not high enough for badminton.

Playing fields are shown as a future additional proposal, will the building have provision for changing facilities to be added?

There is no mention of whether sustainable construction has been considered or if the school has been included in the design.”

#### **Parish Council**

Support.

#### **Langford Budville Playgroup**

Support – A village hall will be of great benefit to the organisation.

#### **Langford Budville Primary School**

“The Primary School in Langford Budville would like to offer the strongest support to the current proposals to build a village hall.

At present we take the whole school to Wellington Sports Centre for their indoor P.E. as we have no school hall. This obviously uses a lot of valuable curriculum time that would be available to us if we could use a local facility like a village hall. We were praised in our recent Ofsted report (February 2004) for working hard to achieve high standards in P.E., but they noted that we were handicapped by the lack of facilities.

The school has a strong tradition of performing plays, dance and drama. At present this is all done in the classrooms with productions in neighbouring schools and we have to rely on little or no opportunity to practice in the performance venues.

The school has a thriving playgroup, which if relocated to a village hall, would give space in the school for a learning resources/computer suite area.

We value our links with the community and we feel that a facility like this would enable us to work jointly with them on new projects.

Lastly the provision of low cost housing must only benefit the village in keeping a balanced age and social class profile. It would also assist ensuring that the school, which currently takes more than half of its children from Wellington, continues to thrive.”

### **Runnington Parochial Church Council**

“Would like to acknowledge its full support for this application.

The Church in Runnington would benefit greatly if such a facility was available – as a venue for:- (a) Sunday Club; (b) Meetings; (c) Harvest Supper; (d) Wedding/Funeral Receptions; (e) Fund raising events. This is to name but a few.

The PCC is aware that there is some controversy over the site, however it trusts that the Village Hall Steering Committee and the planners at TDBC will select the most appropriate and suitable site within the village for such a building.”

### **Parish Church of St Peter, Langford Budville**

“At the recent Parochial Church Council Meeting, it was agreed unanimously to support the building of the Village Hall.

It was felt that this would certainly be an asset to all the residents, especially those involved with the Church and the School.

This decision also has the endorsement of both the Archdeacon and the Bishop of Taunton.”

## 9.0 **REPRESENTATIONS**

### **(on originally submitted plans)**

44 letters of objection (5 from outside the parish) making the following points:-

1. Sited too far from other buildings.
2. Will be on the skyline, when viewed from most of the village.
3. The beneficiaries of the development will be the landowners and the developers rather than the public.
4. Large scale development in small village – meeting halls in Wellington and Milverton for large events. A smaller building that the village could afford to build and maintain would be more appropriate.
5. The chosen location does not relate well to the existing settlement and the church and school in particular.
6. The location seems specifically designed to encourage the approval of housing on the remainder of the land, which is a greenfield site outside the village envelope.
7. There was no allocation for development in the village in the local plan and any development on this land would not be compliant with government and local plan policies.
8. The site is between the village and one of the largest SSSI's in the district, containing both wildlife (particular deer, owls and badgers) and plants of some significance – the potential loss of this buffer of land in agricultural management is of concern.
9. The site is in an elevated position and the large building would have an overbearing visual impact on the setting of the village and an unnecessarily adverse impact on the surrounding land and on the SSSI.
10. The proposal provides for a hall with seating for 175 people, with parking for only 25 cars, creating the need for multi-trips to deliver and collect visitors.
11. Pedestrians would have to walk a considerable distance from the centre of the village, making access difficult. The footpath is an option, but it is not suitable for use late at night or even early in the evening in winter months.
12. It is a poorly sited development for the function it aims to provide.
13. The access is from a narrow road where in places there is insufficient room for two cars to pass and with an inadequate junction onto the Wiveliscombe road.



14. The majority of vehicles would have to negotiate the narrow village roads.
15. The site lies on the path of a public right of way, requiring a diversion order.
16. Proposed building should use local building styles and materials, rather than being a standard design bearing no relationship to the location and having no detailing that draws on the character and qualities of the conservation area and nearby existing buildings.
17. O.S. plan out of date.
18. The extra traffic will lead to the road system becoming overloaded and dangerous, with section of the access road having no grass verge or paved area for pedestrians. The access road is also used as an access to the school.
19. The accessibility of the proposed development by public transport is virtually impossible.
20. The proposed building will effectively fill the skyline both towards the village and Quantock Hills to the north and east and blot out the canopy of the Heath from the village.
21. Water pollution and flooding potential – the land is a watershed for the higher fields to the north of the site, there are springs including an artesian well on the site. In periods of heavy rain excess water causes flooding both at Ritherdons and lower in the village. An increase in water run-off will increase risk of flooding.
22. Significant noise pollution, with cars travelling to the car park making a huge intrusion of noise and on the privacy of the adjoining properties.
23. No study of the village for 22 years, so there is no evidence of the viability and vitality to a site within the settlement limits.
24. Despite agent's suggestion, feel very significant hedging will be destroyed to enable a reasonable splay for access.
25. The Village Hall Steering Committee and the Parish Council have effectively blocked any open meeting of the residents to discuss the development and to date have no business plan or sufficient funding for the project. Cannot be financially viable as a village hall - a grandiose scheme bound to fail at the expense of others and carries within it the seeds of destruction of the existing community.
26. Previous hall was allowed to decay to the point of being derelict through lack of use and maintenance.
27. No demand for a village hall nowadays – will be a 'white elephant'.

28. Within a few years it will be vandalised and be a blot on the landscape.
29. Will need public lighting, which would cause significant light pollution to the surrounding area.
30. Alternative site to the north-east of the church is a better site.
31. Site not close enough to the church or school for it to be shared by cars visiting these places, which are both badly in need of safe parking.
32. Siting will have a major impact on the peaceful ambience of the village.
33. Will increase the likelihood of housing development nearby in the future.
34. Huge loss of prime agricultural land.
35. The pattern of new development should be determined through the development plan process.
36. An access at the alternative site near the church gives an opportunity for improving traffic at the notorious black spot.
37. Concerns about the independence of the process which has led to this application. It has been undertaken in a largely covert manner by a self-appointed committee.
38. The needs of young children should be met.
39. The narrow lane from the village will undoubtedly be used by mothers dropping toddlers off at any playgroup after dropping off older siblings at the school.
40. Inappropriate area for social housing in a village where there is no shop and negligible public transport.
41. Contamination from foul water is possible from this development.
42. The lane leading to the site is frequently used by dog-walkers and horse riders and there is no street lighting.
43. The proposed access is unfeasible.
44. A dog fouling problem is likely to arise.
45. Query whether the suggestion of encouraging vehicles to approach the site via the route past the Martlett public house is an acceptable or workable solution.
46. Setting of the Grade I listed church would be impaired.

47. The village is of notable archaeological significance.
48. The existing hedge will have virtually no screening effect.
49. Concern at the possibility of the lane becoming one way.
50. Being uphill from the village, it will be too difficult for the majority of the villagers homes to reach, particularly if old or infirm.
51. At night people would not wish to stumble for at least 100 m along an unmade and unlit downhill path with at least one steep and potentially dangerous drop.
52. Potential adverse effect on adjacent smallholding due to pollution from drainage run-off.
53. Increase in surface water run off will cause subsidence on adjoining land.
54. Decision on the application should await the outcome of a survey of all households in the parish being carried out to ask whether a village hall is wanted and whether Ritherdons or an alternative site is preferred.
55. Recently introduced speed limits are a joke and do nothing to improve road safety.

21 letters of support (2 from outside the parish) making the following points:-

1. The village has a tremendous need for a hall and it can only enhance the village and be an asset.
2. Playgroup currently limited for space and need for venue for youth activities.
3. The primary school has to bus the children to Wellington to make use of sports hall facilities and to town schools for dramatic productions. Many other school activities would be greatly enhanced by the availability of a hall area.
4. The village community life will be strengthened when there is a good facility to use for a whole range of events, bringing people together. Many of these events will not create excessive noise or even much extra traffic.
5. Restrictions would be in place to prevent rowdy parties.
6. In time will become accepted as part of the local scene.
7. It is time to stop passing the village hall from one site to another and start moving forward.

8. Planners' suggestion of moving the position of the hall nearer to the road down into the dip would result in a significant increase in nuisance to the neighbours from noise – the lie of the land would act as an amphitheatre – and views would be seriously affected both from the neighbours and from the hall itself.
9. The proposed site on the edge of the village is ideal – away from the heart of the village, yet within walking distance for both the school and the villagers.
10. The site is the only one available and where further advantageous playing facilities could be developed in the future.
11. Inappropriate for objections from adjacent chainsaw and lawnmower business, which has noise from revving of engines.
12. Have responsibility to trust and support the steering committee with their plans and decisions to push the project forward in the best possible way.
13. Development at the skittle alley at the Marlett will be a loss for functions in the future.
14. The village is one of the very few that does not have a hall for meetings, functions and the day to day activities of the community.
15. Those opposing the application are encouraging villagers to object to the application after presenting them with incorrect information.
16. Will not be visible as enter village.

### **Comments on amended plans**

1. Architect letter only refers to landscape impact when viewed at ground surface level. View that roof ridge would be below ground level does not make sense.
2. Building will still be visible.
3. No account taken of water table, wells, etc. or possible destabilisation of adjacent private land.
4. New position of car park will be highly visible from all directions, in particular from the top gate and from Ritherdons Lane. Car parking still inadequate.
5. Still no discussion with villagers – who at the presentation were forbidden to question either the provision or location for a hall.
6. Claims that the revised location better serves the village requirements are absurd. New location is no nearer the village centre for pedestrian, is no more secure, possibly has greater impact on neighbouring properties, is

further away from proposed playing fields and economy in sub-structure not proven.

## 10.0 **PRINCIPAL ISSUES FOR CONSIDERATION**

- A. Is there a need for a village hall? NEED
- B. Is it appropriate for a village hall building to be provided on a site outside the settlement limits and in open countryside in policy terms? POLICY
- C. Will the proposed development have an adverse visual and landscape impact? VISUAL IMPACT
- D. Is the access to the site acceptable and is adequate parking provision made? ACCESS/PARKING
- E. Are the arrangements for the disposal of foul and surface water drainage adequate? DRAINAGE
- F. Will the proposal have an unacceptable impact on the wildlife of the area? WILDLIFE
- G. Is the design of the proposed building acceptable? DESIGN
- H. Will the proposal have an adverse impact on the amenity of the occupiers of nearby properties? IMPACT ON NEARBY PROPERTIES
- I. Is the development sustainable? SUSTAINABILITY
- J. OTHER ISSUES

### **A. Need**

A number of the letters of objection question the need for a hall for the village. There is at present no village hall in Langford Budville. The previous hall was demolished over 20 years ago. Since that time efforts have been made to find an alternative site and planning permission has been obtained for 2 sites – both just outside the village to the south of the road towards Holywell Lake. A few years ago, negotiations for the purchase of a site for a hall to the rear of the primary school fell through. Since that time, the village hall trustees have had informal discussions with my officers to seek a suitable site.

The accountability of the Village Hall Trustees is not a planning issue. Nor is the role of the Parish Council and the landowner in the proposal. Clearly, the fact that a planning application has been submitted by the Village Hall Trustees gives credence to the view that there is a need for a village Hall. The Taunton Deane Local Plan notes that although there is no village hall, the local community is actively pursuing provision of this facility. The Leisure Development Manager supports the application and notes that Langford Budville is one of a few villages of any size within Somerset currently without a village hall. In terms of size of the

building, the Trustees clearly see that the size proposed is what there is a demand for. Although it is likely that outside persons and organisations are likely to use the facilities, the main purpose is to provide a venue for village based activities.

The next application on the agenda is for a village hall at Langford Budville on an alternative site. Consideration of these applications is not a question of choice between the two sites. It is possible for both applications to be granted planning permission (or refused planning permission), if the Members are so inclined. If such a scenario were to arise, it would then be down to the respective applicants to decide how to proceed. Each application has therefore got to be considered on its merits.

## **B. Policy**

The application site is located beyond the settlement limits of the village. In such areas, Policy S8 of the Taunton Deane Local Plan applies. This states that outside defined settlement limits, new building will not be permitted unless it maintains or enhances the environmental quality and landscape character of the area and meets certain criteria. One of these is that the proposal should support the vitality and viability of the rural economy in a way which cannot be sited within the defined limits of a settlement.

The provision of a village hall with its associated car parking requires a relatively large area of land. I do not consider that there is an appropriate area of land within the settlement limits which would be suitable for the proposed development. I therefore consider that it is appropriate that, in view of the aspirations of the local community, a site on the edge of the village beyond the settlement limits is appropriate. This is consistent with the previous planning permission for a village hall at Langford Budville when a similar policy framework prevailed.

The indications on the submitted drawings of 'proposed housing by others' and 'proposed future playing fields' is not part of the current planning application and should not influence Members' consideration.

## **C. Visual Impact**

Policy S8 of the Taunton Deane Local Plan referred to above goes on to say that new building 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 criterion where practicable:-

- (i) avoid breaking the skyline;
- (ii) make maximum use of existing screening;
- (iii) relate well to existing buildings; and
- (iv) use colours and materials which harmonise with the landscape.

The siting of the proposed building as originally submitted was on an elevated site to the west of the village. I consider that in that position the proposal would have an adverse impact on views from the village towards the Common and also have an adverse impact on views towards the village from the road leading past the

Common and from the public footpath which leads from that point towards the village. The views along that footpath are towards the Quantock Hills in the background and the village, running down from the village church on its high point, in the foreground. The church is Grade I listed and the area around it is a designated conservation area. I consider that a village hall building with its associated car parking and access road in that position would have a seriously detrimental impact on the setting of the listed church and the conservation area.

