



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 24TH NOVEMBER 2004 AT 17:00.

(RESERVE DATE : THURSDAY 25TH NOVEMBER 2004 AT 17:00)

AGENDA

1. Apologies
2. Minutes (attached).
3. Public Question Time
4. CHURCHSTANTON - 10/2004/023
CHANGE OF USE AND CONVERSION OF AGRICULTURAL BUILDING TO FORM DWELLING AT FORD FARM, MOOR LANE, CHURCHINFORD.
5. CORFE - 12/2004/009
FORMATION OF NEW VEHICULAR ACCESS TOGETHER WITH PARKING AND TURNING AREAS AT MEADOWS EDGE COTTAGE, CORFE AS AMPLIFIED BY AGENTS LETTER DATED 20TH OCTOBER, 2004
6. HATCH BEAUCHAMP - 19/2004/014
ERECTION OF DETACHED DWELLING AS A MANSE, VILLAGE ROAD, HATCH BEAUCHAMP.
7. MILVERTON - 23/2004/036
USE OF LAND TO SITE MOBILE HOME FOR USE IN CONJUNCTION WITH PROPOSED PHEASANT REARING BUSINESS, FORD BRIDGE QUARRY, MILVERTON.
8. OTTERFORD - 29/2004/013
ERECTION OF REPLACEMENT DWELLING AND DETACHED DOUBLE GARAGE, HILL VIEW, BISHOPSWOOD.
9. TAUNTON - 38/2004/384
RESIDENTIAL DEVELOPMENT TO THE NORTH END OF POPLAR ROAD, TAUNTON AS AMENDED BY AGENTS MEMO DATED 4TH OCTOBER, 2004 AND AMPLIFIED BY DRAWING NO. HC/1431:04/28 REV. B
10. TAUNTON - 38/2004/424
ERECTION OF BUILDING COMPRISING THIRTEEN FLATS ON LAND ADJACENT TO WESSEX LODGE, 11/13 BILLET STREET, TAUNTON.

11. TAUNTON - 38/2004/441
DEMOLITION OF BUILDINGS AND ERECTION OF TWO AND TWO AND A HALF STOREY RESIDENTIAL DEVELOPMENT (10 X 2 BEDROOMED FLATS) AT BRITISH RED CROSS CENTRE, WILTON STREET, TAUNTON.
12. TAUNTON - 38/2004/454
CONSTRUCTION OF MULTI-STOREY CAR PARK ON LAND TO NORTH OF ALFRED MORRIS HOUSE, TAUNTON AND SOMERSET HOSPITAL, MUSGROVE PARK, TAUNTON.
13. WELLINGTON - 43/2004/126
CONVERSION OF SKITTLE ALLEY TO FORM 5 GUEST BEDROOMS, THE WEAVERS ARMS, ROCKWELL GREEN, WELLINGTON.
14. WEST MONKTON - 48/2004/061
DEMOLITION OF FILLING STATION AND CONSTRUCTION OF CAR MOTOR DEALERSHIP AND ASSOCIATED WORKS AT CENTRAL SERVICE STATION, BRIDGWATER ROAD, BATHPOOL.
15. WIVELISCOMBE - 49/2004/067
ERECTION OF 2 NO. DETACHED DWELLINGS, THE MANSE, FORD ROAD, WIVELISCOMBE.
16. 38/2004/464 - CONSTRUCTION OF 3 BAY INDUSTRIAL TYPE BUILDING TO HOUSE INCIDENT RESPONSE VEHICLES, TAUNTON FIRE STATION, LISIEUX WAY, TAUNTON. Miscellaneous item
17. E299/38/2004 & 38/2004/466 - PROVISION OF LARGE SATELLITE DISH TO FRONT ELEVATION OF 18 PORTMAN STREET, TAUNTON. Enforcement item
18. E387/14/2004 - DISPLAY OF SIGN ADJACENT TO M5 MOTORWAY, FIELD AT CREECH ST. MICHAEL, TAUNTON. Enforcement item

G P DYKE
Member Services Manager

The Deane House
Belvedere Road
TAUNTON
Somerset

TA1 1HE

16 November 2004

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

Planning Committee Members:-

Councillor Miss Peppard (Chairman)
Councillor Mrs Hill (Vice-Chairman)
Councillor Beaven
Councillor Bowrah
Councillor Miss Cavill
Councillor Croad
Councillor Denington
Councillor Floyd
Councillor Guerrier
Councillor Henley
Councillor Hindley
Councillor House
Councillor Phillips
Councillor Mrs Smith
Councillor Stuart-Thorn
Councillor Vail
Councillor Wedderkopp
Councillor Weston

Planning Committee –3 and 8 November 2004

Present (3 November 2004):

Councillor Miss Peppard (Chairman)
Councillor Mrs Hill (Vice-Chairman)
Councillors Beaven, Bowrah, Croad, Denington, Floyd, Guerrier, Henley, Hindley, House, Phillips, Mrs Smith, Stuart-Thorn, Vail and Wedderkopp

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

(The meeting commenced at 5.00 pm)

(Councillors Bowrah and Denington arrived at the meeting at 5.14 pm and 5.20 pm respectively.)

Present (8 November 2004):

Councillor Miss Peppard (Chairman)
Councillor Mrs Hill (Vice-Chairman)
Councillors Croad, Denington, Floyd, Henley, Hindley, House, Phillips, Stuart-Thorn, Vail and Wedderkopp

Officers: Mr N T Noall (Head of Development), Mr T Burton (Development Control Manager), Mr J Hardy (Planning Enforcement Manager), Mrs A Dunford (Planning Enforcement Officer), Mrs J M Jackson (Senior Solicitor) and Mr R Bryant (Review Support Manager)

128. Apologies

3 November 2004:- Councillor Miss Cavill.

8 November 2004:- Councillors Beaven, Bowrah, Miss Cavill, Guerrier and Mrs Smith.

129. Minutes

The minutes of the meeting held on the 13 October 2004 were taken as read and were signed.

130. Public Question Time

Miss D Robins asked a number of questions on behalf of her father in respect of the recently formed gypsy camp at North Curry.

The Chairman (Councillor Miss Peppard) thanked Miss Robins for her questions, which would be dealt with appropriately.

131. Business requiring to be dealt with as a matter of urgency

The Chairman reported that she had certified that the item covered by Minute No 132 below should be dealt with as an urgent matter.

132. Unauthorised gypsy encampment, land at Oxen Lane, North Curry

The Senior Solicitor, Mrs Judith Jackson, provided members with a situation report concerning the unauthorised gypsy encampment on land at Oxen Lane, North Curry.

She explained how shortly before the Council offices had closed on Friday, 22 October 2004, an application to change the use of land at Oxen Lane, North Curry to a permanent gypsy site had been received but that within a couple of hours, unauthorised works to create 16 pitches with access tracks and drainage had commenced.

Over the weekend and during the following week, works had continued and a montage of photographs showing the rapid progress made to form the site were shown.

Mrs Jackson added that when power and water had recently been installed on the site, the Council had immediately investigated this to be told that it was to serve a new stable block which was going to be erected. The owner had even placed a sign at the entrance to the site inviting people to rent parts of the stable to avert any suspicions as to the true intentions for the use of the land.

Although the Council had been aware for some months that the land had been purchased by a gypsy, there was nothing the Council could have done in advance to have prevented what had occurred.

Following several visits to the land at Oxen Lane, North Curry during the first few days of the occupation, sufficient information was gathered to enable a stop notice and enforcement notice to be served on the occupants on the 29 October 2004. As a result, no further works had since taken place on the land.

The next stage for the Council would be to consider obtaining an injunction from the High Court seeking the removal of the caravans from the land until such time as the planning application, and any subsequent appeal, had been determined.

It was suggested that the reserve date of the Committee (Monday, 8 November 2004) should be used to allow Members to reconvene to discuss the possibility of seeking an injunction.

Mrs Jackson warned the Committee that great care had to be taken to ensure all issues were considered and all relevant information was gathered before an application to the High Court was made, otherwise it would not be successful.

The Chairman of North Curry Parish Council, Commander Ryan, criticised the Council for not having a strategy to deal with this matter, which had been likely ever

since the land was sold. Nevertheless, he hoped everything would now be done to resolve the issue promptly.

RESOLVED that:-

- (1) The report be noted; and
- (2) The Planning Committee reconvene on Monday, 8 November 2004 at 5 pm to discuss the possibility of seeking an injunction aimed at removing the caravans from the land at Oxen Lane, North Curry.

133. Applications for Planning Permission

The Committee received the report of the Development Control Manager 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 undermentioned development, subject to the standard conditions adopted by Minute No 86/1987 of the former Planning and Development Committee and such further conditions as stated:-

20/2004/022

Erection of dwelling, garage and drive, land at Broadway House, Church Lane, Kingston St Mary.

Notes to applicant:- (1) Applicant was advised of the following from Wessex Water:- (a) 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. (b) The developer has proposed to dispose of surface water to soakaways. He should therefore ensure that the Council is satisfied with any arrangement for the satisfactory disposal of surface water from the proposal. (c) With respect to water supply, there is a public water main crossing the site. A copy of the supply records indicating the approximate position of the apparatus is enclosed. Wessex Water normally require a minimum 3 m easement width on either side of its apparatus for the purpose of maintenance and repair. Diversion or protection works may need to be agreed. (d) The developer is required to protect the integrity of Wessex Water systems and agree, prior to the commencement of works, any arrangements for the protection of infrastructure crossing the site. This should be agreed as early as possible and certainly before the developer submits any Building Regulations application. The developer must agree, prior to the commencement of works on site, any arrangements for the protection of Wessex Water infrastructure crossing the site. Connection can be agreed at the design stage. (e) It is recommended that the developer should agree with Wessex Water, a connection onto Wessex Water infrastructure prior to the commencement of any works on site. (2) Applicant was advised of the need to comply with the remaining conditions in the Inspector's appeal decision dated 5 April 2002, reference APP/D3315/A/01/1076760. (3) With regard to

the proposed landscaping, applicant was requested to provide a greater variety of species for the tree planting.

Reason for approving detailed plans:-

The proposal was considered to accord with Taunton Deane Local Plan Revised Deposit Policies S1, S2 and H1, without detriment to the character of the area.

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

10/2004/019

Variation of condition 03 of planning permission 10/1988/023 to allow accommodation to be used as holiday let and deletion of link at Northdown House, Churchinford (resubmission of application 10/2004/010).

Conditions

- (a) C001 – time limit;
- (b) C102A – materials;
- (c) C413 – restriction of occupation for holiday lets in permanent buildings.
(Note to applicant:- N033 – drainage/water).

Reason for granting planning permission:-

The proposed holiday let was considered acceptable in principle and would harm neither visual nor residential amenity. The proposal was in accordance with Taunton Deane Local Plan Revised Deposit Policy EC3.

10/2004/021

Erection of two holiday chalets at land at Paye Plantation, Stapley.

- (a) C001 – time limit;
- (b) C101 – materials;
- (c) C412 – restriction of occupation for holiday lets in permanent buildings;
- (d) Prior to the commencement of works on site, details for the provision and implementation of a surface water run-off limitation scheme shall be submitted to, and approved in writing by, the Local Planning Authority. This scheme shall be implemented in accordance with the approved programme and details;
- (e) Prior to the commencement of works on site, full details of the construction of the access track and parking (including depth, make-up, drainage and surface treatment) shall be submitted to, and approved in writing by, the Local Planning Authority. The

access shall be constructed in strict accordance with the approved details and shall be maintained as such thereafter.

- (f) Prior to the commencement of works on site, a further wildlife survey shall be undertaken between March and July by a qualified Environmental Consultant and to include an investigation for all significant species of flora and fauna and protected species (including adders, slow worms and newts) and a report submitted to, and approved in writing by, the Local Planning Authority. The survey and report shall include an identification of species present, an impact assessment and mitigation/avoidance measures in order to safeguard protected species in accordance with the law. Once approved, the works shall take place in accordance with the agreed measures and in accordance with any licence requirements;
- (g) In connection with this development, no site clearance works or development (or specified operations) shall take place between 1 March and 31 October without the prior written approval of the Local Planning Authority;
- (h) Prior to the commencement of works on site, a management plan to enhance, conserve and monitor the mire and associated scrub, as identified in the Greenwood Environmental Ecological Survey, February 2004 and as detailed in the accompanying plan shall be submitted to, and approved in writing by, the Local Planning Authority. Once approved, the management and monitoring works shall be carried out on an annual basis and according to the approved plan.
- (i) Prior to the commencement of works on site, plans showing one parking space for each unit shall be submitted to, and approved in writing by, the Local Planning Authority. The approved spaces shall be provided prior to the commencement of the use and shall be thereafter maintained;
- (j) There shall be no external lighting of the chalets or site area without the prior written consent of the Local Planning Authority.