Although the amended siting will not block off views of the church and conservation areas, I consider that it will have a detrimental impact on the setting. The footpath crosses an open field at an elevated level and I consider that this higher ground is inappropriate for the proposed development, notwithstanding the fact that the building would be 1.75 m lower in the revised position.

Both the original and amended sitings do not relate very well to the existing pattern of development in the village. The proposed access road is 100 m in length to the start of the car park with the proposed hall a further 60 m distant. The building would be approximately 100 m from the nearest dwelling in the village.

I am of the view that if a site in the 'Ritherdons' area is considered to be appropriate, an alternative site on the lower ground close to the lane should be investigated, although I am aware that the applicants have raised concerns with regard to drainage in the area.

#### **D. Access/Parking**

The site is proposed to be accessed from Ritherdons/Butts Lane with the applicants insisting that they would seek to encourage users of the hall to use the road past the Martlett Inn rather than the lane past the primary school leading to the site. Parking provision for 33 cars is proposed.

The County Highway Authority recognise that the lane leading to the site is very narrow and that the junction with the Wiveliscombe road at Two Ashes is inadequate for an increase in traffic flow. They state that the access lane will need to be improved. The Authority accepts that the vehicular route from the village to the proposed site would be via the main road rather than the lane, but that it will need to be well signed.

In view of my recommendation of refusal of the application, I have not sought amended plans seeking the above improvements. However, I consider that the proposal would be acceptable from a highways point of view with the improvements requested by the County Highway Authority. If the Committee is mindful to approve the application, these improvements can be sought by a condition. However, I do have concerns with regard to the suitability of the footpath from the village to provide an adequate route for accessing the hall on foot. The surface of this would need to be improved. Under the current emphasis on encouraging sustainable development, Policy 48 states that the level of car parking provision associated with new development should be no more than is necessary to enable development to proceed. The site is on the edge of the village and it is within convenient walking distance for the majority of residents of the village. I consider that to provide more

car parking space than this would have the effect of encouraging more residents to drive to the hall rather than walking or cycling. With a 100 m long access road, it is unlikely that there will be a highway problem of cars parking on the highway. This issue was not raised by the County Highway Authority.

### **E. Drainage**

Several of the letters of representation express concern at the possible increase in surface water run-off which may exacerbate an existing situation whereby properties in the village are flooded in times of excessive rainfall. The Council's Drainage Officer recognises that the surface water drainage systems in the area are of sensitive nature and that there have been instances of localised flooding. This is backed up by the response from the County Highway Authority. Consequently the Drainage Office indicates that a substantial drainage system, incorporating some form of on-site attenuation, will have to be provided.

As can be seen from the above, the Drainage Officer does not raise objection to the proposal, and I consider that, in the event of the Committee being minded to grant permission, his requirements can be achieved by way of a condition.

### **F. Impact on Wildlife**

Several of the letters of objection refer to the proximity of the site to the Langford Heathfield SSSI and the potential impact on the wildlife of the area. The consultation response from the Somerset Environmental Records Centre indicate that there are no badgers or other legally protected species at the application site, but there are within 1 kilometre of the site. English Nature have not raised objection to the proposal, although they do recognise that there will be more loss of hedgerow where the access to the site is to be improved. My conclusion is that there will not be a detrimental impact on the wildlife of the area.

### **G. Design**

A number of representations have included the view that the design of the proposed building does not reflect the local vernacular. Policy S2 of the Taunton Deane Local Plan states that development must be of a good design and that its scale, density, height, massing, layout, landscaping, colour materials and access arrangements will be assessed to ensure that the proposal will, where reasonably and feasible, meet certain criteria. One of these is that any development shall reinforce the local character and distinctiveness of the area, including the landscape setting of the site and any settlement, street scene and building involved.

The proposed building has been specifically designed to be simple and modest to meet the village's needs, activities and functions. The siting is very much a 'stand alone' one, where there are no buildings immediately adjacent to take a lead from in terms of design. The design proposal incorporates relatively low eaves lines with a greater expanse of roof area to wall area. The proposed materials are to be rendered walls with a slate type of roof material which I consider to be



appropriate to this rural style of village locations. I see no specific reason to object to the proposed design and materials for the building.

#### **H. Impact on nearby properties.**

The distance to the closest residential property is 100 m. With the amended plan setting the building down on slightly lower ground (by 1.75 m) this will alleviate any adverse affects from potential noise. The Environmental Health Officer does not raise any objection. Other residential properties in other directions are even further away and I do not consider that there will be any significantly adverse impact on the amenity of the occupiers to justify refusal of the application.

#### **I. Sustainability**

The site is adjacent to the village, potentially within appropriate walking distance for many of the potential users of the hall. It can be assumed that at present there will be an element of travelling out of the village, largely by car to access facilities that could be provided by a new hall.

There is unlikely to be an adverse impact on the wildlife of the area. The proposed designs and materials respect the local character and distinctiveness of the area. The proposal will improve public amenity and improve accessibility to community and recreational facilities for all sections of present and future generations.

#### **J. Other Issues**

The public right of way, which crosses the site, will not be affected by the proposed development. The proposed building (as indicated on the amended plan) is immediately to the west of it.

The application site occupies one side of the field. I do not consider that it will have a particularly adverse impact on the value or use of the remainder of the field for agricultural purposes.

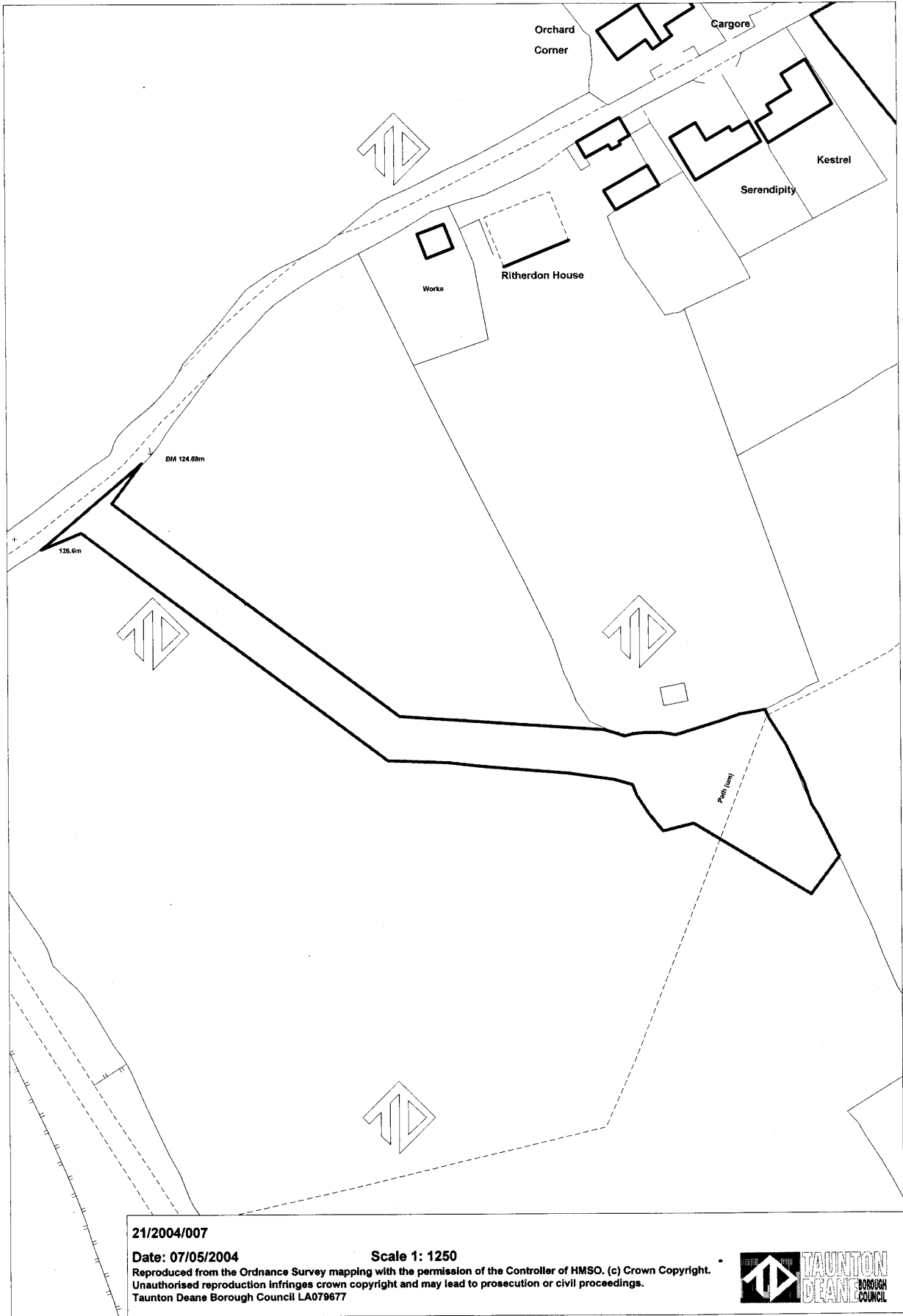
### **11.0 CONCLUSION**

It is not disputed that there are aspirations within the village for a new village hall. Furthermore, in the absence of a suitable site within the settlement limits, I consider that it is appropriate for a site on the edge of the village beyond the limits to be sought.

Informal pre-application discussions have taken place with the Village Hall Trustees and their agent and the general area to the west of the village at Ritherdons has been accepted as being appropriate for the proposed hall. However, the proposed site, even in its amended position is in an elevated position where it will have an adverse impact on views towards the Quantock Hills AONB and the setting of the village church and conservation area. An alternative siting further down the slope closer to the road should be investigated. My recommendation is therefore one of refusal.

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

**CONTACT OFFICER: Mr J Hamer Tel. 356461**



21/2004/007

Date: 07/05/2004

Scale 1: 1250

Reproduced from the Ordnance Survey mapping with the permission of the Controller of HMSO. (c) Crown Copyright.  
Unauthorised reproduction infringes crown copyright and may lead to prosecution or civil proceedings.  
Taunton Deane Borough Council LA079677



21/2004/011

MR W T JONES

**ERECTION OF VILLAGE HALL, FORMATION OF ACCESS DRIVEWAY AND CAR PARKING FOR HALL, CHURCH AND SCHOOL AND IMPROVEMENT OF ACCESS, LAND TO NORTH AND EAST OF ST PETER'S CHURCH, LANGFORD BUDVILLE**

11149/23028

OUTLINE

---

**1.0 RECOMMENDATION**

Permission be REFUSED for the following reasons:-

- 01 The site is beyond the settlement limits in open countryside and the development as proposed would constitute an undesirable intrusion into an attractive area of open countryside to the detriment of the visual amenities of the locality. (Somerset and Exmoor National Park Joint Structure Plan Review Policy STR6 and Taunton Deane Local Plan Revised Deposit Policy S8).
- 02 The development of the site as proposed would introduce alien features, including the access road, in the setting of the Church (which is a Grade I listed building) and Conservation Area and therefore be detrimental to these by reason of their siting and appearance. Furthermore the approach to the Conservation Area from the north-east is characterised by the narrow road and hedges and the proposed development by reason of the visibility splays, would devalue this approach. (Somerset and Exmoor National Park Joint Structure Plan Review Policy S9 and Taunton Deane Local Plan Revised Deposit Policy EN15).
- 03 The proposed access, with the loss of roadside bank and hedgerows and the provision of visibility splays, will have a detrimental impact on the rural character of the approach to the village and would therefore detract from the visual amenity of the area. (Somerset and Exmoor National Park Joint Structure Plan Review Policy STR6, West Deane Local Plan Policies WD/SP/2 and WD/C/7 and Taunton Deane Local Plan Revised Deposit Policies S1(D), EN5 and EN13).
- 04 The proposed development does not make adequate provision for a footpath link of an acceptable standard to the site from the village. (Somerset and Exmoor National Park Joint Structure Plan Review Policy 49, and Taunton Deane Local Plan Revised Deposit Policies S1(B) and M1).

**2.0 APPLICANT**

Mr W T Jones

### 3.0 **PROPOSAL**

The proposal is an outline planning application for a village hall to be used for educational and recreational purposes together with car parking for the proposed hall and the existing church and school. A building with a floor space of 364 sq metres is proposed. A block plan indicating 34 parking spaces has been submitted with the application (another plan includes a site for 50 cars).

The proposal provides for the improvement of the existing access into the field from the road leading into the village from Langford Gate. Visibility splays 56 m in one direction and 17m in the other are proposed at the access point, which will involve removing the existing roadside hedge and restoring the bank to a height of 900mm. An access road 210 m in length will cross the field to the proposed car parking area adjacent to the proposed hall.

A covering letter accompanying the application indicates that the site proposed by the Parish Council has created such controversy within the village that many residents feels that an alternative must be sought. The applicant considers that the current site seems to offer many advantages, viz (i) minimal impact on the majority of homes; (ii) it will keep traffic entering the village to the minimum; and (iii) both the school and the church would enjoy car parking benefits. The applicant acknowledges that the school has admitted that it will not be making much use of the village hall, the transfer of primary school children from school to hall would be achieved in an extremely safe manner by using an entrance off Butts Lane. The access alterations are seen by the applicant to be a small price to pay for the undoubted safety factors that they bring and that the hedgerows and banks would be returned to an acceptable level as quickly as possible.

### 4.0 **THE SITE**

The site is located to the north and east of St Peter's Church. The site is currently in agricultural use as grazing land and for hay production. Access will be via an altered access onto the road into the village from Langford Gate. The site is beyond the settlement limits of the village.

### 5.0 **RELEVANT PLANNING HISTORY**

The previous item is an application for a village hall elsewhere in Langford Budville.

21/2003/020 Erection of stables for DIY livery and improvements to access, field N.G. ST1123/2308 east of Langford Budville. Application withdrawn (Included on the agenda for the Planning Committee 26<sup>th</sup> November, 2003)

### 6.0 **RELEVANT PLANNING POLICY**

## **Somerset and Exmoor National Park Joint Structure Plan Review**

Policy STR1 sustainable development

Policy STR3 rural centres and villages

Policy STR5 development in rural centres and villages

Policy STR6 development outside towns, rural centres and villages

Policy 9 the built historic environment

Policy 37 facilities for sport and recreation within settlement

Policy 38 sport and recreation in the countryside

Policy 48 access and parking

Policy 49 transport requirements of new development

## **West Deane Local Plan**

Policy WD/SP/1 settlements defined as villages

Policy WD/SP/2 development outside settlement limits

Policy WD/RT/1 proposals for recreation or tourist development

Policy WD/RT/5 formal recreation and cultural facilities

## **Taunton Deane Local Plan Revised Deposit**

Policy S1 general requirements

Policy S2 design

Policy S7 villages

Policy S8 outside settlements

Policy EN15 conservation areas

Policies M1, M2 and M3 transport, access and circulation requirements of new development

## **7.0 RELEVANT CENTRAL GOVERNMENT POLICY GUIDANCE**

### **PPG1 General Policy and Principle**

Paragraphs 4 - 7

Paragraph 28 A number of the previous themes come together in considering development in the countryside. Here, the planning system helps to integrate the development necessary to sustain economic activity in rural areas with protection of the countryside. Rural areas can accommodate many forms of development without detriment, if the location and design of development are handled with sensitivity. Building in the open countryside, away from existing settlements or from areas allocated for development in development plans, should be strictly controlled. In areas such as National Parks which are statutorily designated for their landscape, wildlife or historic qualities and in areas of best and most versatile agricultural land, policies give greater priority to restraint.

Paragraph 32 Just as well-designed, new development can enhance the existing environment, it is fundamental to the Government's policies for environmental stewardship that there should be effective protection for the historic environment. Those aspects of our past which have been identified as being of historic importance are to be valued and protected for their own sake, as a central part of our cultural heritage. Their presence adds to the quality of our lives, by enhancing the familiar and cherished local scene and sustaining the sense of local distinctiveness which is so important an aspect of the character and appearance of our towns, villages and countryside. Their continued use is important if they are to contribute fully to the life of our communities.

Paragraph 40

Paragraph 50

Paragraph 54/55

### **PPG7 'The Countryside – Environmental Quality and Economic and Social Development**

Paragraphs 1.3 – 1.5

Paragraph 2.3

Paragraph 3.23 People who live in rural areas should have reasonable access to a range of services. Local planning authorities can facilitate provision and help retain existing services by, for example, assessing the nature and extent of rural needs, identifying suitable sites and buildings for

development to meet these needs, and promoting mixed and multi-purpose uses.

### **PPS7 (Draft) Sustainable Development in Rural Areas**

Paragraph 7 People who live or work in rural areas should have reasonable access to a range of services and facilities. Local planning authorities should:-

i. facilitate and provide for new services and facilities (e.g. through the use of planning obligations and the identification of sites in plans), particularly where;

- planning permission is granted for new developments in country towns or other service centres;

- settlements, or the population of their rural catchments, are expanding;

- there is an identified need for new or expanded services to strengthen the role of a particular rural service centre;

ii. seek opportunities (e.g. through planning obligations) to enhance public transport as a means of improving access to service centres;

iii. identify in development plans suitable buildings and development sites for community services and facilities to meet the needs of a range of users, including people with disabilities;

iv. support mixed and multi-purpose uses that maintain community vitality;

v. support the provision of small-scale, local service facilities (e.g. childcare facilities) to meet community needs in areas away from main service centres, particularly where they would benefit those rural residents who would find it difficult to use more distant service centres. These local facilities should be located within or adjacent to existing villages and settlements where access can be gained by walking, cycling and (where available) public transport.

Paragraph 9 Planning authorities should adopt a positive approach to planning proposals designed to improve the viability, accessibility or community value of existing services and facilities, such as village shops and post offices, rural petrol stations, village halls and rural public houses that play a vital role in sustaining village communities. Planning authorities should support the retention of these local facilities and should



set out in development plans the criteria they will apply in considering applications that will result in the loss of vital village services (e.g., from conversion to residential use).

### **PPG15 'Planing and the Historic Environment'**

Paragraph 2.26 Conservation of the wider historic landscape greatly depends on active land management, but there is nevertheless a significant role for local planning authorities. In defining planning policies for the countryside, authorities should take account of the historical dimension of the landscape as a whole rather than concentrate on selected areas. Adequate understanding is an essential preliminary and authorities should assess the wider historic landscape at an early stage in development plan preparation. Plans should protect its most important components and encourage development that is consistent with maintaining its overall historic character. Indeed, policies to strengthen the rural economy through environmentally sensitive diversification may be among the most important for its conservation.

Paragraph 4.14 Section 72 of the Act requires that special attention shall be paid in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area. This requirement extends to all powers under the Planning Acts, not only those which relate directly to historic buildings. The desirability of preserving or enhancing the area should also, in the Secretary of State's view, be a material consideration in the planning authority's handling of development proposals which are outside the conservation area but would affect its setting, or views into or out of the area. Local planning authorities are required by section 73 to publish a notice of planning applications for development which would in their opinion affect the character or appearance of a conservation area.

## 8.0 **CONSULTATIONS**

### **County Highways Authority**

Views awaited.

### **County Archaeologist**

Limited or no archaeological implications to this proposal and therefore no objection on archaeological grounds.

### **Wessex Water**

“The development is located within a foul sewerage area. It will be necessary, if required, for the developer to agree a point of connection onto the system for the satisfactory disposal of foul flows generated by the proposal. This can be agreed at the detailed design stage.

The developer has proposed to dispose of surface water to soakaways. It is advised that your Council should be satisfied with any arrangement for the satisfactory disposal of surface water from the proposal.

With respect to water supply, there are water mains within the vicinity of the proposal. Again, connection can be agreed at the design stage.

It is recommended that the developer should agree with Wessex Water, prior to the commencement of any works on site, a connection onto Wessex Water infrastructure.”

### **Langford Budville Primary School**

Support application in that we would be using it on a daily basis for P.E., dance, drama and assemblies and any other activities that require a large indoor space. This second application might additionally benefit the school if (a) it is closer and involves walking along a footpath rather than a road and (b) it gives car parking space for the school and church.

### **Landscape Officer**

“My main concerns are:-

- i. the proposals would be locally prominent from the churchyard and the Milverton Road junction.
- ii. that it would require the realignment of the existing hedgerow for visibility splay requirements – it may be possible to move the hedge and bank rather than re planting.
- iii. the road and building would require significant earth modelling to achieve a plinth for the building and gentle gradients for the access road and car parking and these would be visible from the above vantage points.
- iv. there is no proposed mitigation.

It may be possible to realign the road to have less impact and earth modelling and planting could be used to reduced some of the visibility of the building, car parking and road access.”

### **Rights of Way Officer**

“The footpath would not be affected. However the sewage and water services must not damage the footpath at the site boundary.”

**Environment Health Officer**

No objection

**Drainage Officer**

“A condition should be placed on any outline approval given regarding the provision and siting of proposed soakaways.

I note also that no details are given regarding road construction, this would obviously have quite an effect on any soakaway drainage provided.

If any outline approval is given the applicant should be advised to contact the drainage section to discuss surface water disposal at an early stage prior to full application being made.”

9.0 **REPRESENTATIONS**

18 letters of objection (1 from outside the parish), making the following points:-

1. Any form of development would be intrusive and spoil the outlook from property to the church and fields.
2. Noise.
3. Inappropriate close to the churchyard.
4. Even with plans to improve the access, the road into the village is still an accident blackspot.
5. The layout of the proposed driveway will carve up good pastureland unnecessarily.
6. Would set a precedent for allowing development on part of the remainder of the field, which would be a blot on the landscape and spoil the beautiful approach to the village.
7. Question whether the hall would ever be a viable proposition to be used by all residents, with the result that it could become a burden on parishioners.
8. Statement by the applicant that ‘many residents feel that an alternative site to the one at Ritherdons must be sought’ does not represent the majority or even a significant minority of residents. A far more representative group has already looked at several alternative sites and decided that the one at Ritherdons was the favourite, fulfilling all

the desired criteria with the minimum negative impact on villagers and the environment.

9. Objections raised to the Ritherdons site apply more to this application, particularly those relating to noise affecting nearby householders, as there are far more houses near to this site.
10. View that villagers and visitors are privileged to have of and from the church would be seriously affected by the proposed building.
11. Destruction of existing hedgerows and habitat.
12. Although the access to the other site is also from a narrow lane, that sees very little traffic compared to this one.
13. If the school will not be regular users of the hall, the proximity of the two buildings ceases to be an issue.
14. Loss of privacy due to overlooking.
15. Loss of value and strong detrimental effect on saleability.
16. Proposal has not come about by popular demand, but as a result of a small number of opponents to the other site desperately seeking an alternative combined with an opportunity by the landowner to realise a financial reward.
17. Inappropriate site.
18. The site at Ritherdons is the best option.
19. Need for a village hall has not yet been sought, established and evidence has not been produced.
20. The site is of particular scenic beauty and serenity, both in day and night time and the intrusion of a building and cars, noise and activity would be undesirable.
21. Inaccuracies in the covering letter – the school, playschool and the church are amongst the halls' biggest supporters and eagerly await the building of the village hall.
22. The sight of the church illuminated at night means so much to so many and should not be allowed to be altered.
23. Removal of 70 m of ancient hedgerow would no doubt increase the speed of the traffic up this hazardous hill and through the village.
24. The church and school already have car parking provision, so neither is likely to use the proposed car park as it would be most inconvenient for

them both, particularly when wet and Butts Lane being a very heavily used bridle path.

25. Should be a full planning application.
26. Plans inaccurate.
27. Access road may cause hold-ups if passing places are deemed necessary, which will cause hold-ups with possible tailbacks onto Langford Hill.
28. The proposed site is one of outstanding conservation value to the village.
29. Previous application for an access only in indicated that it was to allow access for farm vehicles, etc.
30. Query why the present application is made through a third party.
31. The alternative site proposed by the Village Hall Trustees is within their financial limits, whereas building on this site could be more expensive, e.g. no mention of type of road surface, could be problems with surface water and presumably the land would have to be purchased. If the Trustees find it impossible to finance a hall on this site it would leave the land open for other development.
32. Question whether the application is more in the interest of financial gain for the owner of the field rather than the good of the village as a whole.
33. Increase in light pollution.
34. No actual village need for a hall – already have a village public house which can accommodate functions.
35. In order to generate sufficient income, groups of people from outside the village will have to be encouraged – with the consequent increase in traffic.
36. Will affect views of the Quantock Hills from the churchyard.
37. Pedestrian access from the village is a bridle path used by horses therefore could not be paved and it is unsuitable for the proposed access because it is steep and narrow.
38. The proposed access to the site is on one of the most dangerous bends in the area. There will inevitably be more serious accidents.
39. If the proposed access is not adopted, there would be loose gravel deposited on the highway.

40. Concern that the application is breaking the copyright laws.
41. Water run-off from access road onto the highway in periods of heavy rain.
42. The 200 m long access road to reach the hall will have an enormous impact on the visual approach to the village, the parish church and surrounding properties, which are in a conservation area with protected views.
43. Site is only suitable for limited agricultural purposes.
44. A village shop/post office would be far more beneficial to the village inhabitants.
45. The view of the church from the Wellington/Milverton Road is exceptional and must be conserved at all costs.

36 Letters in support of the application (8 from outside the Parish) have been received, making the following points:-

1. The site is much better than the previous suggestion, as it will benefit the whole village.
2. Without cars parked outside the school and church, fire engines and ambulances as well as other traffic will be able to get through easily.
3. This site is better suited for use by the church and school, which will benefit.
4. The position north and east of the church provides easier access to the site.
5. The proposed site would reduce the road safety problems significantly.
6. Accept on the proviso that the village must have a village hall, of which believe most residents don't want.
7. Will be far less obtrusive and have less impact on nearby homes.
8. Will not seriously damage the rural aspect or conservation issue of the village.
9. Will remove an accident black spot on the approach road.
10. Both church goers and school pupils could attend their place of interest without being subjected to the normal road traffic dangers.

11. The site does not have the service problems of other local sites and there will not be any surface water problems.
12. The site does not have any confusion of financial interest by any outside body.
13. While no site is perfect, this one is by far the best available and much more user friendly and practical than the other proposed site at Ritherdons.
14. Meets all the requirements laid down by the Parish Council and Hall Committee in 1997, viz:-
  - a) near the centre of the village;
  - b) easily accessible by foot and located close to two of its major potential users – the church and school.; and
  - c) available for car parking use by both church and school visitors.
15. Big reduction in any noise pollution to the village.
16. Less impact on the landscape than the Ritherdons site.
17. The overall costs of the project, particularly those related to the disposal of sewage and foul water are likely to be considerably smaller.
18. Understand that there is no additional housing planning requests attached to this site.
19. The site is screened from the majority of the village, reducing possible light and noise pollution.
20. Hedges removed from the road access should be replaced by native species.
21. The road access is superior to the Ritherdons site, from an existing well-used road rather than a tiny lane.
22. The development will not compromise the Heathfield Nature Reserve or views from the highest point in the village.
23. No public rights of way are compromised.
24. Will not affect the conservation area, because it is outside it.
25. The Local Plan does not mark the view from the church or elsewhere in the conservation area as being of importance.