(Notes to applicant:- (1) With regard to condition (d), applicant was advised that a drawing identifying the necessary features would be sufficient to discharge this condition; (2) Having regard to the powers of the County Highway Authority under the Highways Act 1980, applicant was advised that a Section 184 Permit must be obtained from the Highway Services Manager, Taunton Deane Area. Application for such a permit should be made at least three weeks before access works are intended to commence; (3) With regard to condition (e), applicant was advised that there is a need to ensure the track surface remains permeable whilst providing a bound surface (for the first 10 m) which will be in keeping with the character of the area; (4) N115 – water conservation).

Reason for granting planning permission:-

The proposal represented a small-scale, unobtrusive holiday chalet development in accordance with Taunton Deane Local Plan Revised Policies EC19 and EC10.

19/2004/012LB

Installation of solar panels at the Cider House, Capland Court, Hatch Beauchamp.

Reason for granting listed building consent:-

The proposed development did not adversely affect the character and appearance of the building or complex of buildings, including the farmhouse, and accordingly did not conflict with Taunton Deane Local Plan Revised Deposit Policies EN7 and EN18.

Reason for granting listed building consent contrary to the recommendation of the Development Control Manager:-

The Committee was of the view that the solar panels did not cause visual harm sufficient to warrant refusal of the application. There were also sustainability benefits in allowing the panels to remain.

29/2004/010

Conversion of barns to form four units of accommodation at Rull Farm, Otterford.

Conditions

- (a) C001 – time limit;
- (b) The external surfaces of the extension(s) hereby permitted/approved shall be of materials to match those of the existing building;
- (c) C654A – windows;
- (d) C664 – windows recessed;
- (e) Prior to the commencement of works on site, details of the proposed rooflights shall be submitted to, and approved in writing by, the Local Planning Authority;
- (f) C601 – schedule of works to ensure safety and stability of structure;
- (g) C201 – landscaping;
- (h) C205 – hard landscaping;
- (i) C926B – remediation investigation/certificate;
- (j) Prior to the occupation of the dwellings hereby permitted, the area allocated for parking on the submitted plan shall be properly consolidated, surfaced, drained and marked out before the use commences or the building(s) are occupied, and shall not be used other than for the parking of vehicles in connection with the development hereby permitted thereafter;
- (k) Prior to the commencement of works on site, details of the foul and surface water drainage arrangements shall be submitted to, and approved in writing by, the Local Planning Authority.

Approved details shall be installed prior to the occupation of the units and thereafter maintained to the satisfaction of the Local Planning Authority;

- (l) Work shall not commence until details of a scheme for the provision of a bats' roost within the roof space of the development hereby permitted, together with the provision of access to that roof for bats, has been submitted to, and approved in writing by, the Local Planning Authority. Once approved, the works shall take place in accordance with the agreed scheme and thereafter the loft space and agreed openings shall be permanently maintained. The development shall not be occupied until the scheme for the provision of the bats' roost and related accesses has been fully developed;
- (m) Development shall not commence until details of a scheme for the provision of swallows' nest site(s) and accesses, within the converted building (or the provision of alternative new sites or accesses) has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include a programme for the implementation of the development, which avoids any building or other operations likely to affect the swallows' nest sites being undertaken between the 31 October and the 31 March. The development shall be carried out in accordance with the approved scheme or any amendment to the scheme as approved in writing by the Local Planning Authority and thereafter the nest site(s) and agreed opening(s) shall be permanently maintained;
- (n) There shall be no works on clearing or converting the buildings from April to October in any year unless an alternative timing is agreed in writing by the Local Planning Authority.
- (o) P001A – no extensions;
- (p) P003 – no ancillary buildings;
- (q) P006 – no fencing;

(Notes to applicant:- (1) Applicant was advised that bats and nesting birds may be present on the site and all operatives on the site must be appropriately briefed on their potential presence. If bats are found on site then work must stop and English Nature must be informed. All nesting birds are protected under the Wildlife and Countryside Act 1981 and if discovered, must not be disturbed. (2) Applicant was advised that in the event that slow worms or other species of protected reptile/amphibian are found during demolition/conversion they should be removed to a suitable and safe location in the adjacent hedgerows; (3) N025 – conversions; (4) N25A – conversions; (5) N111 – disabled access; (6) N112 – energy conservation; (7) N117 – crime prevention; (8) N114 – meter boxes; (9) N048A – remediation strategy).

Reason for granting planning permission:-

The proposed barn conversions are considered to be in accordance with Taunton Deane Local Plan Revised Deposit Policy H9.

34/2004/045

Erection of verandah with French window access from first floor, Tegor, Manor Road, Staplegrove.

Conditions

- (a) C001 – time limit;
- (b) C102A – materials;

Reason for granting permission:-

The proposal was considered not to have a detrimental impact upon visual or residential amenity and was therefore considered acceptable and, accordingly, did not conflict with Taunton Deane Local Plan Revised Deposit Policies S1, S2 and H19.

38/2004/478

Erection of conservatory at 81 Trinity Road, 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.

43/2004/107

Change of use of dwelling with bed and breakfast and ancillary holiday let to adult care home, extensions to dwelling and use of outbuildings as ancillary to care home, The Wheelhouse, Linden, Westford, Wellington.

Conditions

- (a) C001 – time limit;
- (b) C901 – personal permission;
- (c) C102A – materials;
- (d) C201 – landscaping;
- (e) C208A – protection of trees to be retained;
- (f) C325 – parking;
- (g) The occupation of the mobile home shall be restricted to bona fide employees of the care home, for use as accommodation ancillary to the care home;
- (h) Full details of all surface water, foul water, fresh water and any other sewerage systems both for the proposed development and for any other premises served by such systems in the

application site shall be submitted to, and approved in writing by, the Local Planning Authority before any development is commenced. The details shall provide for the commissioning of any replacement sewers or supplies prior to the decommissioning of the existing systems. The details shall include evidence that there is sufficient capacity in the existing adopted sewer system for any new or diverted foul sewage waste. Any proposed changes to the approved scheme shall be agreed in writing by the Local Planning Authority prior to implementation;

- (i) Before the development hereby permitted is occupied, a visibility splay of 2.4m x 33m shall be provided with unobstructed visibility above 900mm within the area coloured green on the attached plan and such visibility shall thereafter be maintained in perpetuity;
- (j) Prior to the commencement of development, a travel plan for the care home shall be submitted to, and approved in writing by the Local Planning Authority, the details of which shall be implemented prior to the care home being brought into use.
(Notes to applicant:- (1) N024 – development in accordance with approved plans; (2) N040A- drainage/water; (3) With regard to condition (f), applicant was advised that any car parking should be sited 5m from the trunk of the sycamore tree; (4) Applicant was advised that soakaways should be constructed in accordance with Building Research Digest 365 (September 1991); (5) Applicant was advised to contact Social Services, Somerset County Council to ensure that all legislation and requirements are met with regard to the care home; (6) With regard to condition (i), applicant was advised to contact Taunton Deane’s Planning Department to discuss any proposed works to the hedge).

Reason for granting planning permission:-

The proposal was considered not to adversely harm the visual or residential amenity of the area in accordance with Taunton Deane Local Plan Revised Deposit Policies S1 and S2.

43/2004/116

Erection of public toilet block to replace existing, adjoining North Street Car Park, Wellington.

Conditions

- (a) C001 – time limit;
- (b) C101 – materials;
- (c) C201 – landscaping;
- (d) Details and samples of the materials to be used for the surfaces of the paving shall be submitted to, and approved in writing by, the Local Planning Authority;

- (e) Before any work commences on site, the Parks Tree Officer shall undertake a health check on the trees and propose any remedial works deemed necessary, details of which shall be submitted to, and approved in writing by, the Local Planning Authority;
- (f) C208A – protection of trees to be retained;
(Notes to applicant:- (1) N024 – development in accordance with approved plans; (2) Applicant was advised to contact Wessex Water prior to commencement of any works on site to agree connection onto Wessex Water infrastructure).

Reason for granting planning permission:-

The proposal was considered not to harm the visual amenity of the area and was in accordance with Taunton Deane Local Plan Revised Deposit Policies S1 and S2.

46/2004/034

Erection of single-storey rear extension at 3 The Maltings, Ham.

Conditions

- (a) C001 – time limit;
- (b) C102A – materials.

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.

47/2004/009

Change of use of care home, offices and training centre to private school, school office and school recreation, Bath House Farm, West Hatch.

Conditions

- (a) C701 – restricted use – premises within a class;
- (b) P003 – no ancillary buildings.

Reason for granting planning permission:-

The impact of the proposed use was considered to be in accordance with Somerset and Exmoor National Park Joint Structure Plan Review Policy STR6 and Taunton Deane Local Plan Revised Deposit Policy S1.

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

05/2004/034

Erection of two-storey extension with single-storey conservatory at 19 Badgers Close, Taunton.

Reason

The proposed two-storey extension by reason of its scale, height and bulk, in close proximity to an adjacent property, would have an overbearing and dominating impact on the adjacent garden and dwelling. This would be detrimental to the residential amenity of the occupants of the neighbouring properties and contrary to Taunton Deane Local Plan Revised Deposit Policy H19.

21/2004/026

Erection of stables for DIY livery and improvements to access, Field NG ST1123/2308 east of Langford Budville (amended scheme).

Reasons

- (a) The proposed access improvements with the loss of roadside bank and hedgerows and 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/EC/7 and Taunton Deane Local Plan Revised Deposit Policies S1(D), EN5 and EN13);
- (b) The formation of the improved access as proposed would not be in the interests of the safety and convenience of road users by reason of sub-standard visibility (Somerset and Exmoor National Park Joint Structure Plan Review Policy 49).

Reason for refusing planning permission contrary to the recommendation of the Development Control Manager:-

The Committee was of the view that the proposal would have a detrimental visual impact and highways safety implications.

23/2004/032LB

Retention of wooden double-glazed windows to rear of Lockyers, Fore Street, Milverton.

Reason

The proposed windows by reason of their design, construction and detailing and appearance, would be unsympathetic and out-of-keeping with the character of the Grade II Statutory Listed Building of architectural and historic interest, contrary to Policies EN17 and EN18 of the Taunton Deane Local Plan Revised Deposit and contrary to Policy 9 of the Somerset and Exmoor National Park Joint Structure Plan Review.

Also RESOLVED that, in view of the design and condition of the windows that were replaced, listed building enforcement action seeking the removal of the new window be not taken.

- (4) That the following application be deferred for the reason stated:-

38/2004/424

Erection of building comprising 13 flats on land adjacent to Wessex Lodge, 11/13 Billet Street, Taunton.

Reason

For further negotiations.

134. Residential development of 23 No Dwellings, land at Hill Farm, Kingston St Mary (20/2004/021)

Reported this application.