26. Many people who wrote in support of 21/2004/007 expressed support for a village hall, but not a particular site. There is no apparent reason for these people to reiterate this view in a letter of support for 21/2004/011. Concerned that these letters will be considered as supportive of 21/2004/006 but not of 21/2004/011 - this would not be a balanced view.
27. Will improve visibility at access point, especially for cyclists.
28. Query whether a mini-roundabout would be appropriate.
29. 50 car spaces more relevant.
30. Will not create a feeling of creeping urbanisation as it is tucked away in a convenient hollow to the north-east of the church.
31. The access road and car park can be satisfactorily screened to ensure that they are unobtrusive as possible set well below the ground level of the church.
32. Wrong that the villagers have still been denied the opportunity to state whether they actually want a hall.
33. Should be licence restriction and noise monitoring after 11 p.m.

## **10.0 PRINCIPAL ISSUES FOR CONSIDERATION**

- A. Is there a need for a village hall? NEED
- B. Is it appropriate for a village hall building to be provided on a site outside the settlement limits and in open countryside in policy terms? POLICY
- C. Will the proposed development have an adverse visual and landscape impact? VISUAL IMPACT
- D. Will the proposed development be detrimental to the setting of St. Peters Church, a Grade I Listed Building, and the village Conservation Area? CONSERVATION
- E. Is access to the site acceptable and is adequate parking provision made? ACCESS/PARKING
- F. Will the proposed development have an adverse impact on the amenity of the occupiers of nearby residential properties? IMPACT ON NEARBY PROPERTIES
- G. Will the proposal be of benefit to the village? BENEFIT
- H. Is the development sustainable? SUSTAINABILITY



## **A. Need**

A number of the letters submitted indicate that they consider that this is the preferred site for a village hall if a need has been established. Other letters indicate that there should be some form of up-to-date survey or referendum to establish the current need for a hall. The previous hall was demolished over 20 years ago. Since that time efforts have been made to find an alternative site and planning permission has been obtained for 2 sites – both just outside the village to the south of the road towards Holywell Lake. A few years ago, negotiations for the purchase of a site for a hall to the rear of the primary school fell through. Since that time, the village hall trustees have had informal discussions with my officers to seek a suitable site.

The previous item dealt with a planning application for a village hall elsewhere at Langford Budville, promoted by the Village Hall Trustees. This in itself gives credence to the view that there is a need for a village hall. The Taunton Deane Local Plan notes that although there is no village hall, the local community is actively pursuing provision of this facility. As indicated with the previous application, consideration of these applications is not a question of choice between the two sites. It is possible for both applications to be granted planning permission (or refused planning permission), if the Members are so inclined. If such a scenario were to arise, it would then be down to the respective applicants to decide how to proceed. Each application has therefore got to be considered on its merits.

## **B. Policy**

The application site is located beyond the settlement limits of the village. In such areas, Policy S8 of the Taunton Deane Local Plan applies. This states that outside defined settlement limits, new building will not be permitted unless it maintains or enhances the environmental quality and landscape character of the area and meets certain criteria. One of these is that the proposal should support the vitality and viability of the rural economy in a way which cannot be sited within the defined limits of a settlement.

The provision of a village hall with its associated car parking requires a relatively large area of land. I do not consider that there is an appropriate area of land within the settlement limits which would be suitable for the proposed development. I therefore consider that it is appropriate that, in view of the aspirations of the local community, a site on the edge of the village beyond the settlement limits is appropriate. This is consistent with the previous planning permission for a village hall at Langford Budville when a similar policy framework prevailed.

## **C. Visual Impact**

Policy S8 of the Taunton Deane Local Plan referred to above goes on to say that new building 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 criterion where practicable:-

- (i) avoid breaking the skyline;
- (ii) make maximum use of existing screening;
- (iii) relate well to existing buildings; and
- (iv) use colours and materials which harmonise with the landscape.

The field within which the proposed development is located is open to views from the Milverton to Wellington road at Langford Gate and the approach to the village along the lane looking to the village from Langford Gate. At present there are no buildings or structures within this field. It is considered that the provision of a hall building and car parking for up to 50 cars, together with the associated access road will have a significantly detrimental impact on the landscape of the area.

The proposed improvements to the access to the field to serve the new access road comprise the closure of the existing access and the formation of a new access 25 m closer to the village. Visibility splays of 56 m towards the village and 17 m towards Langford Gate will result in the removal of over 70 m of hedgerow and the reductions in height of the roadside bank to 900 mm for a maximum of 6.5 m from the roadside edge. The submitted plans indicate the replanting of a new hedgerow behind the new visibility splays.

I consider that the proposed new access with its visibility splay, resulting in the loss of a considerable length of roadside bank and hedgerow, will have a detrimental visual impact on the rural character of the lane at this point, which is the main approach into the conservation area village. The Conservation Officer observes that the approach is characterised by the narrow road with hedges, which would be devalued by the proposed development.

#### **D. Conservation**

Although the site is not within the village Conservation Area, it is immediately adjacent to it. Policies in relation to Conservation Areas state that the 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. The field within which the proposed development is located forms an important open foreground to the village Conservation Area, within which is St. Peters Church, a grade I Listed Building. I consider that the proposed development would have a detrimental impact on these settings. The Conservation Officer raises objection to the proposal.

#### **E. Access/Parking**

The County Highway Authority's views were still awaited at the time of compiling this Report, but it is understood verbally from the highways engineer that they are unlikely to raise any objection to the proposed access.

However, as with the previous item, I do have concerns with regard to the feasibility and suitability of Butts Lane to provide a pedestrian link into the village. The surface of this would need to be improved. Linked to this is the current planning policy emphasis on encouraging sustainable development. Policy 48 of the County Structure Plan states that the level of car parking provision associated with new development should be no more than is necessary to enable development to proceed. The site is on the edge of the village and provided a suitable pedestrian access can be provided in Butts Lane, it is within convenient walking distance for the majority of residents in the village. Whilst I consider that the provision of approximately 30 parking spaces would be appropriate, a figure of 50 spaces is likely to be considered excessive in sustainability terms. A larger area of car parking would also have a greater impact on the visual amenities of the area and the setting of the Conservation Area. The provision of a lower number of car parking spaces is more likely to have the effect of encouraging more residents to walk or cycle to the hall rather than drive. With the access road of more than 200 m in length, it is unlikely that there will be a highway safety problem of car parking on the highway.

#### **F. Impact on nearby properties**

The closest dwelling to the position of the proposed hall is approximately 75 m, although the car parking area will come closer than that. The proposed site is also on lower ground. The Environmental Health Officer has not raised any objection to the application. I therefore do not consider that there will be any unduly adverse impact on the residential amenity of nearby dwellings. Loss of view and loss of value are not planning considerations.

#### **G. Benefit**

A number of the letters of representation indicate that the proposal, with the provision of car parking will have a knock on effect of reducing on-street parking within the village. Although the proposal will provide additional parking provision in the village, there can be no compulsion or guarantee that the users of the church and school would use the proposed car park, particularly if there is no improvement to Butts Lane.

#### **H. Sustainability**

The site is adjacent to the village, potentially within appropriate walking distance for many of the potential users of the hall. It can be assumed that at present there will be an element of travelling out of the village, largely by car to access facilities that could be provided by a new hall.

There is unlikely to be an adverse impact on the wildlife of the area. The proposal will improve public amenity and improve accessibility to community and recreational facilities for all sections of present and future generations. It is my view that the setting of the Grade 1 listed St Peters Church and the village Conservation Area would be adversely affected by the proposal.

## 11.0 **CONCLUSION**

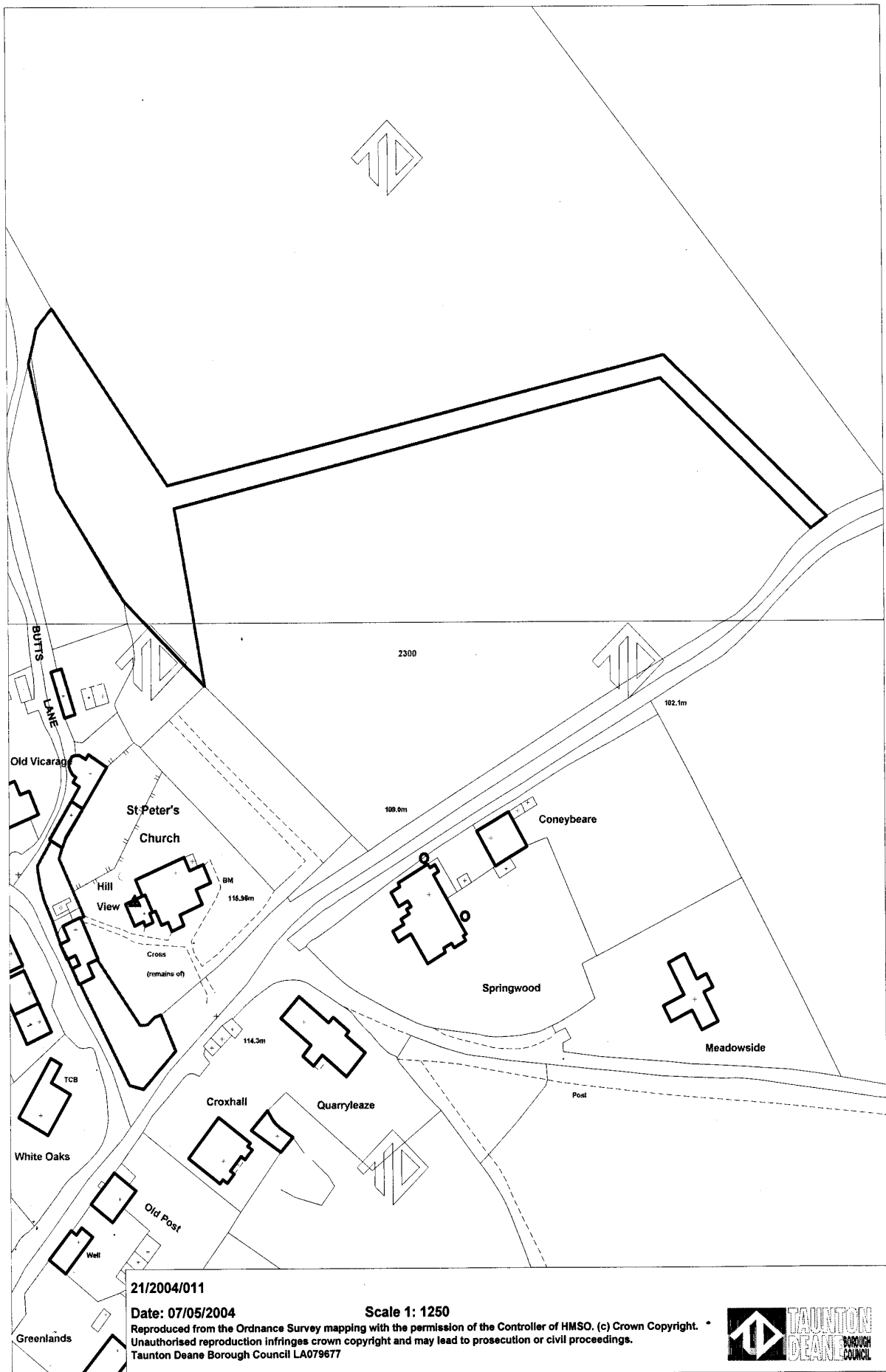
As with the previous item, it is not disputed that there are aspirations within the village for a new village hall. Furthermore, in the absence of a suitable site within the settlement limits, I consider that it is appropriate for a site on the edge of the village beyond the limits to be sought.

Informal pre-application discussions with the Village Hall Trustees and their agent and the general area to the west of the village at Ritherdons was accepted as being appropriate for a village hall. The fact that the Trustees have no association with this planning application is not of relevance in determining the application.

My view is that the proposed development, in the foreground to the setting of St Peters Church and the village Conservation Area of which it forms a part, could be detrimental to the character and appearance of the area. My recommendation is therefore one of refusal.

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

**CONTACT OFFICER: Mr J Hamer Tel: 356461**



21/2004/011

Date: 07/05/2004

Scale 1: 1250

Reproduced from the Ordnance Survey mapping with the permission of the Controller of HMSO. (c) Crown Copyright.  
 Unauthorised reproduction infringes crown copyright and may lead to prosecution or civil proceedings.  
 Taunton Deane Borough Council LA079677



06/2004/020

EMPRESS DEVELOPMENTS

**ERECTION OF DWELLING, OLD HOSPITAL SITE, DENE ROAD, COTFORD ST LUKE.**

16952/27206

FULL PERMISSION

---

**PROPOSAL**

The proposal provides for the erection of a single detached dwelling adjacent to the area being converted to dwellings from the former hospital buildings. Access is proposed from Dene Road. The submitted plans also indicate part of the scheme at the former hospital buildings being served from the same access. The materials for the proposed dwellings are to be stone walls and slate roof. The design matches that of one of the former hospital buildings adjacent to the site.

**CONSULTATIONS AND REPRESENTATIONS**

COUNTY HIGHWAY AUTHORITY views awaited. COUNTY ARCHAEOLOGIST limited or no archaeological implications and therefore no objection on archaeological grounds. WESSEX WATER development is served by Section 104 sewers, details of which have not yet been added to the public sewer map; the developer should agree with Wessex Water prior to the commencement of any works on site.

PARISH COUNCIL (verbally) object.

ONE LETTER OF OBJECTION the house is very close to the road and not in keeping with the development; more dwellings will contribute to an added disturbance to traffic flow and congestion to a residential area, which is unacceptable to existing residents; in everyone's interest all the amounts of dangerous rubbish, earth and derelict outbuildings should be removed and made tidy, etc.

**POLICY CONTEXT**

County Structure Plan Policy STR1 on sustainable development is relevant. Part of this policy requires the development of a pattern of land use and transport which minimises the length of journeys and the need to travel and maximises the potential for the use of public transport, cycling and walking.

Policy WD/HO/3 of the West Deane Local Plan states that within the identified limits of settlements the development of new housing will normally be permitted provided that certain criteria are met. Policy WD/HO/7 of the same plan sets out guidelines for the design and layout of new housing developments.

Policy S1 of the Taunton Deane Local Plan Revised Deposit includes general requirements for new developments. One of these requirements is that the accessibility of the development by public transport, cycling and pedestrian networks would be consistent with its likely trip generation and minimising the need to use the car. Policy H1 states that housing development will be permitted within defined limits of settlements provided certain criteria are met. It is considered that these criteria are met with the current proposal. Policy S2 of the same plan provides guidelines for the design of new developments.

## **ASSESSMENT**

The site is within the existing development area and is of adequate size to accommodate a small dwelling as proposed. The design and materials match the adjacent building which is to be converted to a dwelling.

## **RECOMMENDATION**

Subject to the views of the County Highway Authority, the Chief Planning Officer in consultation with the Chairman/Vice Chairman be authorised to determine the application and if permission is GRANTED be subject to conditions re materials, landscaping, boundary treatment, parking, meter boxes and no means of enclosure in front of the dwelling. Notes re disabled access, energy/water conservation, meter boxes and CDM Regulations.

REASON(S) FOR RECOMMENDATION:- The site is within the development limits of Cotford St. Luke and development of the site is considered to be acceptable without detriment to the adjoining development or the street scene and is in character with the area and thus the proposal is considered to be in compliance with Somerset and Exmoor National Park Joint Structure Plan Review Policy STR1 and Taunton Deane Local Plan Revised Deposit Policies S1, S2 and H1.

**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:

14/2004/013

MESSRS WHITE & UNDERHILL

**ERECTION OF TWO DWELLINGS, GARAGES AND ACCESS DRIVES AT THE FORMER CROWN INN CAR PARK, CROWN LANE, CREECH HEATHFIELD**

27880/27193

FULL PERMISSION

---

**PROPOSAL**

Planning permission was granted for the erection of two new dwellings on a site to the far south of the former pub car park at The Crown Inn. These dwellings have now been built. The current site is part of the car park that lies between the former Crown Inn and the two new dwellings. Planning permission was refused in June 2003 for the erection of two dwellings on land to the south of the Crown Inn, Creech Heathfield as the proposal would result in new buildings that were too high and close to the adjacent listed building (The Crown Inn). An amended scheme, that handed the dwellings so that a garage was nearest to the Crown Inn and provided parking for the Crown Inn (when converted to a dwelling) to the rear of the closest dwelling, was subsequently withdrawn by the applicant. In 2003 a further application was submitted. This also revised the layout but deleted the parking spaces provided for the Crown Inn. This was refused as it prohibited the provision of parking, for the listed building, in an acceptable location. It was considered that a lack of parking provision for the Crown Inn at this stage would compromise the provision of parking in an acceptable location and that this would ultimately have a detrimental impact on the setting of the listed building. The possibility of providing parking for the former Crown Inn within its domestic curtilage has now been agreed in principle. The current application is for two dwellings to the south of the Crown Inn (listed building). The layout proposes a drive along the northern boundary with the Crown Inn. The garage for the northern most dwelling is adjacent to the drive to reduce the visual impact on the setting of the listed building. The proposal is for two houses with attached garages that would front the access road that runs to the west of the site. The dwellings would also front onto the side and rear of the bungalows in Heathfield Close. The existing access is combined with a footpath and used by properties to the south of the site, including the two new dwellings located at the south of the former car park.

**CONSULTATIONS AND REPRESENTATIONS**

COUNTY HIGHWAY AUTHORITY views waited. ENVIRONMENT AGENCY views waited. WESSEX WATER views waited.

CONSERVATION OFFICER no objection considering the pre-application discussions. FOOTPATHS OFFICER footpath not marked on the maps. Any surface change to the footpath will require Highway Authority permission. Any change to that surface without such approval may result in the surface being removed at the cost of the developer. The public will not maintain it unless formally adopted.



PARISH COUNCIL object to the proposal, detailed comments awaited.

2 LETTERS OF OBJECTION have been received raising the following points:- the use of the access to the rear of the existing bungalows will result in noise, dust and dirt from vehicles effecting the amenity of the residents (as it already has with the two new dwellings already built adjacent to the site); Crown Lane is a private road and the resurfacing of the lane that is a result of this development should be funded by the developer as a condition of the planning permission; the proposal will result in more traffic using Crown Lane; the proposal would be an over-development of the site and out of keeping with the character of the bungalows in the area; it is illegal to build within 150 m of a listed building; the applicants should not erect a gate across the track as other people have rights of way across the track.

## **POLICY CONTEXT**

Somerset and Exmoor National Park Joint Structure Plan Review the following policies are considered relevant:- Policy STR5 requires development in rural centres and villages should be such as will sustain and enhance their role and will be commensurate with their size and accessibility, and appropriate to their character and physical identity. Policy 9 requires the setting, local distinctiveness and variety of buildings and structures of architectural or historic interest should be maintained and where possible be enhanced. The character or appearance of Conservation Areas should be preserved or enhanced. Policy 49 requires proposals for development to be compatible with the existing transport infrastructure and 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; Policy 11 development proposals should take account of identified Areas of High Archaeological Potential or, elsewhere where there is reason to believe that important remains exist, so that appropriate assessment and necessary protection can be afforded to any archaeological remains identified.

Taunton Deane Local Plan Revised Deposit the following policies are considered especially relevant:- S1 Proposals for development should ensure that (D) the appearance and character of any affected landscape, settlement, building or street scene would not be harmed as a result of the development; (E) potential air pollution, water pollution, noise, dust, glare, heat, vibration and other forms of pollution or nuisance which could arise as a result of the development will not harm public health or safety, the amenity of individual dwellings or residential areas or other elements of the local or wider environment; (F) the health, safety or amenity of any occupants or users of the development will not be harmed by any pollution or nuisance arising from an existing or committed use; Policy S2 requires development to be of a good design. Its scale, density, height, massing, layout, landscaping, colour, materials and access arrangements should (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; (F) minimise adverse impact on the environment, and existing land uses likely to be affected; Policy H1 allows housing development within this area of Creech Heathfield (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; (I) existing and proposed dwellings will enjoy adequate privacy and sunlight. 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.; EN24 where a proposal affects a site of archaeological interest or Area of High Potential, or it is suspected the development could affect archaeological remains, developers must provide for satisfactory evaluation of the archaeological value of the site, and the likely effects on it, before planning applications are determined.

## **ASSESSMENT**

The proposed dwellings will front onto the side of 12 Crown Lane and 5 Heathfield Close, Creech Heathfield. The dwellings have been designed in keeping with the new dwellings built to the south of the site and whilst contrasting with the existing bungalows, will reflect the more traditional design of the area. There is approximately 29 m from the front of plot 3 to 5 Heathfield Close and approximately 17 m from the front of plot 4 to the side of 12 Crown Lane and these distances are considered acceptable in this situation. The dwellings have been designed with two bathrooms, a hall and one bedroom window on the first floor and this will further reduce any overlooking between the existing and proposed dwellings. The proposed access has been altered to serve the two new dwellings already built on the site and subject to the views of the Highway Authority, I do not consider that an additional 2 dwellings will have an unacceptable impact on these traffic levels. As Crown Lane is privately owned maintenance of the lane is a private legal matter between those responsible for its upkeep. In consideration of the right of way running along the access I recommend a note to be added to the certificate to inform the applicant of the situation. Proposal considered acceptable.

## **RECOMMENDATION**

Subject to the receipt of the views of the County Highway Authority raising no objection to the proposal 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, surface water and foul drainage, archaeological investigation/programme of work, new hedge western boundary, retention and protection of hedge (eastern boundary), bathroom windows obscure glazed, no new windows/dormer windows on the western elevation, parking, garage for parking of domestic vehicles, new access onto Crown Lane must be level. Notes re Wessex Water, Crown Lane is a public right of way, upkeep of Crown Lane is a private matter, energy conservation, disabled persons, meter boxes, private drainage ditches, drainage channel is in private ownership site is close to a known archaeological site.

REASON(S) FOR RECOMMENDATION:- The proposal is for two new dwellings within the settlement limits of Creech St Michael where new development is permitted in accordance with Taunton Deane Local Plan Revised Deposit Policy S7. The proposals are considered to have an acceptable impact on the highway and neighbouring amenity in accordance with Taunton Deane Local Plan Revised Deposit Policies S1, S2, H1 and Somerset and Exmoor National Park Joint Structure Plan Review Policy 49. The

proposal is considered to have an acceptable impact on the character and setting of the adjacent listed building, The Crown Inn, in accordance with the requirements of Somerset and Exmoor National Park Joint Structure Plan Review Policy 9 and Taunton Deane Local Plan Revised Deposit Policy EN17.

**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:

23/2004/009

MR & MRS REDWOOD

**DEMOLITION OF EXISTING OUTBUILDING AND ERECTION OF DWELLING WITH GARAGE AND REPLACEMENT GARAGE FOR LODGE BARTON AT LAND TO REAR OF LODGE BARTON, WOOD STREET, MILVERTON**

12075/26037

FULL PERMISSION

---

**PROPOSAL**

The proposal is for the erection of a 4 bedroom detached dwelling with separate garage to be sited to the rear of Lodge Barton in Wood Street using the existing vehicular access. The proposal also involves demolition of the existing outbuildings containing garaging and a replacement garage for Lodge Barton. The dwelling would be rendered with pitched double roman clay tiled roof. The garages are sited such that the replacement garage for Lodge Barton is to the rear of the annexe to Lodge Barton, and the new dwelling's garage is to the north west of the site. An area is indicated as access to the field to the north through the garden of the new dwelling. The new dwelling's garden extends at right angles to the main part of the site to the rear of Lodge Barton, Quaker Cottage and The Dutch House. The point of access has been altered in order to improve visibility at the access from Wood Street.

The site was subject to an outline application for a dwelling which was refused under delegated powers in January 2003. Following an informal hearing in November 2003, the appeal was allowed. The current application is not reserved matters, as the current proposal does not indicate the retention of any of the galvanised outbuilding and the dwelling is closer to the annex of Lodge Barton. An application for Conservation Area Consent for the demolition of the existing galvanised outbuilding has been approved under delegated powers.

**CONSULTATIONS AND REPRESENTATIONS**

COUNTY HIGHWAY AUTHORITY no objections subject to conditions including parking area kept clear, access as on plan, surfaced drive, gradient, no surface water drainage to highway, turning space provided and visibility splays. COUNTY ARCHAEOLOGIST condition required re programme of works. WESSEX WATER points of connection to be agreed, soakaway details to be agreed, note re connections.

CONSERVATION OFFICER as site is in Conservation Area, design statement is required. As submitted the design appears more suited to an estate, the large dormer and rooflights are not characteristic of Conservation Area. DRAINAGE OFFICER notes re soakaways.

PARISH COUNCIL Council agreed to the principle of a dwelling on the site, however it requests that TDBC ensure that the impact on neighbouring properties is minimised, including a reduced ridge height.

4 LETTERS OF OBJECTION raising the following issues:- it is a case of who you know, the people will moan when the field is opened up for planning; intrusive impact on surrounding neighbourhood; the building to be demolished is single storey, a single storey dwelling would have less impact and be more in keeping with the Conservation Area; all developments on the north side of Wood Street have all been single storey; whilst there have been efforts to minimise the effects of the proposal in respect of overlooking, a single storey building would be preferable in terms of appearance of the village from the north; the building would have an overbearing effect on properties to its east, blocking sunlight in the late afternoons and evenings in the summer; most of the character of the buildings to the rear are all single storey; there should be consideration of the applicant to the neighbours and to the village; the proposal opens up land for future development; previous applications have all been refused, by the appeal decision this has opened debates about developing the land to the rear.

## **POLICY CONTEXT**

Taunton Deane Local Plan Revised Deposit Policies S1 General requirements relating to highway safety, accessibility, health and safety of users of the development, character of the landscape and building not to be harmed. S2 good design to reinforce the character ... S7 Villages limited to small scale proposals which support their social and economic viability ... H1 Housing within settlements will be permitted provided certain criteria are met ... The site is within settlement limits, within the Milverton Conservation Area and within area of High Archaeological Importance.

## **ASSESSMENT**

The proposal follows from an appeal against refusal of planning permission, on the basis of being backland and piecemeal development and contrary to the character of the Conservation Area. The Informal Hearing considered the principle of development, the reasons for refusal and the residents' concerns about siting, scale, single or two storey, and possible future developments. The Inspector's report concluded that the site was acceptable for residential development, that it would not cause harm to the adjoining residents' amenity, and that there were no reasons to restrict the size to single storey. As the access, visibility, turning and parking area are already in existence serving the existing store and garage, some the County Highway Authority's conditions are not applicable. This point was discussed and agreed at the Informal Hearing. However, keeping the turning area clear and improving the point of access to remove a large tree and part of the existing wall at the entrance have been included as part of the scheme. The Conservation Office's views requiring a design statement and comments on the scheme have been forwarded to the Agent, and these are awaited. The proposed dwelling is considered to be acceptable in terms of siting, scale and design and as there are no upper floor windows facing south or east, there is no direct overlooking. The replacement garages are in locations which are acceptable and are not considered to cause harm to any residents. The scheme as a it stands is considered

to be acceptable and that a two storey building would not be out of character in this location. The materials are the same as other dwellings in the locality. The applicant owns land to the rear, and an area has been indicated to show access to the field; any application to develop this site will be dealt with at that time - granting the current scheme does not in itself indicate that permission would be forthcoming on adjoining sites. It is considered that the proposal as it currently stands is acceptable, and permission is recommended for approval.