RESOLVED that subject to:-

- (1) The receipt of satisfactory amended plans and no further representations raising any new issues thereon;
- (2) The receipt of a satisfactory design statement; and
- (3) The applicants entering into a Section 106 Agreement with the Council covering:-
 - (i) A contribution of £2,056 per dwelling towards off-site children's play and public open space provision; and
 - (ii) A contribution of £65,000 towards off-site highway works, comprising the provision of footways between a point opposite the site to the village Post Office;

the Development Control Manager 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) Details of the arrangements to be made for the disposal of foul and surface water drainage from the proposed development shall be submitted to, and approved in writing by, the Local Planning Authority before any work hereby permitted is commenced;
- (c) Before any work hereby permitted is commenced, details of the existing and proposed site levels shall be submitted to, and approved in writing by, the Local Planning Authority;
- (d) C101 – materials;

- (e) C113 – details of structure and colour of mortar;
- (f) C112 – details of guttering, downpipes and disposal of rainwater;
- (g) Details and samples of the materials to be used for the surfaces of the courtyards shall be submitted to, and approved in writing by, the Local Planning Authority and no other materials shall be used without the written consent of the Local Planning Authority;
- (h) (i) Before any part of the permitted development is commenced, a scheme of planting of trees, shrubs and hedges which shall include details of the species, siting and numbers to be planted, including planting within the blue line area to the west of the site, shall be submitted to, and approved in writing by, the Local Planning Authority. (ii) The scheme shall be completely carried out within the first available planting season from the date of commencement of development or, as otherwise extended with the agreement in writing of the Local Planning Authority; (iii) For a period of five years after the completion of the planting scheme the trees, shrubs and hedges shall be protected and maintained to the satisfaction of the Local Planning Authority and any trees, shrubs or hedges that cease to grow shall be replaced by trees, shrubs or hedges of similar size and species, or the appropriate trees, shrubs or hedges as may be approved in writing by the Local Planning Authority;
- (i) C205 - hard landscaping;
- (j) C207 – existing trees to be retained;
- (k) C208A – protection of trees to be retained;
- (l) C208B – protection of trees – service trenches;
- (m) C209 – protection of hedges to be retained;
- (n) C210 – no felling or lopping;
- (o) The existing hedges on the northern and eastern boundaries of the site shall be retained to the satisfaction of the Local Planning Authority;
- (p) C215 – walls and fences;
- (q) The proposed estate roads, footways, footpaths, cycleways, bus stops/bus layby, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking, street furniture and tactile paving shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose plans and sections, indicating as appropriate the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority;
- (r) The proposed roads, including footpaths and turning spaces where applicable, shall be constructed in such a manner as to ensure that each dwelling, before it is occupied, shall be served

- by a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway;
- (s) Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to, and approved in writing by, the Local Planning Authority. Such drainage shall be provided prior to the access first being brought into use;
 - (t) At the proposed access, there shall be no obstruction to visibility greater than 300mm above adjoining road level within splays based on minimum co-ordinates of 4.5m x 90m in each direction. Such visibility shall be fully provided before the access hereby permitted is first brought into use and shall thereafter be maintained at all times.
 - (u) The proposed access shall be constructed in accordance with details shown on the approved plan and shall be available for use before the commencement of the development hereby approved;
 - (v) Prior to the commencement of work on the development site, a pedestrian crossing point shall be installed in the existing highway in accordance with the plan and specification to be submitted to, and approved in writing by, the Local Planning Authority. There shall be no obstruction to visibility greater than 300mm above adjoining road level in advance of lines drawn 2m back from the carriageway edge at the pedestrian crossing and extending to points on the nearside carriageway edge 90m either side of the crossing;
 - (w) C324 – parking;
 - (x) The garages hereby permitted shall be constructed only in accordance with the approved plans and shall remain available in perpetuity for the parking of motor vehicles for domestic purposes only;
 - (y) C416 – details of size, position and materials of meter boxes;
 - (z) The new doors and windows indicated on the approved plans shall be made of timber only and no other materials, unless the written consent of the Local Planning Authority is obtained to any variation thereto and thereafter shall be retained in timber without the express written consent of the Local Planning Authority to the use of different materials;
 - (aa) C917 – services – underground;
 - (bb) P001A – no extensions;
 - (cc) P003 – no ancillary buildings;
 - (dd) P006 – no fencing;
 - (ee) There shall be no street lighting, other than with the prior written consent of the Local Planning Authority;
 - (ff) C926B – remediation investigation/certificate;
 - (gg) No development hereby approved shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has

been submitted by the applicant and approved by the Local Planning Authority;

(Notes to applicant:- (1) N118 – disabled access; (2) N112 – energy conservation; (3) N113 – street names; (4) N114 – meter boxes; (5) N115 – water conservation; (6) N117 – crime prevention; (7) Having regard to the powers of the County Highway Authority under the Highways Act 1980, applicant was advised that a Section 184 Permit must be obtained from the Highway Services Manager, Taunton Deane Area. Application for such a permit should be made at least three weeks before access works are intended to commence; (8) With regard to condition (v), applicant was advised that the proposed pedestrian crossing point should be provided to allow pedestrians to access the village and cross the highway at a point with adequate visibility. Both pedestrians and vehicles should be able to see each other over the full Y visibility splay with no obstruction to visibility greater than 300mm in height. In order to demonstrate this, a full survey drawing in both horizontal and vertical section should be submitted indicating such visibility at the crossing point; (9) With regard to condition (h), applicant was advised that this should include reinforcement planting for the eastern boundary; (10) With regard to condition (d), applicant was advised that in view of the location of the site within the Quantock Hills Area of Outstanding Natural Beauty and adjacent to listed buildings and the Kingston St Mary Conservation Area, natural materials for the walls and roofs should be specified; (11) No24 – development in accordance with approved plans; (12) N051B – health and safety; (13) N075 – Section 106 Agreement; (14) N091 – trees; (15) N094 – trees; (16) Applicant should agree with Wessex Water, prior to the commencement of any works on site, a connection onto Wessex Water infrastructure; (17) N048A – remediation strategy; (18) 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 to Friday 0800 – 1800 hours; Saturday 0800 – 1300 hours. At all other times, including Public Holidays, no noisy working; (19) Applicant was advised that the soakaways should be constructed in accordance with Building Research Digest 365 (September 1991); (20) With regard to condition (gg), applicant was advised that the County Archaeologist would be happy to provide a specification for the work and a list of suitable archaeologists to undertake it).

Reason for planning permission, if granted:-

The proposed development was on land previously occupied by farm buildings and was allocated for residential development in the Taunton Deane Local Plan. It was not considered that the proposal would have any adverse impact on the character of the area or the amenities of any nearby residential

properties. The development was in compliance with Taunton Deane Local Plan Policies S1, S2, H1, EN15, EN17 and KM1.

Also RESOLVED that in the event that the Section 106 Agreement was not concluded by 22 November 2004, planning permission be refused for the reason that the proposal did not make adequate provision for children's play and off-site children's play and public open space and necessary off-site highway works.

135. Planning (Listed Buildings and Conservation Areas) Act 1990 – Church of St Luke, Cotford St Luke, Bishops Lydeard

Reported that a recent inspection of the Church of St Luke at Cotford St Luke (a Grade II listed building) had revealed that its condition was deteriorating due to water damage as a result of invasive plant growth and blocked gutters.

The owner of the property and his solicitor had been informally approached with a view to securing the works necessary to arrest further deterioration of the building, but to date without success.

With the oncoming anticipated persistent inclement weather, further delay in securing urgent repairs was deemed unacceptable. It was therefore recommended that authority to issue an Urgent Works Notice pursuant to Section 54 of the Planning (Listed Building and Conservation Areas) Act 1990 be granted, in the event that remedial action by the owner was unlikely.

RESOLVED that:-

- (1) Should it become necessary, authority be granted for an Urgent Works Notice to be issued in respect of the Church of St Luke, Cotford St Luke, Bishops Lydeard; and
- (2) In the event of the works specified by the Urgent Works Notice were ultimately carried out by the Council, authority be granted to recover the costs incurred from the owner of the property;

136. Erection of sales and storage warehouse with first floor offices, storage yard, access, landscaping and external lighting, former Lincott Nursery, Bagley Green, Wellington (43/2003/029)

Reported that planning permission for this development had been granted in May 2003. The proposed colour scheme for the building was approved in consultation with the Chairman in September 2003.

A request to change the previously approved colour scheme had recently been received to reflect the corporate image of the builders' merchants who wanted to use the warehouse. Poppy Red was proposed to replace the approved colour of Aztec Yellow.

Details of the proposed minor amendment had been circulated to Wellington Town Council, Wellington Without Parish Council and local residents.

Both Councils wish to see a darker red used to reduce its visibility. Four letters of representation had also been received, details of which were reported.

The applicants had indicated that they were prepared to accept some limitation of the extent of the use of Poppy Red, with only the first floor window frames, the roof gutter and down pipes and the pedestrian ground floor doors being the only elements to receive this colour.

In the view of the Development Control Manager, this change was acceptable.

RESOLVED that the proposed changes to the colour scheme of the building be approved as a minor amendment.

137. Display of large sign on the side of pavilion at Somerset County Cricket Club, St James's Street, Taunton

Noted that this item had been withdrawn from the agenda.

138. Provision of a satellite dish at 72A Bacon Drive, Taunton

Reported that it had come to the attention of the Council that a satellite dish had been erected by the occupant of 72A Bacon Drive, Taunton, which was one property within a block of flats.

As one dish had already been sited on the block, any subsequent dishes would normally require planning permission. Although the occupant of the property had submitted an application, it was incomplete and numerous approaches to the occupier had met with no response.

In the view of the Development Control Manager, if a completed application was submitted, it was likely to be approved.

RESOLVED that no further action be taken.

139. Formation of track at Willowfields, Stathe Road, Burrowbridge

Reported that planning permission had been granted for a change of use of the agricultural building known as Willowfields to commercial storage (B8) in July 2004. The permission was a personal permission for the benefit of Kingsmoor Packaging Ltd and the NVA Group.

Further reported that a complaint had recently been received that a track had been created linking Willowfields with Crossroads Farm which was adjacent and already in commercial use by the NVA Group.

The track had been created without planning permission and it was therefore recommended that enforcement action be authorised.

During the discussion of this item, Members took the view that the link between the two sites was acceptable and removed the need for vehicles running between the properties to use the public highway.

RESOLVED that no further action be taken.

(Councillor Henley left the meeting at 8.45 pm).

(The Chairman adjourned the meeting at 8.47 pm).

(The meeting recommenced at 5 pm on the 8 November 2004).

140. Exclusion of press and public

RESOLVED that the press and the public be excluded from the meeting for the item of business covered by Minute No 141 below because of the likelihood that exempt information would otherwise be disclosed relating to Clause 12 of Schedule 12A of the Local Government Act 1972.

141. Unauthorised gypsy encampment, land at Oxen Lane, North Curry – consideration of enforcement action

Reference Minute No 132/2004, considered report previously circulated, which outlined the planning enforcement measures taken to date in respect of the unauthorised gypsy encampment on land at Oxen Lane, North Curry and the options now available to take further action.

Noted that the decision to proceed with the issue of a stop notice and an enforcement notice had been taken by the Chief Solicitor in consultation with the Chairman of the Planning Committee.

In terms of future action, the Senior Solicitor (Mrs Jackson) reported that before such action could proceed, a great deal of information had to be collected particularly in relation to the housing, educational and medical needs of the gypsy families on the site.

RESOLVED that:-

- (1) The action of the Chief Solicitor, in consultation with the Chairman of the Planning Committee, to authorise service of a stop notice and enforcement notice on the owner and occupiers of the site at Oxen Lane, North Curry be ratified; and
- (2) The taking of further enforcement action on the lines discussed, once all relevant information was to hand, be approved.

(The meeting ended at 5.59 pm).

10/2004/023

P G KIRBY

CHANGE OF USE AND CONVERSION OF AGRICULTURAL BUILDING TO FORM DWELLING AT FORD FARM, MOOR LANE, CHURCHINFORD.

21618/12381

FULL PERMISSION

PROPOSAL

The building is located on the southern side of Moor Lane to the east of the village of Churchinford and within the Blackdown Hills AONB. The building is set back from the road and currently accessed by a field gate. There is evidence of a traditional stone building on site, but it has been much altered and a modern extension added. The proposal seeks to remove the more modern extensions and raised the eaves level, replacing the existing monopitched roof with a tiled roof. An earlier application was refused in August.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY it is largely a planning matter as to whether or not the buildings are suitable for conversion to a dwelling. From a transport point of view the site is in an unsustainable location but should the merits of the buildings and the need for its conversion outweigh this then from a highway point of view I would have no objection to the proposal subject to the provision of a suitable access, parking and turning facilities being provided prior to the occupation of the dwelling. The extract of the plan attached shows coloured pink the area of access driveway to be hard surfaced not loose stone or gravel and also the parking and turning facilities required. The following additional condition shall also be attached to any consent which may be granted:- 1. The gradient of the proposed access shall not be steeper than 1-in-10. 2. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved by the Local Planning Authority. Such drainage shall be provided prior to the access first being brought into use. SOUTH WEST WATER no objection.

ENVIRONMENTAL HEALTH OFFICER suggest contamination condition.