## **RECOMMENDATION**

Subject to an acceptable design statement and the views of the Conservation Officer on any amended plans that are forthcoming, the Chief Planning Officer in consultation with the Chair/Vice Chair be authorised to determine and permission be GRANTED subject to conditions of details of drainage, materials, landscaping, hard landscape, walls and fences, access as shown, garage for domestic purposes, turning area kept free, no additional windows, archaeological programme. Notes re Wessex Water connections, contact archaeologist, soakaways, disabled access, meter box, no drainage to highway.

REASON(S) FOR RECOMMENDATION:- The proposal is considered to be in accordance with Taunton Deane Local Plan Revised Deposit Policies S1, S2, S7 and H1 without any detriment to the amenities of the local residents.

**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:

23/2004/011

MR & MRS R COTTON

**ERECTION OF 2 NO. DETACHED DWELLINGS AT LAND AT ROSEBANK ROAD, MILVERTON AS AMENDED BY ADDITIONAL INFORMATION RECEIVED 30TH APRIL, 2004 AND AS AMENDED BY PLAN NOS. T228/3B, 4B, 5B, 6B, 7B AND 8 RECEIVED 10TH MAY, 2004**

12470/25732

FULL PERMISSION

---

**PROPOSAL**

The application is for the erection of two detached dwellings, with a shared drive, turning area and a new access to Rosebank Road, on land adjacent to the telephone exchange. The site measures approximately 30 m by 39.4 m, slopes towards the south and across the site, and is generally open with some trees and hedgebank along the frontage with a few trees to the rear of the site. The open plan estate of Colesmore is sited to the east and south of the site, with a single storey telephone exchange to the west, built upon a plinth. The properties opposite are detached bungalows set approximately 2.5 -3 m upon higher ground, and there is a detached house to the north-west. In the past the site was owned by British Telecom and has been used as an allotment. A parking bay area has been formed to the north of the site adjacent to Rosebank Road; it is not part of the adopted highway, and has been used by Rosebank residents and visitors. The application plans show the proposed dwellings being two storey with room over the garages which are set at right angles to the houses and fronting to Rosebank Road. Materials are brick, with brick detailing and quoins and pantile roof tiles. They are positioned towards the front of the site in order to avoid the public sewer and culverted water course which cross the site. It is proposed to site the slab level such that there is level access from the highway to the units.

Outline Planning Permission was granted in July 1988, for the erection of one bungalow and one house on the same application site in similar position i.e. to the north of the sewer.

**CONSULTATIONS AND REPRESENTATIONS**

COUNTY HIGHWAYS AUTHORITY the layout shown does not provide sufficient turning area, the distance between the garages needs to allow for a car to be parked in front of each garage, with a 6 m area in between for access, a type B waiting bay should be provided; suggested conditions, include parking area retained, hard surface access, gradient, visibility, no surface water to highway, type B waiting bay, and note re formation of access. COUNTY ARCHAEOLOGIST is close to an Area of High Archaeological Potential- suggests condition - programme of archaeological work required. WESSEX WATER there are Wessex Water assets crossing the site, a three metre easement required, diversion or protection works may need to be agreed, notes re connections.

LANDSCAPE OFFICER subject to a suitable landscape scheme it should be possible to integrate the proposals into the local landscape, a native hedgebank is suggested on the road frontage and similar to the rear.

PARISH COUNCIL no objection to principle of building on this site but felt that a bungalow or dormer bungalow would fit in better, a relocation of the dwellings to the front and back of the plot, either side of the drains and facing west would have less impact and provide privacy for the neighbouring properties in Rosebank Road.

MILVERTON AND FITZHEAD SOCIETY no reply received.

SIX LETTERS OF OBJECTION the plot is too small to allow two four bed houses without eroding the character of the area; only a gap of 1 m to boundary with adjoining property so major impact on property; insufficient space for adequate landscaping; out of keeping with open plan development of Colesmore; two garages in front of houses would have a strong visual impact on the character of the road which is attractive narrow curving country road; screening to the front of the property should be in keeping with a mixed hedge; always assumed a bungalow would be built; the two 4 bed dwellings look "squeezed in"; one house would be more in character with Colesmore; removal of parking bay would lead to alternative parking having to be found for Rosebank Road properties causing congestion and possible safety concerns on a narrow lane used by through traffic; a 2 m fence is required to replace an existing falling down lower fence; trees should be planted; dwellings are large and would have a high visual impact on the surrounding properties; loss of privacy to existing bungalows; Rosebank Road is now a designated route through to Houndsmoor, and increasing numbers of cars and lorries are using the road; increased parking resulting from removal of existing layby would mean increased parking on a narrow road, making it dangerous to pedestrians including children; a new parking bay should be included in the scheme; removal of the hedge will result in loss of wildlife; loss of rural views.

## **POLICY CONTEXT**

West Deane Plan - (WD/MV1 - a site south of Rosebank Road is proposed for a maximum of 10 dwellings, this site now developed as Colesmore; WD/MV/3 other than sites identified...housing will be restricted to infilling within the defined limits of Milverton.

Taunton Deane Local Plan - S1 General requirements relating to highway safety, accessibility, health and safety of users of the development, character of the landscape and building not to be harmed. S2 good design to reinforce the character..... S7 Development in Villages including Milverton..... will be limited to small scale proposals which support social and economic viability or enhances the environmental quality and is unlikely to lead to a significant increase in car travel. H1 Housing within classified settlements is acceptable within a set of criteria. The site is located within the settlement limits, and outside the Conservation Area and Area of High Archaeological Potential.



## **ASSESSMENT**

The site is within the settlement limits of Milverton and has had a previous approval for two residential properties (house and bungalow). The site is of adequate size to enable two detached dwellings to be erected. The plans will need to be amended to take into account the comments of the County Highways Authority, but this does not alter the principle of the scheme. It is not possible to have a hedgebank with landscaping and meet the visibility and layby conditions. The buildings could not be sited further back due to the positioning of the sewer. Given that the area has houses and bungalows, it is not unreasonable to allow two houses on this site. Their positioning is not considered to have any detrimental effect on the bungalows in Rosebank given their height above the highway, and there would be approximately 22 m between windows at the closest point across a highway, which is acceptable; and there is ample distance to the surrounding houses. Whilst garages to the front are not characteristic, parking is an issue in the area, and garages with parking in front are considered to be acceptable. The removal of the parking area alongside the road may result in parking issues for existing residents, however it is not an allocated parking area for those residents. The trees on the frontage are not considered to be worthy of retention, however it should be possible to retain some of the trees to the rear of the site. Given the position within the settlement limits, and the previous approval for two dwellings, it is not considered that permission could be reasonably withheld. The agent has been asked to amend the plans in order to meet the requirements of the County Highways Authority, which are considered to be reasonable, and subject to receipt of acceptable amended plans, the proposal is considered appropriate.

## **RECOMMENDATION**

Subject to the receipt of satisfactory amended plans showing sufficient turning and parking space with layby, the Chief Planning Officer in consultation with the Chair/Vice Chair be authorised to determine and permission be GRANTED subject to conditions materials, landscaping, hard landscape, levels, details of trees to be retained, protect retained trees, walls and fences, turning area kept free, parking area kept free, gradient, no drainage to highway, visibility, parking bay, garage for domestic purposes, no additional windows, obscure glass to upper floor, contamination, archaeological programme. Notes, Wessex Water connections, access to highway, remediation strategy, contact archaeologist, disabled access, and meter box.

REASON(S) FOR RECOMMENDATION:- The proposal is considered to be acceptable having regard to the location within the settlement limits and it would have no adverse effects on the amenities of neighbouring properties, it is considered to be in accord with Policies S1, S2, S7 and H1 of 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: 356460 MS K MARLOW (MON/TUES ONLY)**

NOTES:

24/2004/007

D T STODGELL

## **ERECTION OF DETACHED DWELLING AT LAND TO WEST OF YEW TREE COTTAGE, WRANTAGE**

30583/22359

OUTLINE APPLICATION

---

### **PROPOSAL**

The proposal is an outline application for the erection of a dwelling on land to the west of Yew Tree Cottage. The site lies outside of the recognised limits of any settlement as identified within the Taunton Deane Local Plan Revised Deposit , within an area of open countryside. An application for the erection of a dwelling on the land in question was refused in 1980 due to the location of the site in open countryside, impact on a Special Landscape Area and highway grounds. The item is being reported to Committee as the applicant is the partner of a member of staff.

### **CONSULTATIONS AND REPRESENTATIONS**

COUNTY HIGHWAY AUTHORITY views awaited. COUNTY ARCHAEOLOGIST there are limited or no archaeological implications to this proposal and we therefore have no objections.

DRAINAGE OFFICER a septic tank is to be used to dispose of foul sewage. This area is poor for sub-surface ingestion as the plot size is somewhat limited. The applicant, if successful, should consider the installation of a package sewage treatment works with treated effluent discharging to the adjacent watercourse. This will require the approval of the Environment Agency as they should be consulted.

PARISH COUNCIL unable to support the outline application as design details and plans are unknown. Could be reconsidered if a full application was submitted.

ONE LETTER OF OBJECTION has been received on the following grounds: a precedent may be set, allowing buildings on any available vacant small plot of land in Wrantage. We have been led to believe that planning for Wrantage precludes future development in this rural settlement; the ditch on the northern boundary tends to overflow and the proposal will exacerbate this; loss of privacy and overlooking; a new access will materially increase traffic noise to our home, we submit any entrance should be restricted to the existing entrance immediately to the west of Yew Tree Cottage; until we see the plans for the dwelling we reserve the right to register further observations.

### **POLICY CONTEXT**

Policy S8 (outside settlements) of the Taunton Deane Local Plan Revised Deposit and Policy STR6 of the Somerset and Exmoor National Park Joint Structure Plan Review strictly control development outside recognised settlements.

Policy S1 of the Taunton Deane Local Plan Revised Deposit and Policy 49 of the general regulations Somerset and Exmoor National Park Joint Structure Plan Review address highway considerations.

## **ASSESSMENT**

The application site lies outside of any recognised settlement limit as identified within the Taunton Deane Local Plan Revised Deposit, in an area of open countryside. There is strict control of development in such areas, with residential development normally resisted unless it serves a genuine agricultural or other appropriate need. The proposal does not constitute such a need and therefore it is recommended that the application be refused.

## **RECOMMENDATION**

Permission be REFUSED on the grounds that the site is in open countryside where it is the policy of the Local Planning Authority to resist new housing development unless it is demonstrated that the proposal serves a genuine agricultural or other appropriate need. In the opinion of the Local Planning Authority the proposal does not constitute a genuine agricultural or other appropriate need and would therefore be contrary to Policy STR6 of the Somerset and Exmoor National Park Joint Structure Plan and Policy S8 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: 356313 MRS F WADSLEY**

NOTES:

30/2004/008

MR & MRS GARRETT

**EXTENSION, DORMER WINDOWS, ALTERATIONS AND DETACHED DOUBLE GARAGE AT FAIRVIEW, BLAGDON HILL.**

20961/17371

FULL PERMISSION

---

**PROPOSAL**

The proposal comprises a two storey side extension, a single storey lean-to extension to the rear, 2 No. dormer windows to the front elevation, and a replacement double garage which would be set back further into the site to enable improved access off a classified road. Another access however, which serves a turning area to the rear, would be closed off to enable construction of the two storey side extension.

**CONSULTATIONS AND REPRESENTATIONS**

COUNTY HIGHWAY AUTHORITY the applicant is removing an adequate turning space, garage and parking space enclosing an access with 73 m visibility. It is proposed to keep in use an access with inferior visibility to the one which is to be closed and to provide substandard turning space. Any cars visiting the site may well be forced to reverse onto the classified un-numbered road which is subject to the national speed limit of 60 mph. It is strongly recommended on highway safety grounds that a standard turning space be provided on site. This will require the porch to be removed and realignment of the retaining wall.

PARISH COUNCIL to be approved.

**POLICY CONTEXT**

Taunton Deane Local Plan Revised Deposit Policies S1, S2 and H19 seek, inter alia, to safeguard visual and residential amenity and road safety.

**ASSESSMENT**

Whilst it is not considered that visual or residential amenity would be adversely affected by the proposed development, impact on road safety is a contentious issue. There are 2 existing vehicular accesses, one which serves a turning area to the rear, the other which serves a double garage, and the County Highway Authority's concern, understandably, is that the better of the 2 accesses would be closed off to make way for the two storey extension. Whilst this concern could be overcome by provision of a turning circle cut into a steep bank, and removal of an existing porch, the applicant is not prepared to do this because of site costs. Accordingly, the question arises as to whether permission should be refused on road safety grounds. Given that planning permission is not required to close the existing access, and given that the other access would be effectively improved by setting the new garage further back from the house, it is concluded that it would be unreasonable to resist the proposal.

## **RECOMMENDATION**

Permission be GRANTED subject to conditions of time limit, materials, and the existing garage to be removed and replaced prior to the commencement of the two storey extension to the side.

REASON(S) FOR RECOMMENDATION:- The proposed development would not adversely affect residential or visual amenity and accordingly does not conflict with Taunton Deane Local Plan Revised Deposit Policies S1, S2 and H19.

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

**CONTACT OFFICER: 356465 MR J GRANT**

NOTES:

43/2004/034

MR P ELLIOTT

**RETENTION OF FIRST FLOOR WINDOWS, 4 HIGHLAND PLACE, HIGH STREET, WELLINGTON.**

14145/20301

RETENTION OF BUILDINGS/WORKS ETC.

---

**PROPOSAL**

Retention of three first floor windows on the north west elevation. Windows have an internal obscure film applied and it is proposed to restrict the openings of the windows. The windows serve a bedroom, a bathroom, and a hall landing.

Permission was granted on 16th January, 2003 for a new dwelling. This application was approved with one first floor high level circular window with obscure glazing and a restricted opening. Planning Committee on 28th January, 2004 refused to accept amended plans retaining the windows without the proposed restricted openings.

**CONSULTATIONS AND REPRESENTATIONS**

TOWN COUNCIL oppose application because it will create overlooking and loss of privacy for neighbours.

TWO LETTERS OF OBJECTION raising the following:- original application passed with specific and express proviso that the building should not unduly overlook my property; small circular window passed was set high so did not overlook as the three rectangular windows do; obscure film can easily be removed; windows drawn are inaccurate and not to scale, far left window twice the width as drawn; object to brick wall being lowered; view from my window used to be to an attractive high brick wall, now I look onto ugly building; loss of trees on site without checking with the council; windows overlook garden, bedroom windows and dining room; idea of restricted openings is to use a couple of screws which can be removed; even if obscured, the windows will have appearance of overlooking, any prospective buyer would assume we were overlooked;

THREE LETTERS OF SUPPORT raising the following:- area has become a smart residential site; vast improvement on the old waste ground; development has improved parking and road surface into the site; improved outlook from a piece of overgrown land and derelict out buildings to a very clean and tidy property.

**POLICY CONTEXT**

Policy S1 (General Requirements) of the Taunton Deane Local Plan Revised Deposit seeks to ensure that the amenity of any residential property will not be harmed by any development.

## **ASSESSMENT**

The northwest elevation has three rectangular windows at the first floor with an internal obscure film applied. The dwelling is approximately 8.3 m to the boundary of the neighbouring properties, and 20 m to the neighbouring dwelling. The new dwelling is set down 780 mm from the ground level of the neighbouring properties to the rear. The applicant has indicated that the windows will have restricted openings, though I do not feel this is necessary to condition. Given that the windows are to have an obscure film, the distance from the dwelling to the nearest neighbouring property, and the difference in ground levels, it is considered that any overlooking or loss of privacy would be kept to a minimum and considered acceptable

The wall referred to within the objections is an old boundary wall that previously had permission to be lowered to 1.8 m. The wall has now been lowered by a further 170 mm to 1.63 m and amended plans are awaited. There is no objection from the Conservation Officer. The Local Authority Landscape Technician has visited the site and has no control over the loss of the trees on site or the reduction in the height of the Eucalyptus tree.

## **RECOMMENDATION**

Permission be GRANTED subject to conditions of obscure film to be retained, and all new glazing to be obscure.

REASON(S) FOR RECOMMENDATION:- The proposal is considered not to harm the visual or residential amenity of neighbouring properties and is in accordance with Taunton Deane Local Plan Revised Deposit Policy S1.

**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:





43/2004/038

WADHAM FENCING & LANDSCAPING

**EXPANSION OF BUSINESS ONTO LAND TO BE USED FOR COVERED AND OPEN STORAGE OF RAW MATERIALS AND FINISHED PRODUCTS TOGETHER WITH ACCESS AND LANDSCAPING, LAND ADJOINING UNIT 2, RYLANDS FARM INDUSTRIAL ESTATE, BAGLEY ROAD, WELLINGTON.**

12503/19501

OUTLINE APPLICATION

---

**PROPOSAL**

The application site adjoins part of the premises currently occupied by the applicants. The proposal is for the expansion of the existing business onto land to be used for open storage of raw materials (concrete fencing posts, raw timber) and covered storage of finished products (fencing panels) together with access and landscaping. The processes would remain in the existing adjoining unit, which is used as a sawing and assembly workshop. The size of the proposed building is 600 sq m. Part of the site is occupied by polytunnels in nursery use with hardstanding areas and the remainder is grazing land. The site comprises 0.23 ha of land and is bounded by Rylands Farmhouse and Rylands Nurseries to the north, Rylands Nurseries to the east, the existing Rylands Farm Industrial Estate to the south and the remainder of the paddock area to the west beyond which is Bagley Road. The company currently employs 15 staff and they anticipate that a further 5 staff would be employed if the proposal proceeds.

Wadham Fencing was established at Cheddon Fitzpaine in 1985 and moved to Rylands Farm Industrial estate 10 years ago, taking a 100 sq m building and a 500 sq m yard. The company has since expanded and taken up the unit adjoining the current application site, taking a further 135 sq m of covered floorspace. Since relocating, the workforce has increased from 6 to 15 full time employees. Three of these cycle to work, two walk and the daily vehicle movement is one lorry and 20 light vehicles per day (including the workforce). The applicants have installed specialist sawing and joinery equipment. The yard area is used for raw material storage and tanalising tanks. Additional storage, both covered and open, is required, particularly adjacent to the assembly building. Three forklift trucks are used for moving raw materials and finished products to and from the sawing and assembly buildings, and the applicants consider that it is now essential to expand the premises to sustain and expand the business further. If the proposed expansion takes place, the workforce is likely to increase to at least 20 with some additional traffic movement. Daily traffic movements would probably increase to one lorry movement and 24 light vehicle movements per day. The applicants consider that the increase in traffic movement is not commensurate with the increase in employees, as it is anticipated that staff living within close proximity of the works will be employed.

The proposal provides for a storage building to be erected close by the sawmill, with a level concrete service area to enable forklift trucks and other vehicles to safely carry materials to and from the works. The application is in outline, although an illustrative plan shows a building (46 m x 12.5 m height 6.3 m) on the site of the existing

polytunnels. The remainder would be used for an uncovered storage area for raw materials and landscaping.

The company indicates that it is committed to maintaining and providing additional employment opportunities in Wellington. To be able to continue this trend, the company sees that it is essential to expand. In order to expand, the applicant has considered several options, viz:- i) a split site operation (acquiring use of another unit at the southern end of Rylands Industrial Estate) - the applicants consider that this would be operationally dangerous carrying materials any distance by forklift along the estate roads and past other units and the additional handling and operating costs would render this a non-viable alternative; ii) to relocate the whole business onto the southern end of the Rylands farm Industrial Estate - the applicants consider that it would not be economically viable due to closure of the business during the dismantling and relocation of the specialist equipment used (including not only the sawing and joinery equipment, but also the pit extractor fans, filters, etc). They consider that this would have a knock on effect to the trading as, once interrupted, sales and orders would be lost. The cost of dismantling and refitting the equipment is estimated at approximately £25,000. The applicants consider that the rental on a new build would increase the company's current rent liability by approximately 50% over and above the existing rent paid, and although the business may be able to absorb a higher rent on one new building, they consider that it could not sustain an increase of this magnitude over the whole of its working and operational site; iii) continue to use current buildings and expand onto adjoining land (the current proposal). The company's production does not require new build premises, but can operate effectively, efficiently and economically from the current buildings it occupies, with the addition of basic covered and open storage and unloading areas as proposed. The proposed site is operationally ideal and its development would not cause any disruption to the existing business or order book; and iv) total relocation to another site - if a total relocation was to be contemplated, it would have to be to low cost premises, possibly Bridgwater. The applicants consider that option iii), involving expansion onto the adjoining land, is the only workable solution and that this would be compliant with policy EC1a of the Taunton Deane Local Plan Revised Deposit. The applicants consider that the economic benefits, both in terms of employment and to the vitality of the company, clearly outweigh the need to retain this plot as 'open countryside'. Furthermore, the applicants consider that mitigating measures can be achieved within the development site, such as the banking and planting proposed. They consider that the site is already within the physical curtilage of the industrial estate, albeit not formally zoned as such. The applicant's agent considers that if the proposal were to be rejected, the company's expansion would be being held back for no sustainably good reason.

A previous planning application in 2003 was withdrawn prior to determination (see Committee agenda 21/5/03). The current application is on approximately 50% of the site area previously put forward and is seen by the applicants as the minimum amount of land necessary for the proposal and associated landscaping. A 10 m wide strip of shrub and tree planting suggested by the Landscape Officer on the previous application is now proposed as part of the current application. The proposed store is only likely to be used by forklifts during working hours, so the applicants would find any suggested noise restrictions acceptable. A sustainable urban drainage system, previously suggested by the Drainage Officer, is currently being designed.

## **CONSULTATIONS AND REPRESENTATIONS**

COUNTY HIGHWAY AUTHORITY views awaited.

LANDSCAPE OFFICER the proposed storage building will extend the industrial character of the area further north closer to the adjoining farm building. However subject to successful establishment of the 10 m wide mound planting, as proposed, and a native hedgerow with tree planting along the post and rail fence line it should be possible in time to reduce the impact and maintain the character of the smaller paddock area. Although not within the application area, a hedgerow and tree planting on a 1 m high bank along the northern side of the main access road would significantly reduce the impact of the proposed storage building from Bagley Road. ECONOMIC DEVELOPMENT OFFICER support (further views will be reported verbally).

ENVIRONMENTAL HEALTH OFFICER noise emissions should not exceed background levels by more than 5 decibels when measured at any point at the facade of any residential or other noise sensitive boundary Monday - Friday 0800 hours to 1800 hours and Saturday 0800 hours to 1300 hours; at all other times including public holidays, noise emissions shall not be audible when so measured; noise emissions having tonal characteristics shall not exceed background levels at any time. DRAINAGE OFFICER have agreed sizes for the soakaways to deal with surface water run off from the proposal together with a french drain.

TOWN COUNCIL will be reported verbally.

SIX LETTERS OF OBJECTION land previously classed for agricultural use and not for industry; if allowed there should be an hours of work condition restricting to 8 a.m. to 6 p.m. Mondays to Saturdays and no work on Sundays and bank holidays; loss of views; increased traffic noise and pollution; land should remain as a buffer/sound barrier between the residential area and the industrial estate; area is Greenfield; there is sufficient land elsewhere on the estate that already has planning consent; applicant is a tenant and therefore always under threat of future relocation/expense; a tarmac hardstanding has already been put down together with huge quantities of construction spoil; previous permission to the applicant elsewhere on the estate which was not taken up; the portacabin and polytunnels have crept onto the site without planning permission; drainage wrongly installed; existing drains on Bagley Road cannot cope with further run off; nothing has changed since the previous recommendation of refusal; applicant's alternative options and reasons not good enough to expand onto land outside development limits; horrendous intrusion on adjacent residential property; precedent for development on the remaining agricultural land; part of the site has been sadly neglected and is now giving an impression of dereliction; policy EC1a is not relevant; question who is most likely to benefit from converting low cost agricultural land into high cost industrial land; proposed landscaping inadequate; there may be the temptation to move the machinery into the proposed storage building.

## **POLICY CONTEXT**

PPG1 indicates that planning proposals should be considered against the provisions of the development plan policies unless material considerations indicate otherwise.

Policy STR1 of the Somerset and Exmoor National Park Joint Structure Plan Review provides various criteria for sustainable development. Policy STR6 goes on to say that development outside towns, rural centres and villages should be strictly controlled and restricted to that which benefits economic activity, maintains or enhances the environment and does not foster growth in the need to travel.

Policy WD/SP/2 of the West Deane Local Plan states that outside defined settlement limits, development will not be permitted unless it is for the purposes of agriculture or forestry or accords with a specific development plan policy or proposal. Policy WD/IE/1 provides criteria against which employment proposals will be assessed. Policy WD/IE/2 goes on to say that the Borough Council will not normally permit the construction of new buildings for industry, warehousing or office use outside the defined settlement limits, although where there is no suitable site within the village, small scale employment developments will be permitted outside but adjacent to the village limits, where the criteria in policy WD/IE/1 are satisfied.

Policy S1 of the Taunton Deane Local Plan Revised Deposit covers general strategy requirements of development proposals. Policy S8 of the same plan states that outside defined settlement limits, new building will not be permitted unless it maintains or enhances the environmental quality and landscape character of the area and meets certain criteria. One of these criteria is that the proposal should support the vitality and viability of the rural economy in a way which cannot be sited within the defined limits of a settlement. Policy EC1a states that proposals by existing firms to expand onto land subject to restrictive policies will be permitted where relocation to a more suitable site is unrealistic and the economic benefit of the proposal outweighs any harm to the objectives of the relevant policy. Policy EC4 goes on to say that outside the defined limits of settlements, the development of new small scale buildings for business, industrial and warehousing use will be permitted provided certain criteria are met. One of these is that the site is adjacent to the limits of a village within which there is no suitable site available

## **ASSESSMENT**

The applicant contends that the fencing business is very seasonal and stock has to be built up to meet demand through the sales period. The land is not subject to restrictive covenants. Loss of views and loss of value of property are not planning considerations. Applicant's agent contends that there have been no noise complaints with regard to the industrial estate since 2000. Agent also contends that the natural surface water drainage would be to the Nowers stream and not towards Bagley Road and that the land is not viable for use as agricultural land.

The site is located outside the settlement limits, beyond the existing Rylands Farm Industrial Estate, and is therefore within the open countryside in planning policy terms.

However the proposal provides for the limited expansion of an existing company within the existing industrial estate which will result in additional jobs. I consider that the release of this greenfield site is acceptable in that it only proposes development on the part of the paddock away from the road and allowing for landscaping. The Borough Council has approved an Interim Employment Land Policy as Supplementary Guidance which provided for extensions to existing industrial estates in appropriate circumstances. Although there is other allocated land with planning permission adjacent to the estate, the current proposal constitutes a relatively minor incursion onto the area beyond the limits of the estate, and is therefore considered to be acceptable. The proposal is also considered to satisfy the requirements of Policy EC1a, despite the proximity of the nearby industrial allocation. The needs of the existing firm and the costs of relocation are considered to outweigh the normal presumption in favour of development taking place on the allocated land. In view of the recommended noise limit condition and restriction to storage use only, it is not considered that an hours of work restriction is appropriate.