PARISH COUNCIL this application was discussed by my Council at its planning meeting held on Monday last and, by a majority vote, it is in favour of this proposal. However, it was agreed that the points raised in dissent of that decision should be passed to you and, therefore I enclose a copy of the relevant Minute. The dissenting comments were as follows:- She pointed out that the new application differs from the original (refused) application in the deletion of a double garage and the addition of a high stone wall thus creating a curtilage; that TDBC original refusal criteria had been based on the need for "major rebuilding and significant alteration", criteria which are again, quoted on the new application; that the original building is not so much unsound as almost non-existent, leading to pure speculation on its original appearance; that Mr Kirby and Mr Burton (TDBC Planning Services) appear to have different interpretations

of the content of their conversation; that the Parish Council and everyone else, including Mr Kirby and any other potential developer, is deeply frustrated by what is happening on the Trents Farm site but that this is more reason for the PC to remain fair and consistent in its decision making; that the conversion of this field barn to residential use would render Ford Farm unsustainable as a working farm without the erection of a modern characterless barn in its place; that Andy Crabb's barn is almost completely intact, architecturally superior to the building in question, and well screened by trees; that Mr Kirby's integrity as an owner and restorer of old buildings is unquestionable but future owners of Ford Farm might not have his concern for the need to preserve the Blackdown Hills AONB, and that access to the proposed dwelling will inevitably involve the construction of visibility splays. Cllr Mrs Papworth concluded by saying that all the original objections as quoted, from TDBC's Guidelines on Barn Conversions remain unaltered and the application should be recommended for refusal. She feels that the inconsistencies displayed in regard to the Trents Farm and Ford Barton developments will provide an invitation to others to disregard the principles of the AONB's need for defined limits to settlements. That Cllr Mrs Papworth's comments should be included in the reply to TDBC.

SIX LETTERS OF SUPPORT received.

POLICY CONTEXT

Taunton Deane Local Plan Revised Deposit Policy H9. Outside the defined limits of settlements, the conversion of buildings to residential use will not be permitted unless; (A) the building proposed to be converted is of permanent and substantial construction and: (1) is in keeping with its surroundings; (2) has a size and structure suitable for conversion without major rebuilding or significant extension and alteration; (3) is unlikely to attract a suitable business re-use; and (4) is sited near a public road with convenient access by foot, cycle or public transport to a settlement; (B) and the proposal: (1) will not harm the architectural or historic qualities of the building; (2) does not involve the creation of a residential curtilage which would harm the rural character of the area; and (3) will not lead to a dispersal of activity on such a scale as to prejudice town and village vitality.

Policy EN10 Priority will be given to preserving and enhancing the natural beauty of Areas of Outstanding Natural Beauty (AONBs). Development which would adversely affect the landscape, character and appearance of AONBs will not be permitted. Within AONBs, major industrial or commercial developments will not be permitted unless they meet the following additional criteria: (A) the development would meet a proven national need; and (B) the development cannot be located elsewhere. The protection of views to and from Areas of Outstanding Natural Beauty will be an important consideration.

ASSESSMENT

The site lies in open countryside where planning permission for new housing will not normally be granted in line with Policies S8 and H1. In order to overcome this objection, a building needs to be suitable for conversion without major rebuilding or significant alteration. Whilst there are remnants of a traditional building here, much alteration will

be required, including the raising of the walls and the creation of an entirely new roof structure. The proposal is therefore fails to meet the requirements of Policy H9 and there is no reason not to reaffirm the earlier decision.

RECOMMENDATION

Permission be REFUSED for the reason that the building cannot be converted without major rebuilding or significant alteration and that the proposal is contrary to Taunton Deane Local Plan Revised Deposit Policies H9 and EN10.

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

CONTACT OFFICER: 356464 MR T BURTON

NOTES:

12/2004/009

QUANTIC PROPERTIES (AXMINSTER) LTD

FORMATION OF NEW VEHICULAR ACCESS TOGETHER WITH PARKING AND TURNING AREAS AT MEADOWS EDGE COTTAGE, CORFE AS AMPLIFIED BY AGENTS LETTER DATED 20TH OCTOBER, 2004

23175/19532

FULL PERMISSION

PROPOSAL

A full application for the erection of a house within the garden of Meadows Edge Cottage was refused by the Committee in August on the grounds that the building proposed did not preserve or enhance the character and appearance of the locality, which lies within the Corfe Conservation Area. An earlier proposal had been refused under delegated powers. An appeal has been lodged against the refusal of the earlier application.

The applicants now wish to form a new access for the existing property. This will allow them to sell the existing house whilst retaining part of the garden pending the outcome of the appeal.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY from a highway point of view there is no objection to this proposal in principle. However, I have the following observations on the highway aspects of this proposal:- The parking and turning area as shown on submitted Drawing No. 100 is inadequate. The drawing shows two parking spaces incorporated onto the turning area, which is not acceptable, as it should be kept unobstructed and clear for the purpose of vehicles turning. Unless the agent/applicant can demonstrate a more suitable parking/turning arrangement the application will be refused on highway safety grounds.

CONSERVATION OFFICER no objection.

PARISH COUNCIL the Council together with many of the villagers in Corfe, continue to be very concerned about proposed development on this site. They are unwilling to approve an additional access as they believe that this will be highly dangerous. It is suggested that a further review of this application be made when the full plans for the development on the site are made available. Meanwhile they recommend refusal of this application.

11 LETTERS OF OBJECTION received raising the following issues:- dangerous access; will set precedent for further residential application; no need for additional access.

POLICY CONTEXT

Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review requires that proposals should provide safe access to roads of adequate standard within the route hierarchy.

Policy EN15 of the Taunton Deane Local Plan Revised Deposit requires that development within or affecting a Conservation Area will only be permitted where it would preserve or enhance the appearance or character of the Conservation Area.

ASSESSMENT

The earlier applications were not refused on highway grounds. The County Highway Authority do not object to the principle of the access and a refusal to the principle could not be sustained, particularly as the Conservation Officer is satisfied in terms of impact upon the Conservation Area.

However, the details are not acceptable and revised drawings have therefore been requested.

RECOMMENDATION

Subject to the receipt of satisfactory revised drawing the Development Control Manager in consultation with the Chair/Vice Chair be authorised to determine and permission be GRANTED subject to conditions of time limit, realignment of wall, access surfacing, access gradient, visibility splays. Note re surface water drainage.

REASON(S) FOR RECOMMENDATION:- The proposal accords with Somerset and Exmoor National Park Joint Structure Plan Review Policy 49 in that the proposal will not cause demonstrable harm to highway safety. The proposal will not cause any adverse impact upon the character or appearance of the Corfe Conservation Area and therefore complies with the requirements of Taunton Deane Local Plan Revised Deposit Policy EN15.

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

CONTACT OFFICER: 356464 MR T BURTON

NOTES:

19/2004/014

MR A TOUT

ERECTION OF DETACHED DWELLING AS A MANSE, VILLAGE ROAD, HATCH BEAUCHAMP.

30049/20069

FULL PERMISSION

PROPOSAL

Proposal is for the erection of a two storey dwelling with detached double garage in front. Dimensions of the dwelling are 14.6 m x 6 m pair and 8.5 m part width x 7.6 m high. The double garage is 6.2 m square x 5.7 m high.

Materials for both buildings are render with tiled roof (no details of tile profile or colour are given).

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY no objections from a highway view point subject to the details of access, visibility, parking and turning shown on the drawings being provided prior to the occupation of the dwelling.

PARISH COUNCIL no objection subject to roof colours matching those of other properties in the locality. The site is highly visible from the Village Road and particularly across the open fields to the rear, and the Council is asked to consider proposing measures to reduce the impact.

POLICY CONTEXT

Taunton Deane Local Plan Revised Deposit Policies S1 (general) and S2 (design).

ASSESSMENT

The site lies within the village development boundary for Hatch Beauchamp, where the principle of a new dwelling is acceptable.

However, the proposed design is considered to be unacceptable, and also out of keeping with other development on adjacent sites.

The main concern relates to the front elevation which contains a large number of openings of different types, styles and sizes, creating an unbalanced elevation, with an unsatisfactory relationship of solid to void.

The roof is hipped and tiled, and would not be in keeping with other dwellings adjacent to the site which are predominantly grey slate.

The double garage is detached from the dwelling in a prominent position. The roof is fully hipped and would emphasize the hipped roof of the dwelling.

The site is open with little existing screening, and although set well back on the site in relationship to adjacent dwellings, the proposed development would be highly visible from the main road.

RECOMMENDATION

Permission be REFUSED on the grounds that the proposed dwelling by reason of its poor design and inappropriate materials is out of keeping with existing dwellings in the area. The proposal would not reinforce the local character and distinctiveness of the area, the landscape setting of the site and the street scene and is contrary to Taunton Deane Local Plan Revised Deposit Policy S2(A).

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

CONTACT OFFICER: 356468 MRS H PULSFORD (MON/THURS/FRI)

NOTES:

23/2004/036

SARA JENKIN

USE OF LAND TO SITE MOBILE HOME FOR USE IN CONJUNCTION WITH PROPOSED PHEASANT REARING BUSINESS, FORD BRIDGE QUARRY, MILVERTON.

12517/26335

FULL PERMISSION

PROPOSAL

The proposal provides for the stationing of a mobile home in conjunction with a proposed commercial pheasant rearing business at the property. There is an existing storage shed on the property. Planning permission was granted in 2003 for the erection of a building for use as an agricultural workshop. At the time of the case officer's site visit, the steel framework for this building had been erected. The application was accompanied by a business plan. The applicant's intention is to buy in day old chicks and rear them up to the selling point and also rear own stock of pheasants and incubate the eggs. The applicant anticipates that her potential customers will be local farmers or landowners who provide commercial shoots in the area. A letter of support from the Country Land and Business Association was submitted with the application. This considers that the proposal is sustainable and will enable a rural business to become established and successful. A letter of support was also submitted by the British Association for Shooting and Conservation. This indicates that the lack of any of the basic principles of heat, shelter, food and water can cause extreme suffering and in many cases death for the young birds. It goes on to say that the need for constant human presence to ensure the continued supply of these basic needs is vital if the birds' health and welfare are to be held in the highest regard. A further letter of support was included from the Game Farmers' Association. This indicates that there is a need to be on site to manage the day to day running of a game farm and it is imperative to be on hand to monitor and forestall or deal with emergency situations which inevitably arise when dealing with vulnerable livestock and the British climate. Examples given are dealing with power failures, management of radiant gas heaters, monitoring of electric fencing to deter predators and constant vigilance of security systems.

A previous application for a mobile home at the premises submitted in 2003 was withdrawn prior to determination. On that occasion, the requirement was for security reasons in relation to the proposed agricultural engineering workshop.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY from a highway point of view access is poor, however if the pheasant rearing goes ahead without the on site caravan then it will generate traffic to and from the sub-standard access. The fact that there is a dwelling use on site will probably not generate significantly more traffic and in consequence do not raise a highway objection subject to there being an overriding need for the dwelling

in conjunction with the proposed use. SOMERSET ENVIRONMENTAL RECORDS CENTRE no statutory or non-statutory sites and species at the application site. One or more legally protected species and badgers have been found within 1 km of the application site. There are 3 County Wildlife Sites within 1 km of the site.

DRAINAGE OFFICER no objection. RIGHTS OF WAY OFFICER the footpath and RUPP will not be affected.

PARISH COUNCIL no objection provided that the initial permission was for 3 years and the use and location of the mobile home is explicitly tied to the business of rearing pheasants on the land in question. Any future applications for continuation or establishment must be judged on the success of the business.

POLICY CONTEXT

County Structure Plan Policy STR1 on sustainable development is relevant. Part of this policy requires the development of a pattern of land use and transport which minimises the length of journeys and the need to travel and maximises the potential for the use of public transport, cycling and walking. Policy STR6 states that development outside towns, rural centres and villages should be strictly controlled and restricted to that which benefits economic activity, maintains or enhances the environment and does not foster growth in the need to travel.

Policy S8 of the emerging Taunton Deane Local Plan states that outside defined settlement limits new building will not be permitted unless it maintains or enhances the environmental quality and landscape character of the area and meets certain criteria, none of which are met with the current proposal. Policy H14 states that dwellings for agricultural or forestry workers will be permitted outside the limits of settlements provided there is a proven need for the dwelling there and the farm or forestry unit for which is sought is proven to be financially viable. Although the proposal is not strictly for occupation by an agricultural worker, this policy is of relevance to the consideration of the application.

ASSESSMENT

The guidance in PPS7 for temporary agricultural dwellings states that there should be clear evidence of a firm intention and ability to develop the enterprise concerned and that the proposed enterprise has been planned on a sound financial basis. Although the applicant has submitted a business plan, there is no indication of projected budgets and income or whether the market has been fully tested to demonstrate that anticipated income will materialise. There is presently no sign on site of the proposed business being set up, with no purpose built accommodation on the property. In my view the financial test on PPS7 has not been met and consequently there is no essential need for the proposed mobile home on the site.

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 residential 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 be contrary to Central Government advice contained in PPS7, Policy STR6 of the Somerset and Exmoor National Park Joint Structure Plan Review and Policies S8 and H14 of the Taunton Deane Local Plan.

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

CONTACT OFFICER: 356461 MR J HAMER

NOTES:

29/2004/013

MR & MRS R NEWBERY

**ERECTION OF REPLACEMENT DWELLING AND DETACHED DOUBLE GARAGE,
HILL VIEW, BISHOPSWOOD.**

25490/12807

FULL PERMISSION

PROPOSAL

The proposal comprises the erection of a replacement dwelling on the main road through Bishopswood. A dilapidated single storey bungalow would be replaced with a two storey dwelling and detached double garage.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY recommends conditions.

PARISH COUNCIL no objections.

POLICY CONTEXT

Policy S1 of the Taunton Deane Local Plan Revised Deposit seeks, inter alia, to safeguard visual and residential amenity. Policy EN10 seeks to safeguard the character and appearance of AONB's from inappropriate development.

ASSESSMENT

The property is within the settlement limits of Bishopswood and is therefore acceptable in principle. In addition, the design characteristics, scale and size of the dwelling are also considered agreeable. Notwithstanding this however, it is considered that neighbouring properties on either side would be adversely affected by an unreasonable degree of overlooking, and on this basis the proposal is not acceptable.

RECOMMENDATION

Permission be REFUSED for the reason that the proposed development is considered unsatisfactory in that the adjacent properties 'Downfield' and 'Fairmont' would be overlooked to an unreasonable degree thereby causing loss of privacy and residential amenity for the occupiers of those dwellings. Accordingly the proposal is considered contrary to Taunton Deane Local Plan Revised Deposit Policy S1. Note re the proposal may be considered acceptable either by the omission of the rear balcony and kitchen and living windows to the north-west elevation, or by a greater degree of 'digging-in' of the dwelling into the sloping land.

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:

38/2004/384

TAUNTON DEANE BOROUGH COUNCIL

**RESIDENTIAL DEVELOPMENT TO THE NORTH END OF POPLAR ROAD,
TAUNTON AS AMENDED BY AGENTS MEMO DATED 4TH OCTOBER, 2004 AND
AMPLIFIED BY DRAWING NO. HC/1431:04/28 REV. B**

24710/23827

FULL PERMISSION

PROPOSAL

The site is located to the south west of Blackbrook Pavilion on land at the head of the cul-de-sac Poplar Road. Between the site and Chestnut Drive lies modern residential development.

The site is somewhat overgrown, but does include a number of trees which are subject to a Tree Preservation Order. The eastern part of the site comprises an earth bank which was constructed as part of the legal agreement for the whole of the Holway Estate and forms one of the noise protection barriers.

An illustrative layout has been submitted which shows two dwellings located towards the western side of the site enabling an element of the bound to be retained.

CONSULTATIONS AND REPRESENTATIONS

WESSEX WATER the development is located within a sewered area, with foul and surface water sewers available. The developer has proposed to dispose of surface water to mains or soakaways. It will be necessary, if required, for the developer to agree points of connection onto our systems, for the satisfactory disposal of foul flows and surface water flows generated by the proposal. The connection point can be agreed at the detailed design stage. 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 point of connection onto Wessex systems.

LANDSCAPE OFFICER (initial comments) I would be concerned with the development of the western half of the site as it contains a copse of hazel close to an area known to be a habitat for Dormice. There are also several TPO trees to the north of the site which may restrict any proposals. However, given the above, there should still be scope for at least one dwelling on the site. Further comments have been received following submission of the illustrative layout as follows:- ,The pollarded willows (TPO'd TD853) bounding the western part of the site will need repollarding on a regular basis and therefore will not have the potential to grow very large. I therefore recommend no building works within 3 m of the trunks of the trees and no dwelling within 5 m. The earth mounding and hazel coppice to the eastern half of the site should be left in situ and also coppice on a regular basis, i.e. every 7 to 8 years. No works should go beyond the existing boundary fence. The northern hedgerow and bank contains several ash trees worthy of retention. I suggest no building works within 10 m of them or the

hedgerow. ENVIRONMENTAL HEALTH OFFICER suggest noise condition. 1. Effectiveness of the Bund - Noise from motorway traffic is clearly audible at the site in question. The earth bund would have little noise mitigating effect on the residential property to the north and west of the site. For a bund to be effective it should be either close to the noise source or the noise receiver, this bund is neither. Furthermore, in this case the noise arises from a line source i.e.. the motorway. For a bund to be effective it would have to be a continuous bund between the entire length of the noise source and noise receiver. 2. Impact of its removal - Should the bund be removed it would have little or no impact on the noise levels received by properties to the north and west of the bund.

14 LETTERS OF OBJECTION have been received raising the following issues:- impact on flora and fauna; increase in traffic; loss of privacy; loss of parking; removal of TPO trees; impact on drainage; increased motorway noise; impact of construction traffic on pedestrian traffic; development could comprise flats housing drug addicts, thieves, paedophiles;ruin look of area.

POLICY CONTEXT

The proposal needs to be assessed against the criteria of Policy H1 of the Taunton Deane Local Plan Revised Deposit - Housing development will be permitted within defined limits of settlements, provided that: (A) there is safe and convenient access by bus or on foot to facilities and employment. In the case of proposals of a significant scale, bus or walking access to a town centre or rural centre will be required, taking account of any off-site works proposed in accordance with criteria (B); (B) necessary provision is made for off-site public transport, cycling and pedestrian facilities and highway improvements to cater safely for the expected number of trips generated by the development and minimise the proportion of car trips; (C) traffic calming, pedestrian, cycle and bus measures are incorporated where necessary to give priority to safe and convenient access and circulation by means other than the car; (E) the layout allows people with impaired mobility or a disability safe and convenient access and movement to and between dwellings by careful positioning of potential obstructions, ramps, dropped kerbs, textured surfaces and reserved car parking; (G) small scale schemes in existing residential areas will increase the development density of these areas without individually or cumulatively eroding their character or residential amenity; (H) a coherent approach to the overall design is adopted, including layout, landscaping, building designs, materials, open spaces and circulation routes, to create locally distinctive developments well related to their surroundings; and (I) existing and proposed dwellings will enjoy adequate privacy and sunlight. (J) on housing developments and conversions of a substantial scale a reasonable mix and balance of housing types and sizes be incorporated to cater for a range of housing needs particularly those low cost housing types which are under represented in the current stock.

ASSESSMENT

The application site extends to 0.16 hectares. To develop the whole of the site would inevitably have an adverse impact of the protected trees. It would appear that some of the objections received have been based upon an assumption that the whole site will be developed at a high density. Clearly this would be unacceptable.

However, it is considered that part of the site towards the western boundary could be developed for one or possibly two houses without adverse impact upon the protected trees and retaining at least part of the bund, which according to the Environmental Health Officer has little effectiveness in terms of noise reduction terms, does have some ecological value.

RECOMMENDATION

Permission be GRANTED subject to conditions of outline, materials, landscaping, levels, tree protection, walls and fences, service trenches, access gradient, meter boxes. Notes re surface water, building over sewer, CDM Regs, S52 agreement, construction noise, low density.

REASON(S) FOR THE RECOMMENDATION:- The site could satisfactorily accommodate additional development in accordance with Taunton Deane Local Plan Revised Deposit Policy H1 without adverse impact upon neighbouring properties and maintaining a significant element of the landscape bund.

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

CONTACT OFFICER: 356464 MR T BURTON

NOTES:

38/2004/424

WESTROCK

ERECTION OF BUILDING COMPRISING THIRTEEN FLATS ON LAND ADJACENT TO WESSEX LODGE, 11/13 BILLET STREET, TAUNTON.

22965/24358

FULL PERMISSION

PROPOSAL

The application site lies immediately to the north of Wessex Lodge, a Grade II listed Victorian building which stands on the corner of Billetfield and Billet Street. The site is currently used for car parking. The frontage to Billet Street comprises a brick boundary wall. The access is located at the northern end of the site. The application as submitted proposes a building providing a mix of three and four storey accommodation comprising thirteen flats. The submitted design statement suggests that the building "takes on proportions and details from Wessex Lodge, but with a modern twist". Two parking spaces are shown at the southern end of the site adjacent to Wessex Lodge.

In light of objections from both the Conservation Officer and the County Highway Authority a report was prepared for the last meeting recommending refusal. However, the applicant requested that consideration be deferred for negotiation. Discussions have subsequently taken place with the Conservation Officer and revised proposals overcoming her objection are awaited. The access and car parking spaces previously proposed are to be deleted to overcome the highway concerns.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY the turning space shown on the submitted plan is of insufficient size to enable a vehicle to turn before entering the highway in forward gear. The visibility at the proposed access is substandard. I would recommend that this application be refused on highway grounds for the following reasons:- 1. The proposed access to the development does not incorporate the necessary visibility splays, which are essential in the interests of highway safety. 2. The site cannot accommodate adequate turning facilities to enable a vehicle to enter and leave the highway in forward gear, which is essential to highway safety. COUNTY ARCHAEOLOGIST The site lies within an Area of High Archaeological Potential as defined by the Local Plan (Policy EN24). It is within the medieval town and is very close to the town ditch. It is very likely that medieval remains relating to past use of the site are present. However, at present insufficient information is contained in the application to assess the impact on the remains. For this reason I recommend that the applicant be asked to provide further information on any archaeological remains on the site prior to the determination of this application. This is likely to require a field evaluation. I am happy to provide a specification for this work and a list of suitable archaeologists to undertake it. Subsequent comments:- Could you place the following condition on this planning permission:- "No development hereby approved shall take place until the applicant, or

their agents or successors in title, has secured the implementation of a programme of archaeological work involving a full evaluation and subsequent further stages of work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority.", as you can see it means that the applicant has to carry out an evaluation followed by any further work required.

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 developer has proposed to dispose of surface water to existing mains. As there are no existing public/separate surface water sewers in the vicinity of the site, it is advised that the developer investigate alternative methods for the satisfactory disposal of surface water from the site (e.g. soakaways). Surface water should not be discharged to the foul sewer. Your Council should be satisfied with any suitable arrangement for the disposal of surface water. 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. According to our records, there is a public foul water sewer crossing the site. Please find enclosed a copy of our sewer records indicating the approximate position of the apparatus. Wessex Water normally requires a minimum 3 m easement width on either side of its apparatus, for the purpose of maintenance and repair. Diversion or protection works may need to be agreed. It is further recommended that a condition or informative is placed on any consent to require the developer to protect the integrity of Wessex systems and agree prior to the commencement of works on site, any arrangements for the protection of infrastructure crossing the site. The developer must agree in writing prior to the commencement of works on site, any arrangements for the protection of our infrastructure crossing the site.

POLICE ARCHITECTURAL LIAISON I would recommend that the rear of the building should be fenced and/or gated to prevent unauthorised access around the whole building.

CONSERVATION OFFICER 1. From the file, I assume the only plan formally submitted for consideration at this time, is 097-020. If this is the case, we clearly need a block plan, showing the proposed footprint of the building in relation to the site, so we can assess the assertion that "the building has been located away from all boundary walls in order that the building can breathe".

2. Whilst a Design Statement has been submitted and I agree that Wessex Lodge is "the foremost architectural feature in the area", this should not be the only driving force in the design. Indeed, the design of any proposal here could reasonably be expected to acknowledge/reflect the late C19 buildings which comprise the immediate setting of Wessex Lodge i.e. those in Billet Street and Billetfield.