## **RECOMMENDATION**

Subject to the views of the County Highway Authority, the Chief Planning Officer in consultation with the Chair/Vice Chair be authorised to determine and permission be GRANTED subject to conditions of time limit, details, materials, landscaping, limit to storage only and noise emissions. Notes re disabled access, energy/water conservation and soakaways.

REASON(S) FOR RECOMMENDATION:- It is considered that the proposal is in line with Taunton Deane Local Plan Revised Deposit Policies S1, EC1a and EC5 and that it will assist an existing business within the industrial estate to expand with no significant harm to residential or visual amenities in the area.

**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:

45/2004/004

DAVID MORFEE

**ERECTION OF NINE STABLES AND TACK ROOM TO REPLACE FOUR STABLES AND TACK ROOM, FIELD ADJOINING TALLY HO COTTAGE, TRISCOMBE.**

15302/35309

FULL PERMISSION

---

**PROPOSAL**

Replace four stables with nine stables and tack room. Proposed stables are laid out to form a central yard. The loose boxes measure 3.6 m x 3.6 m, with the corner boxes measuring 3.6 m x 5.4 m. The maximum height measures 2.7 m. Materials are shiplap cladding and onduline roofing.

A previous application (45/2004/003) was recently withdrawn.

**CONSULTATIONS AND REPRESENTATIONS**

COUNTY HIGHWAY AUTHORITY no objection. SOMERSET WILDLIFE TRUST no objection.

LANDSCAPE OFFICER subject to detailed landscape proposals this scheme is much better than previous application and should be capable of being integrated into local landscape. ENVIRONMENTAL HEALTH: no objection, notes re drainage and MAFF code of conduct. DRAINAGE OFFICER details of any foul drainage and surface water will need to be confirmed.

PARISH COUNCIL object to application as concerns that were previously raised have not been addressed; in particular the issue of whether the stables will be used for commercial activities and if so, the concerns over traffic and access to the site; application does not address the situation of excess water and seepage from manure, which could already be affecting the adjoining road.

**POLICY CONTEXT**

Policies S1 (General Requirements) and S2 (Design) are relevant to this proposal. These proposals seek to ensure that the appearance and character of any affected landscape will not be harmed as a result of development, and that the development should reinforce the character and distinctiveness of an area, including the landscape setting.

## **ASSESSMENT**

The proposal will replace existing stables that lie next to a hedge bank that runs along a single track road. At present the existing stables are screened by this bank. The proposed nine stables will also be integrated into the landscape with further planting and a small earth bank, minimising the impact of the stables within the AONB.

A letter from application 45/2004/003 written by the applicant, answers questions raised by the Parish Council and confirms that: the existing stables will be demolished; the stables are for domestic/personal use with no increase in traffic or vehicle movements; there will be no increase to current seepage of water and manure heaps will be regularly removed.

As conditions will be attached to this proposal regarding no commercial use of stables, foul drainage and landscaping. It is considered that any concerns have been overcome. The proposal is considered not to harm the residential or visual amenity of the area or adversely impact on the AONB, and is therefore considered acceptable.

## **RECOMMENDATION**

Permission be GRANTED subject to conditions of time limit, materials, no commercial use, landscaping, details of foul drainage and surface water. Notes re compliance, drainage and MAFF code of conduct.

REASON FOR RECOMMENDATION:- The proposal will not harm the visual or residential amenity of the area, and will not impact on the AONB in accordance with Taunton Deane Local Plan Revised Deposit Policies S1 and S2.

**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:



46/2004/008

MR B LORD

**REMOVAL OF CONDITION 03 ATTACHED TO PLANNING PERMISSION  
46/2003/015 TO ALLOW USE OF GARAGE AS DOMESTIC ACCOMMODATION,  
THE OLD PIGGERY, GERBESTONE MANOR, WELLINGTON**

16100/19280

REMOVAL OF ONEROUS CONDITIONS

---

**PROPOSAL**

To remove Condition 03 of planning application 46/2003/015 to allow the garage to be used as domestic accommodation. Openings in garage would be altered to allow new windows and door.

The piggery was originally granted permission for holiday accommodation in 1994. Permission was varied to allow the accommodation to be occupied by an estate worker in 1998. A miscellaneous item was presented to the Committee in November 2003 to lift the occupancy condition.

An planning application (46/2003/046) to link the garage to the main house was approved by the Planning Committee on 18th February, 2004.

**CONSULTATIONS AND REPRESENTATIONS**

PARISH COUNCIL object, totally opposed to this application as the series of applications have manipulated the planning system.

**POLICY CONTEXT**

Policy H19 of the Taunton Deane Local Plan Revised Deposit accepts extensions to dwellings provided there is no harm to residential amenity and no harm to the form and character of the dwelling; with the extension being subservient in scale and design. Policy S1 sets out general requirements and Policy S2 seeks good design.

**ASSESSMENT**

The site is secluded within the grounds of Gerbestone Manor and will not harm the residential amenity of the area. Within the site there will be sufficient space to accommodate more than two vehicles. Considering the amount of parking space, the proposal is considered acceptable.

**RECOMMENDATION**

Permission be APPROVED. Note re any future planning application for a garage will not be viewed favourable.

REASON(S) FOR RECOMMENDATION:- It is considered that the proposal complies with Taunton Deane Local Plan Revised Deposit Policies H19, S1 and S2, in that neither residential nor visual amenity would be adversely affected.

**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:

52/2004/008

L WILLINGALE

**ERECTION OF 2 STOREY SIDE EXTENSION AT 48 NEWBARN PARK ROAD,  
TAUNTON**

20792/23200

FULL PERMISSION

---

**PROPOSAL**

The proposal comprises the erection of a two storey side extension and a single store front extension which incorporates an extended hallway. The side extension would result in loss of the existing driveway parking and the loss of access to the garage to the rear. Parking would be replaced at the front of the property with sufficient space for 2 vehicles.

48 Newbarn Park Road is a modern red brick semi-detached dwellinghouse.

**CONSULTATIONS AND REPRESENTATIONS**

COUNTY HIGHWAY AUTHORITY no objection.

PARISH COUNCIL at their April 2004 meeting, the Parish Council agreed to support the above extension in principle, but would like to see the size reduced, by the removal of the part of the extension that protrudes beyond the existing frontage of the house. This would keep the houses along that side of the road looking similar, especially as this property is further forward towards the road than other properties and maintain the consistent character and appearance of the street scene. In addition, the Council are concerned about the proposal for the changes to the front garden to make the necessary space to park 2 cars off the highway. The Council feel that the space allocated is very tight and have strong views that all properties should have a garage and one parking space and if there is no garage, then 2 parking spaces. If, as the Council are suggesting, the extension was moved back to be in line with the house, then additional space would be created for the 2 parking spaces

**POLICY CONTEXT**

Taunton Deane Local Plan Revised Deposit Policies S1, S2 and H19 seek, inter alia, to safeguard visual and residential amenity.

**ASSESSMENT**

Whilst understanding the Parish Council's concern that houses on the estate remain similar, it is considered that it would be unreasonable to resist a modest single storey 'porch-like' front extension on visual grounds. The Parish are also concerned about parking. Given however that there is sufficient on-site space for 2 vehicles, and given that the County Highway Authority raise no objection, it would again be unreasonable to resist on parking grounds. The proposal is considered acceptable.

## **RECOMMENDATION**

Permission be GRANTED subject to conditions of time limit and materials.

REASON(S) FOR RECOMMENDATION:- The proposed development would not adversely affect residential or visual amenity and accordingly does not conflict with Taunton Deane Local Plan Revised Deposit Policies S1, S2 or H19.

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

**CONTACT OFFICER: 356465 MR J GRANT**

NOTES:

52/2004/010

MRS M R LAVER

**ERECTION OF CONSERVATORY AT REAR, 14 ASH CRESCENT, TAUNTON**

20621/23860

FULL PERMISSION

---

**PROPOSAL**

The proposal is to construct a conservatory at the rear of the property measuring 4.1 m x 2.7 m. The conservatory is proposed to be constructed between an existing single storey, flat roof extension and a neighbour's extension. The existing property is brick construction under a tiled roof. There is a 2 m boundary fence between the two properties.

This applicant is a member of staff.

**CONSULTATIONS AND REPRESENTATIONS**

PARISH COUNCIL support the application.

**POLICY CONTEXT**

Taunton Deane Local Plan Revised Deposit Policy H19 Extensions to dwellings states:- Extension to dwellings will be permitted provided they do not harm: A. The residential amenity of other dwelling; B. The future amenities, parking, turning space and other services of the dwelling to be extended; and C. The form and character of the dwelling and are subservient to it in scale and design.

**ASSESSMENT**

The proposed extension will have no material affect on neighbours therefore and complies with the requirements of Policy H19.

**RECOMMENDATION**

Permission be GRANTED subject to conditions of time limits and materials.

REASON(S) FOR RECOMMENDATION:- The proposed extension complies with Taunton Deane Local Plan Revised Deposit Draft Policy H19 in that there is no harm to the residential amenity or other dwellings and no harm to the form and character of the dwelling.

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

**CONTACT OFFICER: 356462 MRS S MELHUIH**

NOTES:

## **PLANNING COMMITTEE – 19 MAY, 2004**

### **Report of the Chief Planning Officer**

#### **ENFORCEMENT**

**Parish: Hatch Beauchamp**

- 1. File/Complainant Number** E329/19/2003 – 19/2003/020LB
- 2. Location of Site** The Cider House, Capland Court, Hatch Beauchamp, TAUNTON TA3 6TP
- 3. Names of Owners** Mr D Grounds
- 4. Names of Occupiers** Mr D Grounds

**5. Nature of Contravention**

Provision of solar panels.

**6. Planning History**

The contravention was brought to the Council's attention on 1 September, 2003. The provision of the solar panels required consent as they are positioned on a listed building. The owner was contacted and an application was submitted on 14 November, 2003. It was subsequently refused under delegated powers on 5 January, 2004.

**7. Reasons for Taking Action**

The development is out of keeping with the character and appearance of this building and the adjoining group of buildings, all of which are curtilage buildings of Capland Farm, a Grade II listed building. Accordingly, the proposal is contrary to Policies EN17 and EN18 of the Taunton Deane Local Plan Revised Deposit

**8. Recommendation**

The Solicitor to the Council be authorised to commence Listed Building Enforcement action and prosecution proceedings subject to satisfactory evidence that the notice has not been complied with.

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

**CONTACT OFFICER: Mr J A W Hardy Tel. 356479**





## **PLANNING COMMITTEE – 19 MAY, 2004**

### **Report of the Chief Planning Officer**

#### **ENFORCEMENT**

**Parish:- Taunton**

- 1. File/Complainant Number** E10/38/2004
- 2. Location of Site** Carpetright PLC, Unit 2, Priory Fields Retail Park, Taunton, Somerset
- 3. Names of Owners** Carpetright PLC.
- 4. Names of Occupiers** Carpetright PLC
- 5. Nature of Contravention**  
Display of internally illuminated sign

**6. Planning History**

The sign was erected when the building was completed without any Advertisement Consent. The company was contacted in February 2004 requesting that an application be submitted for the unauthorised sign. An application was submitted on 17 February, 2004 and was subsequently refused on 23 March, 2004. Following refusal various suggestions were put to the applicant to make the sign acceptable, however they have not taken up this option. Carpetright PLC have now appealed against the Local Planning Authorities decision.

**7. Reasons for Taking Action**

The sign, by reason of its design and level of illumination, constitutes an intrusive element in the street scene to the detriment of the visual amenities of the area. Therefore it is considered to be contrary to Taunton Deane Local Plan Revised Deposit Policy EC21 and the advice contained within the Council's adopted Supplementary Planning Guidance on Advertisement Control.

**8. Recommendation**

The Solicitor to the Council be authorised to commence prosecution action to secure the removal of the sign.

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

**CONTACT OFFICER: Mr J A W Hardy Tel. 346479**

## **PLANNING COMMITTEE – 19 MAY, 2004**

### **Report of the Chief Planning Officer**

#### **ENFORCEMENT**

**Parish: Wellington**

- 1. File/Complainant Number** E23/43/2004
- 2. Location of Site** Grants of Wellington, 55-60 Mantle Street, WELLINGTON, TA21 8AU
- 3. Names of Owners** Mr T Klimpke
- 4. Names of Occupiers** Grants of Wellington
- 5. Nature of Contravention**  
Use of land to store scrap vehicles
- 6. Planning History**

A number of complaints have been received regarding the operation of the business from the above premises, however the majority were of a civil nature and not involving the Local Planning Authority. However, one complaint, which is of concern, is the use of the land to the rear of the premises. The planning history shows that in the past this land has been the subject of planning applications for residential purposes. The applications were never successful and the land remained in its former use, that of an area to store touring caravans. The land was acquired by the garage owner sometime later and was used to park a small number of vehicles in connection with the garage on Mantle Street. The majority of vehicles were parked awaiting repair, servicing etc. One or two vehicles that were crash damaged beyond repair were occasionally stored on the land awaiting disposal but this only amounted to a very few vehicles. Within the last four months the area of land has become full of what can only be described as insurance write off vehicles and now resembles a scrap yard. No planning application has been received for the change of use. The owner was contacted on 4 February, 2004 requesting that an application be submitted. Attempts have been made to discuss the situation with Mr Klimpke but without success.

- 7. Reasons for Taking Action**

It is considered that the development has a detrimental effect on the residential properties that surround the site. Also, the stacking of vehicles has a detrimental effect on the visual amenities of the area

and therefore contrary to Policy S1 of the Taunton Deane Local Plan Revised Deposit.

**8. Recommendation**

The Solicitor to the Council be authorised to commence Enforcement action and Prosecution proceedings subject to satisfactory evidence that the notice has not been complied with.

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

**Contact Officer Mr J A W Hardy 356479**