3. Mindful of comments at 2 above, I consider the proposed design to be unsatisfactory for a number of reasons:-

- (a) in order to maximise the number of units, the proposed building does not incorporate any ancillary elements but rather presents a similar mass/scale on all elevations.
- (b) again in order to maximise the number of units, accommodation in the roof is provided, which results in a non-traditional roofscape and prominent rooflights.
- (c) whilst the turret feature is reflective of Wessex Lodge and a feature such as this is not to be discouraged, it does not have the presence of the former, due to roofscape observations at (b) and an over-wide, competitive gable feature on elevation D. In addition, due to the transition between "turret" and adjoining elevations, the former appears as an after thought, rather than an integral element.
- (d) elevations D and C are generally bland and elevations B is very disappointing in this

respect, with flat roofed dormers being wholly inappropriate. Whilst I understand the applicants concentration on the Billet Street elevation, a good building stands up to scrutiny in the round and this proposal sadly does not. Summary:- The proposal in my opinion, is lacking on a number of counts with regard to design and the setting of Wessex Lodge, such as to outweigh the approach advocated by PPG3 and the development plan. ENVIRONMENTAL HEALTH OFFICER suggests noise control condition. LEISURE DEVELOPMENT OFFICER this development should make a contribution of £806.00 per each 1 bed dwelling for sport plus a contribution of £2,056.00 per each dwelling consisting of 2 or more bedrooms for play and sport. This to be spent on improving the provision of recreation in the local area.

POLICY CONTEXT

Taunton Deane Local Plan Revised Deposit Draft. The following policies are relevant:- Policy S2 Development must be of a good design. Its scale, density, height, massing, layout, landscaping, colour, materials and access arrangements will be assessed to ensure that the proposal will, where reasonable and feasible: (A) reinforce the local character and distinctiveness of the area, including the landscape setting of the site and any settlement, street scene and building involved; (B) incorporate existing site features of environmental importance.

Policy H1 Housing development will be permitted within defined limits of settlements, provided that:- (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.

Policy M3a In order to promote sustainable travel, and to reduce the amount of land taken for development, the Borough Council will consider the need for residential car parking against the following criteria: Impact upon urban design; The location of the development, and its accessibility to employment opportunities and services; The type and mix of proposed dwellings. The Borough Council will not permit more than an average of 1.5 car parking spaces per dwelling on any residential development. A significant reduction in this average will be expected for elderly persons, student and single persons accommodation, and for residential proposals involving the conversion of buildings where off-road parking provision may be difficult to achieve. Car free residential developments will be sought in appropriate locations, such as within or adjoining Taunton and Wellington town centres. The Borough Council will require all residential developments to make provision for the parking and storage of bicycles with a minimum provision as follows:- 1 space for all residential units with between 1 and 3 bedrooms; 2 spaces for residential units with four bedrooms or more.

Policy EN17 Development proposals which would harm a listed building, its setting or any features of special or historic interest which it possesses, will not be permitted.

ASSESSMENT

The site is located within the town centre where a car free development is considered appropriate and should not lead to congestion in surrounding streets.

Following discussions between the applicant's agent and the Conservation Officer it would appear to be designed which overcomes her concerns, particularly in terms of relationship with Wessex Lodge.

RECOMMENDATION

Subject to the submission of satisfactory revised proposals and completion of a S.106 Agreement relating to sport and recreation contributions by 29th November, 2004, the Development Control Manager in consultation with the Chair/Vice Chair be authorised to determine and permission be GRANTED subject to conditions of time limit, archaeology, site levels, meter boxes and cycling parking and materials. Notes re compliance, S.106 agreement, Part M, CDM Regs and Noise.

REASON(S) FOR THE RECOMMENDATION:- The proposed building respects the setting of the adjacent listed building, is appropriate in the street scene and does not cause demonstrable harm to residential amenity. The site's town centre location makes it suitable for a car free development. The proposal therefore accords with the requirements of Taunton Deane Local Plan Revised Deposit Policies H1, EN17 and M3a.

Should the Section 106 Agreement not be signed by the relevant date then permission be REFUSED.

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

CONTACT OFFICER: 356464 MR T BURTON

NOTES:

38/2004/441

BRITISH RED CROSS SOCIETY

DEMOLITION OF BUILDINGS AND ERECTION OF TWO AND TWO AND A HALF STOREY RESIDENTIAL DEVELOPMENT (10 X 2 BEDROOMED FLATS) AT BRITISH RED CROSS CENTRE, WILTON STREET, TAUNTON.

22297/24037

FULL PERMISSION

PROPOSAL

The proposal is for the demolition of the existing single storey buildings that form the offices of the British Red Cross Society and the erection of a block of flats providing 10 two bedroom flats. The site is elevated above Wilton Street with an existing access approximately midway along the site frontage. The proposal would be for a two and three storey development (the third storey being partially within the roof of the building) fronting onto Wilton Street with a lower (two storey) off shoot to the rear. The main block would be 10 m wide with the rear block only 6 m wide and constructed with brick walls and natural slate roof. The site access would be repositioned further to the south of the site to provide a greater distance from the existing junction of Wilton Street with Vivary Road. The new access would go through an arch in the ground floor of the building and lead to 10 parking spaces to be provided to the rear.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY COUNTY no objection in principle to the proposed development. In detail, however, the site has a restricted frontage with its access at present centrally located thereby benefiting from visibility equally across the plot frontage. The proposed development seeks to move the access towards the left-hand end of the plot when viewed from the road, this will cut down visibility in the more important direction. Visibility is also masked by parked cars. Consequently, I would suggest that the Applicants look again at the proposal and see if there is any possibility of maintaining access at its current central location which in my view is far better than that proposed. COUNTY ARCHAEOLOGIST no objections. WESSEX WATER no objection, a public sewer is close to this site, mains water and foul water drains are available. There are no separate surface water drains available and the applicant should investigate alternative methods of disposal i.e. soakaways. AVON AND SOMERSET CONSTABULARY views awaited.

LANDSCAPE OFFICER subject to a suitable landscaping scheme the proposal can be integrated into the local street scene. CONSERVATION OFFICER views awaited. ENVIRONMENTAL HEALTH OFFICER a noise condition during construction is suggested Monday to Friday 08.00 - 18.00, Saturday 08.00 - 13.00. All other times no noisy working. LEISURE AND RECREATION OFFICER contributions to local recreational facilities should be made.

4 LETTERS OF OBJECTION have been received raising the following issues:- overdevelopment of the site; out of keeping with the area; the existing facilities are

needed for local organisations to use (such as the Bridge Club) and there are no other facilities in the area; too high as elevated ground level and three storeys above; 10 parking spaces are insufficient and on street parking is already in high demand; the gardens at 2 and 2a Wilton Street will be totally overlooked and the height of the development site will make this worse; the development should be at street level in keeping with the adjacent dwellings and character of the area.

POLICY CONTEXT

Somerset and Exmoor National Park Joint Structure Plan Review The following policies are considered to be specially relevant:- STR1, STR2, STR4 and Policy 49. Taunton Deane Local Plan Revised Deposit The following policies are considered to be relevant :- Policy S1 criteria (A), (D), and (E). Policy S2 Development must be of a good design. Its scale, density, height, massing, layout, landscaping, colour, materials and access arrangements will be assessed to ensure that the proposal will, where reasonable and feasible: (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; (G) include facilities to encourage recycling. Policy H1 Housing development will be permitted within defined limits of settlements, provided that: (A) there is safe and convenient access by bus or on foot to facilities and employment. In the case of proposals of a significant scale, bus or walking access to a town centre or rural centre will be required, taking account of any off-site works proposed in accordance with criteria (B); (B) necessary provision is made for off-site public transport, cycling and pedestrian facilities and highway improvements to cater safely for the expected number of trips generated by the development and minimise the proportion of car trips; (G) small scale schemes in existing residential areas will increase the development density of these areas without individually or cumulatively eroding their character or residential amenity; (H) a coherent approach to the overall design is adopted, including layout, landscaping, building designs, materials, open spaces and circulation routes, to create locally distinctive developments well related to their surroundings; and (I) existing and proposed dwellings will enjoy adequate privacy and sunlight. Policy H4a .

ASSESSMENT

The site is located within the settlement limit of Taunton where the development plan supports residential development. In considering the details of any such proposals the Taunton Local Plan requires new development to respect the character and form of existing areas . The proposed scheme is located within an existing residential area characterised by individual dwelling houses rather than flats and this has resulted in a street scene characterised by buildings with a smaller size and form than that proposed. I am concerned that the proposal's bulkier form, with the resultant expanse of shallow pitched roof, would detract from and dominate the character of the area. I am also concerned that the proposed three storey element, fronting Wilton Street, would be taller than the existing dwellings and out of character with the area and that the design

would produce an unbalanced front elevation. In addition the flats would be located within close proximity with 9 Wilton Street, providing only 15 m window to window distance and I consider that this would be detrimental to the residential amenity of the occupants. The northern elevation of the flats would be only 8 m from the side garden of 2a Wilton Street and I am concerned that the existing scheme would also have a detrimental impact on that property. I have requested additional information from and a meeting with the agent to discuss the matter further but in the absence of either I conclude that the proposal would be unacceptable.

RECOMMENDATION

Permission be REFUSED for the reasons of lack of information, poor design with a mass and form out of keeping with and detrimental to the area, detrimental impact on the residential amenity of adjacent occupants, unacceptable surface water drainage details.

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

CONTACT OFFICER: 356467 MRS J MOORE

NOTES:

38/2004/454

TAUNTON & SOMERSET NHS TRUST

CONSTRUCTION OF MULTI-STOREY CAR PARK ON LAND TO NORTH OF ALFRED MORRIS HOUSE, TAUNTON AND SOMERSET HOSPITAL, MUSGROVE PARK, TAUNTON.

21500/23980

RESERVED MATTERS

PROPOSAL

Outline permission for a multi-storey car park on what is currently surface car parking was granted in April 2003. The illustrative drawings submitted a stepped design in order to reduce the impact of the building on properties nearby in Hoveland Lane.

This detailed proposal shows a building with a reduced overall mass and in particular a reduced ground floor footprint, and improvements made in terms of entrance position and circulation. Notwithstanding this, rationalisation of the layout has enabled an increase in overall number of spaces than previously shown. The current scheme provides 733 spaces. In formulating the design the Architects have tried to move away from the traditional appearance of a car park including the use of timber to the main exterior walls above an enclosed stone wall and dark stone grey boarding with full height glazing to the stair towers. The application is also supported by an acoustic survey, a travel plan which has been agreed with the County Highway Authority and a detailed landscaping scheme.

CONSULTATIONS AND REPRESENTATIONS

ENVIRONMENT AGENCY no comments.

LANDSCAPE OFFICER the proposed new tree planting should help to screen the proposals from local residents. ENVIRONMENTAL HEALTH OFFICER I have the following comments in response to Environmental Noise Assessment 0763/ENS1 carried out by Hunter Acoustics. I have also listed those noise conditions on application 38/2003/008. (1)The orientation of the structure should be constructed to minimise the impact of noise on nearby receptors. (2) To ensure that noise does not affect the Doctors on-call rooms and the nurses home which lie adjacent to the western car park boundary, parking should be limited to the lower floors and to the eastern half of the car park during the hours 1900-0700. (3) Openings used for ventilation should be spaced to provide additional protection for receptors located adjacent to the car park. (4) Acoustic screening should be erected at openings above the barriers to the car park, where these openings are adjacent to the sensitive receptors. Barriers at these points should also be acoustically insulated or sealed. (5) Any construction work shall be restricted to the hours of 0730 - 1800 Monday to Friday and 0800 - 1300 on Saturdays. No work shall be carried out on Sundays and Public Holidays. Piling work shall not be carried out other than between 0800 - 1700 Monday to Friday and 0800 - 1300 Saturdays. (6) Use of construction equipment: - The principles outlined in the code of practice BS: 5228 'Noise and Vibration Control on Construction and Open Sites' should be adhered to.

Only well-maintained construction equipment, which meets international standards for source noise levels, should be used. Any equipment known to emit significant noise in one direction will, where possible, be oriented so that noise is directed away from noise sensitive receivers. Silencers or mufflers on construction equipment ought to be utilised, and they should be properly maintained during the construction works. Mobile equipment should be sited as far away from noise sensitive receivers as possible. Machines and transport vehicles that may be in use only intermittently should be shut down during idling periods or throttled down to a minimum. (7) A package of noise control measures, to incorporate design considerations, speed restrictions and notices, vehicle restriction, site security, landscaping and monitoring shall be submitted to and approved in writing by the Planning Authority before any works commence, (8) No system of public address, loudspeaker, amplifier, relay or other audio equipment shall be operated within the site. (9) Speed bumps or dips should be constructed to reduce vehicle speeds, details of which shall be submitted to and approved by the Local Planning Authority before any works commence. (10) All construction vehicles shall use the Wellington Road access only. Note:- Post development monitoring should be carried out to ensure that noise levels in the area are maintained.

HOVELANDS LANE RESIDENTS ACTION GROUP have written raising the following issues:- With reference to your letter of 1st October 2004, and following an informal meeting with Mr Warren of the NHS yesterday in order to clarify a couple of points, we would like to make the following observations:- 1. We understand from Mr Warren that there are now no openings whatsoever on the side of the building facing Hoveland Lane and the roof parapet all around the building will be too high for anybody to look over and will be of sufficient height to deter anyone wishing to jump off. We sought clarification on this point as the South Elevation drawing No L(-)12 did not make it clear as to how the problem of overlooking, etc, had been solved in respect of the decking and open roof parking. 2. When the original application was put to the Planning Committee on 23rd April 2003, they were advised by the Planning Office that, because the impact of the initial proposal upon the rear of the bungalows in Hoveland Lane would be unacceptable, the impact had been mitigated to an acceptable degree by stepping back the third, fourth and fifth levels. As you know, this was in line with the agreement we had all reached in our prior discussions. Also, at the meeting held on 11th August 2004 at Deane House, Mr Williams of Q-Park Ltd specifically stated that the car park would be stepped back as it was in the original design. After all the agreements and assurances, it was therefore a surprise to find out that this is not the case at all. Queried with Mr Warren why the West Elevation drawing No L(-)11 did not show the stepped design as the East Elevation drawing No L(-)10. In the light of the comments made at the Q-Park meeting, we thought that this must surely be an error, but instead it transpires that a proportion of the building will not actually be stepped back as agreed. Apparently, after only one step back, approximately 2/5ths of the width of the car park on the left hand side of the building (looking from the bungalows) is full height. As this is contrary to our understanding that the whole of the building would step back in the sameway, we would object to this aspect of the design. In addition to this, the drawings do not appear to reflect the true situation. For example, this full height portion must surely also be visible from the other side and should be apparent on the east elevation drawing.

ONE LETTER OF CONCERN has been received from a local resident in respect of potential headlight glare due to gaps in timber screening and wishing to ensure that car park is for staff purposes only.

POLICY CONTEXT

Somerset and Exmoor National Park Joint Structure Plan Review the following Policies are relevant:- Policy 39 Proposals for development should be considered having regard to:- the management of demand for transport; achieving a shift in transport modes to alternatives to the private car and lorry wherever possible; and the need for improvements to transport infrastructure. Policy 48 Developments which generate significant transport movements should be located where provision may be made for access by walking, cycling and public transport. The level of parking provision in settlements should reflect their functions, the potential for the use of alternatives to the private car and the need to prevent harmful competitive provision of parking. The level of car parking provision associated with new development should:- first, take account of the potential for access and provide for alternatives to the private car, and then; should be no more than is necessary to enable development to proceed.

Taunton Deane Local Plan Revised Deposit Policy S1 Proposals for development, taking account of any mitigation measures proposed, will be required to meet the following criteria, in addition to any other Development Plan policies which apply in a particular case: (A) additional road traffic arising, taking account of any road improvements involved, would not lead to overloading of access roads, road safety problems or environmental degradation by fumes, noise, vibrations or visual impact; (B) the accessibility of the development by public transport, cycling and pedestrian networks would be consistent with its likely trip generation and minimising the need to use the car; (C) the proposal will not lead to harm to protected wildlife species or their habitats; (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; (G) the safety of any occupants or users will not be at risk from ground instability; and (H) the site will be served by utility services necessary for the development proposed. M3 Non - residential development will not be permitted unless, taking account of transport and car parking provision proposed in conjunction with the development; (A) its accessibility by public transport, cycling and walking is sufficient to; (1) cater conveniently and safely for the expected number of trips attracted for which a car parking space is not provided; and (2) meet the requirements of the relevant policy for the particular use proposed; (B) the highway network will cater safely for the expected number of car trips attracted; and (C) undesirable parking pressure in nearby residential streets is not significantly increased.

ASSESSMENT

The principle and general format of the car park has been established through the outline consent. Whilst the observations of the County Highway Authority are awaited, it is not thought that they are likely to object to the provision of more spaces than originally specified.

The determining factor would therefore appear to be the impact of the proposal on nearby residents, most notably those in Hoveland Lane. The applicants have been asked to respond to the noise issues raised by the Environmental Health Officer who will need to be satisfied before an approval can be issued.

The stepping of the building generally accords with that previously agreed and the issue of the stair tower raised by the Action Group does not materially impact on this.

Overall it is considered to be a building of innovative design which both respects its setting and minimises its impact.

RECOMMENDATION

Subject to the observations of the County Highway Authority and satisfactory resolution of issues raised by the Environmental Health Officer the Development Control Manager in consultation with the Chair/Vice Chair be authorised to determine and permission be GRANTED subject to condition of materials. Notes re outline consent, compliance, fire safety, Part M, public art and CDM Regs.

REASON(S) FOR THE RECOMMENDATION:- The proposed building has been designed to minimise its impact upon surrounding properties and has been submitted as part of a package of transport measures supported by a Travel Plan which seeks to minimise the number of visits to the site by private car. The proposal therefore accords with Taunton Deane Local Plan Revised Deposit Policies S1, S2 and M3.

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

CONTACT OFFICER: 356464 MR T BURTON

NOTES:

43/2004/126

MENTOR INN LTD

CONVERSION OF SKITTLE ALLEY TO FORM 5 GUEST BEDROOMS, THE WEAVERS ARMS, ROCKWELL GREEN, WELLINGTON.

12600/20214

FULL PERMISSION

PROPOSAL

The proposal is for the conversion and alteration to an existing skittle alley to form 5 guest bedrooms in conjunction with the public house. The skittle alley is a single storey building to the rear of the public house measuring approximately 27 m x 3.4 m; the height of the alley will be increased from 3.2 m to 3.6 m, at the highest point. Materials to be interlocking tiles and timber weatherboarding.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY no objection subject to details of access, parking and turning shown on the accompanying drawing being provided before the guest bedrooms come into use. WESSEX WATER prior to commencement of any works on site, a connection onto Wessex Water infrastructure should be agreed.

ENVIRONMENTAL HEALTH OFFICER no objection. FORWARD PLAN no comment to make on application. TOURISM OFFICER support application and recommend the accommodation be independently inspected as per the Somerset strategy to ensure high quality/standard of accommodation for our visitors.

TOWN COUNCIL object as it is felt the loss of the skittle alley will be detrimental to local amenities and the social structure of Rockwell Green.

ONE LETTER OF REPRESENTATION has been received raising the following issues:- don't care whether it stays as skittle alley or be converted to guest rooms; have Mentor Inns done any research, cannot see anyone wanting to spend a night at the Weaver Arms; what about people who play skittles? It is a pub after all!

POLICY CONTEXT

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

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

ASSESSMENT

The proposal is to the rear of the existing public house where the skittle alley is at present. There will be no overlooking to neighbouring properties as all windows and doors from the proposal will look onto the existing car park. There have been no objections from residents of Wellington regarding the loss of the skittle alley, which could cease being used at any time. The highway authority raise no objection. The proposal is considered not to harm the residential amenity of the area, and will improve the quality of the existing tourist facilities for people visiting Wellington and the surrounding area.

RECOMMENDATION

Permission be GRANTED subject to conditions of time limit, materials to be submitted, occupancy condition, landscaping, parking area surfaced, turning area provided, removal of permitted development rights for windows. Notes re: compliance, energy conservation, water conservation, connection to Wessex Water, accommodation to be independently inspected.

REASON(S) FOR RECOMMENDATION:- The proposal is considered not to harm the natural or built landscape, the visual or residential amenity of the area, and will increase the quality of facilities available to tourists: in accordance with policies S1, S2, and EC18 of the Taunton Deane Local Plan Revised Deposit, and Policy WD/RT/15 of the West Deane Local Plan.

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

CONTACT OFFICER: 356463 MR D ADDICOTT

NOTES:

48/2004/061

HELSTON GARAGES GROUP

DEMOLITION OF FILLING STATION AND CONSTRUCTION OF CAR MOTOR DEALERSHIP AND ASSOCIATED WORKS AT CENTRAL SERVICE STATION, BRIDGWATER ROAD, BATHPOOL.

25872/26625

FULL PERMISSION

PROPOSAL

The site is currently partly used by Taunton Land Rover for vehicle storage. The remainder of the site comprises a petrol filling station which has recently ceased trading.

The proposal shows a flat roofed building of 610 sq m floorspace for vehicle sales and maintenance. The building is 7.5 m high with a full height showroom fronting the A38, but with two storeys of accommodation to the rear.

CONSULTATIONS AND REPRESENTATIONS

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 developer has proposed to dispose of surface water to 'existing' As there are no existing separate surface water sewers in the vicinity of the site, it is advised that the developer investigate alternative methods for the satisfactory disposal of surface water from the site (e.g. soakaways). Surface water should not be discharged to the foul sewer. Your Council should be satisfied with any suitable arrangement for the disposal of surface water. According to our records, there is a public water main and foul sewer crossing the site. Please find enclosed a copy of our mapping records indicating the approximate position of the apparatus. Wessex Water normally requires a minimum 3 m easement width on either side of its apparatus, for the purpose of maintenance and repair. Diversion or protection works may need to be agreed. It is further recommended that a condition or informative is placed on any consent to require the developer to protect the integrity of Wessex systems and agree prior to the commencement of works on site, any arrangements for the protection of infrastructure crossing the site. We advise that this should be agreed as early as possible and certainly before the developer submits to your Council any Building Regulations application. The developer must agree in writing prior to the commencement of works on site, any arrangements for the protection of our infrastructure crossing the site. With respect to water supply, 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.

FIRE OFFICER Means of Escape - Means of escape in case of fire should comply with Approved Document B1, of the Building Regulations 2000. Detailed recommendations concerning other fire safety matters will be made at Building Regulations stage. Access

for Appliances - Access for fire appliances should comply with Approved Document B5 of the Building Regulations 2000. Water Supplies - All new water mains installed within the development should be of sufficient size to permit the installation of fire hydrants conforming to British Standards. Demolition of Building - If it is proposed to carry out any burning of structure or materials at the above mentioned site, the applicant is required to notify Somerset Fire and Rescue Service Command & Mobilising Centre, Telephone 01823 364500 of this proposal at least 48 hours before commencement, so that the appropriate Fire Station may be made aware of this burning. Written confirmation of this telephone call should be forwarded to the Corporate Director - Fire & Emergency Planning, Fire Service Headquarters, Hestercombe House, Cheddon Fitzpaine, Taunton TA2 8LQ. Petroleum Site - Our records indicate that four petroleum tanks were made safe on the above site on the 7 May 2003 by in filling with RG22 hard foam. According to our records the tanks are still in situ and the applicant should be advised accordingly.

LANDSCAPE OFFICER my main concerns are:- there is no provision for roadside landscaping which is essential if the cars are going to be integrated into the road scene; the space allowed for replacement trees is minimal and not sufficient to replace their lost amenity value; the streamside landscape looks poor especially given its wildlife potential; any changes to ground conditions near to the northern boundary trees could be very damaging but it is not clear from the drawings what the construction details are; there is no landscape softening of impact to the southern boundary adjacent to the caravan park..ENVIRONMENTAL HEALTH OFFICER suggest contamination condition.

PARISH COUNCIL (1) In principle, the Council has no objection to the development. However, Councillors are concerned about, and opposed to, the scale and height of the proposed building. (2) They share concerns of the local residents regarding the fact that the new building will overshadow the bungalows opposite, and the homes in the adjacent caravan site. (3) They are particularly concerned that this development is adjacent to an area designated as a Community Centre in the Monkton Heathfield Development of c.1000 dwellings under the Taunton Local Plan. (4) Councillors also express concerns regarding the safety issue involving the possible loading/unloading of vehicles on the carriageway, and the effect the development may have on traffic in the area.

ONE LETTER OF OBJECTION has been received from a nearby resident raising the following issues:- restricted parking (particularly for car transporters) resulting in dangerous on-street parking.

POLICY CONTEXT

Somerset and Exmoor National Park Joint Structure Plan Review Policy 49 Proposals for development should be compatible with the existing transport infrastructure, or, if not, provision should be made for improvements to infrastructure to enable development to proceed. In particular development should:- provide access for pedestrians, people with disabilities, cyclists and public transport; provide safe access to roads of adequate

standard within the route hierarchy and, unless the special need for and benefit of a particular development would warrant an exception, not derive access directly from a National Primary or County Route; and, in the case of development which will generate significant freight traffic, be located close to rail facilities and/or National Primary Routes or suitable County Routes subject to satisfying other Structure Plan policy requirements.

Taunton Deane Local Plan Revised Deposit the following policies are of particular relevance:- EC1 Business, industrial and warehousing development will be permitted within the defined limits of settlements, provided that;- (B) in the case of industrial or warehousing proposals where freight movements are likely to be high, a freight link to the rail network or safe access to the National or County road network is provided; and (C) within Areas of Outstanding Natural Beauty only small scale, unobtrusive developments will be permitted.

Policy S1(A, D and E) Proposals for development, taking account of any mitigation measures proposed, will be required to meet the following criteria, in addition to any other Development Plan policies which apply in a particular case:- (A) additional road traffic arising, taking account of any road improvements involved, would not lead to overloading of access roads, road safety problems or environmental degradation by fumes, noise, vibrations or visual impact; (B) the accessibility of the development by public transport, cycling and pedestrian networks would be consistent with its likely trip generation and minimising the need to use the car; (C) the proposal will not lead to harm to protected wildlife species or their habitats; (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; (G) the safety of any occupants or users will not be at risk from ground instability; and (H) the site will be served by utility services necessary for the development proposed.

ASSESSMENT

In light of the established use of the site, there can be no objection to the principle of the development. Whilst the site is somewhat restricted in terms of parking and manoeuvring, it is understood that the Highway Authority are unlikely to raise objection to the proposal, although their formal comments are still awaited.

The building will neither visually overpower the adjacent caravan park, or other nearby residential properties, or give rise to unreasonable levels of noise or disturbance.

However, it is important that the visual impact of the building is softened by suitable landscaping. The applicants have therefore been asked to address concerns expressed by the Landscape Officer.

RECOMMENDATION

Subject to the observations of the County Highway Authority and satisfactory revised proposals addressing the Landscape Officer's concerns the Development Control Manager in consultation with the Chair/Vice Chair be authorised to determine and permission be GRANTED subject to conditions of time limit, contamination, materials, landscaping, hard landscaping, trees to be retained, tree protection, car parking area, restricted use, hours of work, service yard, demolition, floodlighting, satellite dishes/aerials. Notes re fire safety, advertisements, compliance, Part M, Wessex Water and CDM Regs.

REASON(S) FOR THE RECOMMENDATION:- The site has an existing commercial use and its redevelopment is acceptable in accordance with Taunton Deane Local Plan Revised Deposit Policy EC1. The proposal will not give rise to highway safety issues or cause demonstrable harm to the amenities of surrounding residential users in accordance with Policy S1 (A), (D) and (E).

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

CONTACT OFFICER: 356464 MR T BURTON

NOTES:

49/2004/067

MR G & MRS J COATE

ERECTION OF 2 NO. DETACHED DWELLINGS, THE MANSE, FORD ROAD, WIVELISCOMBE.

08480/27809

RESERVED MATTERS

PROPOSAL

Two separate previous outline permissions have been granted for the two plots in 2002 and 2003. This reserved matters application provides for the erection of two 4 bedroom detached dwellings. The walls are to be brick with some natural sandstone to front gable and concrete tiles for the roof. Access is proposed from Ford Road.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY no objection in principle provided that only two dwellings are allowed on the site. Request conditions re visibility splay, properly surfaced access and the existing access to the site from Lion d'Angers to be stopped up within one month of the new access being first brought into use. COUNTY ARCHAEOLOGIST limited or no archaeological implications to the proposal and therefore have no objections on archaeological grounds. WESSEX WATER it will be necessary for the developer to agree points of connection onto the systems for the satisfactory disposal of foul flows and water supply.

LANDSCAPE OFFICER limited landscape impact but scope for tree planting in the front and rear gardens. DRAINAGE OFFICER there has been a previous history of flooding to this parcel of land and the design of the proposed dwellings should take this into account with floor levels at a raised level. A flood flow route should also be incorporated into any layout to route flood waters away from any habitable dwellings. Soakaways should be constructed in accordance with Building Research Digest 365.

PARISH COUNCIL note that is a reserved matters following an earlier outline consent and therefore have no further comment to make.

5 LETTERS OF OBJECTION plan out of date and does not show the adjacent playground; planning consent was only for one dwelling; work on frontage to Ford Road carried out without any consent; access from Lion d'Angers should be blocked off; drainage system in the area is already overloaded and any further development will cause more flooding; plans inaccurate; no details of fencing; overlooking; proximity to adjacent property; blocking of light; flooding; devaluation of property; query rights to use rear access from Lion d'Angers.

POLICY CONTEXT

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

ASSESSMENT

The principle of residential development on the site has already been established by the previous outline planning permissions for the site. The design and materials are considered acceptable for the site. A condition on the outline planning permission ensures that the access from Lion d'Angers will be closed off.

RECOMMENDATION

Details be APPROVED subject to condition of no construction traffic to use the rear access from Lion d'Angers without prior consent. Notes re outline conditions.

REASON(S) FOR THE RECOMMENDATION:- The proposed development makes effective use of a site within the urban area and does not adversely impact on the amenity of adjacent residents. The development is therefore in compliance with Taunton Deane Local Plan Revised Deposit Polices 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:

PLANNING COMMITTEE – 24 NOVEMBER, 2004

Report of the Development Control Manager

MISCELLANEOUS ITEM

38/2004/464 CONSTRUCTION OF 3 BAY INDUSTRIAL TYPE BUILDING TO HOUSE INCIDENT RESPONSE VEHICLES, TAUNTON FIRE STATION, LISIEUX WAY, TAUNTON

PROPOSAL

The proposal comprises the construction of a 3 bay industrial type building constructed of plastisol sheeting, to accommodate an incident response unit for Somerset Fire and Rescue Service. The building immediately adjoins the existing fire service site, and would incorporate a portion of land which has been designed in the Taunton Deane Local Plan Revised Deposit as a recreational open space to remain undeveloped. The land currently comprises an attractive grassed area along Lisieux Way.

Since 11 September and the Madrid bombing disaster, the Government has introduced new Civil Resilience measures to respond to such terrorist incidents and to other major emergencies including industrial and domestic accidents, chemical spills and collapsed buildings, natural disasters, and floods and earthquakes, and the Somerset Fire and Rescue Service has secured a grant to accommodate an Incident Response Unit to serve the County. It is intended that it would be based at the Lisieux Way site, and it would respond to national emergencies as required. 9 such units would be provided in the south west, with 80 in total in England and Wales.

At present the Incident Response Vehicle is stored in the open air at their Chelston Depot, and this is considered totally unsatisfactory for the sophisticated kit which is provided. The Government grant would fund the garaging of the unit.

One of the main purposes of the unit is to provide a mass decontamination facility in the event of chemical, biological or radiological contamination. One unit can decontaminate up to 200 people in one hour.

The proposed 3 bay building is large enough to accommodate the Incident Response Vehicle, a high volume pumping unit, which is likely to be assigned to the Somerset Fire and Rescue Service, and additional specialist kit which is anticipated in the future.

The Fire and Rescue Service consider it necessary to accommodate the unit at Lisieux Way because Taunton is best placed geographically and the key settlement in the County; there is no spare capacity at any existing site; the unit should be based at a fire station manned by whole-time fire fighters; after a decontamination incident, the cleaning of the unit needs to be carried out by whole-time fire fighters, and it would be impracticable and expensive to locate the unit away from any existing fire station site, such as on an industrial estate; the unit would cause little

disturbance locally because it is only called into use in an exceptional emergency; and that whole-time fire fighters would be trained in situ next to the fire station.

The Council has already raised objection to the proposals on the grounds of loss of open space under delegated powers. However, in light of the additional justification subsequently received Members are now asked to reconsider the Council's position.

CONSULTATIONS AND REPRESENTATIONS

LEISURE OFFICER observations awaited at the time of agenda preparation.

POLICY CONTEXT

Policies S1 and S2 of the Taunton Deane Local Plan seek to safeguard, inter alia, the appearance and character of any affected landscape or street scene.

Policy EN25 seeks to resist development which would harm the open character of areas designated to remain undeveloped on the inset maps.

ASSESSMENT

Notwithstanding that the local plan has defined the area as a recreational open space to remain undeveloped in terms of its importance as a 'green lung' or 'breathing space', it is considered that the exceptional need for the unit and the over-riding public benefit is such that an exception could be made to the policy.

RECOMMENDATION

That NO OBJECTION be raised subject to conditions of time, materials, and details of new fence and hedgerow to be approved.

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

PLANNING COMMITTEE – 24 NOVEMBER, 2004

Report of the Development Control Manager

ENFORCEMENT

Parish: Taunton

1. **File/Complainant Number** E299/38/2004 – 38/2004/466
2. **Location of Site** 18 Portman Street, Taunton, TA2 7BU.
3. **Names of Owners** Miss V House
4. **Names of Occupiers** Miss V House and others
5. **Nature of Contravention**

Provision of large Satellite dish

6. **Planning History**

A complaint was received on 31 August 2004 that a very large satellite dish had been erected on the front elevation of 18 Portman Street. The owner was contacted informing her that the dish required planning permission as it was over 90 cm in diameter. A planning application was received on 27 September, 2004 and was subsequently refused under delegated powers on 2 November, 2004

7. **Reasons for Taking Action**

The satellite dish by virtue of its size and location on the property forms an intrusive feature in the street scene and is detrimental to the visual amenity. Therefore the provision of the satellite dish is contrary to Policies S1 (D) and S2 (A)

8. **Recommendation**

The Solicitor to the Council be authorised to serve an Enforcement Notice and commence prosecution proceedings subject to satisfactory evidence should the notice not be complied with.

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

CONTACT OFFICER: Mr JA W Hardy Tel: 356479

PLANNING COMMITTEE – 24 NOVEMBER, 2004

Report of the Development Control Manager

ENFORCEMENT ITEM

Parish: Creech St Michael

- 1. File/Complainant Number** E387/14/2004
- 2. Location of Site** Field to side of M5 Motorway, Creech St Michael, Taunton.
- 3. Names of Owners** Mrs B G Duddridge, Langaller Manor Farm, Bathpool, Taunton.
- 4. Names of Occupiers** Bridgwater Pallets, Parrett Way, Colley Lane Industrial Estate, Bridgwater.
- 5. Nature of Contravention**

Display of sign adjacent to M5 Motorway

- 6. Planning History**

The sign was first noticed on Sunday, 31 October, 2004. The sign is attached to the side of a box trailer and is positioned in a field adjacent to the motorway between Hyde Lane Bridge and the A361 road bridge leading to Durston. Both the owner of the land and the owner of the sign were contacted and requested to remove the sign by 11 November, 2004. To date the sign is still in position. The Highway Agency have raised objection on road safety grounds and driver distraction.

- 7. Reasons for Taking Action**

The sign by reason of its location adjacent to the M5 motorway is likely to distract drivers attention from the road ahead of them and the movements of other vehicles. Its display is therefore potentially dangerous to road safety. The advertisement is therefore contrary to Policy EC21 (D) of the Taunton Deane Local Plan Revised Deposit. The sign also represents an unnecessary commercial intrusion into the open countryside and results in demonstrable harm to the visual appearance of the area and is therefore contrary to Policy EC21 (A) (B) and (C) of the Taunton Deane Local Plan Revised Deposit.

The Local Planning Authority are concerned that if the sign is not removed further advertisements will be displayed along the M5 Motorway within Taunton Deane Borough adding to those already displayed in adjoining Authority areas.

8. Recommendation

The Solicitor to the Council be authorised to commence prosecution action without delay 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: 356479