



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 6TH JULY 2005 AT 17:00.

(RESERVE DATE : MONDAY 11TH JULY 2005 AT 17:00)

AGENDA

1. Apologies
2. Minutes of meeting held on 15 June 2005 (TO FOLLOW).
3. Public Question Time
4. BISHOPS HULL - 05/2005/029A
DISPLAY ILLUMINATED FASCIA SIGNS AND PROJECTING SIGN AT 1 WELLINGTON NEW ROAD, TAUNTON AS AMENDED BY AGENTS LETTER DATED 13TH JUNE, 2005 AND DRAWING NO. 1086/04A
5. BISHOPS LYDEARD - 06/2005/021
ERECTION OF DWELLING AND GARAGE AT LAND TO REAR OF 9 CHURCH STREET, BISHOPS LYDEARD.
6. BISHOPS LYDEARD - 06/2005/024
RETROSPECTIVE APPLICATION FOR USE OF AMENITY LAND AS DOMESTIC CURTILAGE AND ERECTION OF RAILINGS AT 10 BETHELL MEAD, COTFORD ST LUKE (RE-SUBMISSION).
7. BRADFORD ON TONE - 07/2005/013
ERECTION OF 2 NO. TWO STOREY DWELLINGS AND 1 NO. BUNGALOW AT LAND ADJACENT TO THE WALNUTS, ORCHARD CLOSE, BRADFORD ON TONE
8. CHURCHSTANTON - 10/2005/008
ERECTION OF TWO HOLIDAY CHALETs AT PAYE PLANTATION, STAPLEY (REVISED)
9. COMBE FLOREY - 11/2005/009
ERECTION OF HOLIDAY LET UNIT AT LAND EAST OF YARD FARM, COMBE FLOREY.
10. COTHELSTONE - 13/2005/004
CHANGE OF USE OF VARIOUS BARNs TO INCLUDE CAFE/RESTAURANT, RETAIL, COMMUNITY HALL TO INCLUDE EXHIBITIONS, CONFERENCES, WEDDING RECEPTIONS AND CINEMA CLUB; MUSEUM/DISPLAYS OF WORKS OF ART AND OFFICE/CRAFT WORKSHOPS/A1 RETAIL, AT BARNs AT MANOR FARM, COTHELSTONE.
11. CREECH ST MICHAEL - 14/2005/025

ERECTION OF DOUBLE GARAGE AND STORE WITH ACCOMMODATION OVER AT DAISY COTTAGE, ADSBOROUGH HILL, ADSBOROUGH AS AMENDED BY BLOCK PLAN AND DRAWING NO. S2 REV C RECEIVED 1ST JUNE, 2005

12. KINGSTON ST. MARY - 20/2005/008
FORMATION OF VEHICLE ACCESS FROM KINGSTON ROAD AT MILLFIELD HOUSE, KINGSTON ST MARY
13. LYDEARD ST LAWRENCE - 22/2005/008
CONVERSION OF BARN TO 3 NO. DWELLINGS, NETHERCOT FARM, COMBE FLOREY AS AMENDED BY LETTER DATED 13TH JUNE, 2005 WITH ACCOMPANYING DRAWING NO. 1200/1A AND CONSERVATION REPORT
14. STOKE ST GREGORY - 36/2005/011LB
ALTERATIONS OF ROOF SPACE TO FORM EN-SUITE BATHROOM, INCLUDING THE REMOVAL OF CHIMNEY BREAST AND INSTALLATION OF 2 NO. CONSERVATION ROOFLIGHTS, POPLAR FARM, MEARE GREEN, STOKE ST GREGORY.
15. TAUNTON - 38/2005/214
ERECTION OF APARTMENT BLOCK OF 20 AFFORDABLE HOUSING UNITS AT FORMER PRINCESS MARGARET SCHOOL SITE, MIDDLEWAY, TAUNTON.
16. TAUNTON - 38/2005/217
ERECTION OF TWO RETIREMENT VILLAGE COTTAGES IN PLACE OF GARAGE BLOCK AT FORMER PRINCESS MARGARETS SCHOOL SITE, MIDDLEWAY, TAUNTON
17. TAUNTON - 38/2005/240
ERECTION OF SINGLE STOREY EXTENSION AT 33 THE OAKS, TAUNTON
18. TRULL - 42/2005/016
ERECTION OF FIRST FLOOR EXTENSION AND ALTERATIONS AT 2 HERSWELL COTTAGES, WEST BUCKLAND.
19. WEST BAGBOROUGH - 45/2005/008
ERECTION OF DWELLING AT LAND ADJACENT TO RICHARDS AT WEST BAGBOROUGH.

G P DYKE
Member Services Manager

The Deane House
Belvedere Road
TAUNTON
Somerset

TA1 1HE

28 June 2005

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 Mrs Allgrove
Councillor Miss Cavill
Councillor Clark
Councillor Croad
Councillor Denington
Councillor Floyd
Councillor Guerrier
Councillor Henley
Councillor C Hill
Councillor Hindley
Councillor House
Councillor Lisgo
Councillor Phillips
Councillor Mrs Smith
Councillor Stuart-Thorn
Councillor Wedderkopp



Members of the public are welcome to attend the meeting and listen to the discussion. Lift access to the main committee room on the first floor of the building is available from the main ground floor entrance. Toilet facilities, with wheelchair access, are also available. There is a time set aside at the beginning of the meeting to allow the public to ask questions



An induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter. If you require any further information, please contact Greg Dyke on:



Tel: 01823 356410
Fax: 01823 356329
E-Mail: g.dyke@tauntondeane.gov.uk

Website: www.tauntondeane.gov.uk (Council, Executive, Review Board & Review Panel Agenda, Reports and Minutes are available on the Website)

Planning Committee – 15 June 2005

Present: Councillor Miss Peppard (Chairman)
Councillors Mrs Allgrove, Clark, Croad, Denington, Floyd, Guerrier,
Henley, C Hill, Hindley, House, Phillips, Stuart-Thorn and Wedderkopp

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

A member of the press was in attendance for part of the meeting.

(The meeting commenced at 5.00 pm.)

69. Apologies

Councillor Mrs Hill (Vice-Chairman) and Councillors Miss Cavill, Lisgo and
Mrs Smith.

70. Minutes

The minutes of the meeting held on the 18 May 2005 were taken as read and
were signed subject to Councillor Mrs Hill's apology being recorded.

71. 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 **planning permission be granted** for the under-mentioned
developments, subject to the standard conditions adopted by Minute
No 86/1987 of the former Planning and Development Committee and
such further conditions as stated:-

14/2005/023LB

Erection of timber framed conservatory, Rockhouse, Adsborough.

Conditions

- (a) C002 - time limit – listed building;
- (b) Before the commencement of any works hereby permitted,
details or samples of the materials to be used for the base
wall/plinth 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.

Reason for granting listed building consent:-

The proposal would not adversely affect the character or appearance of the listed building and therefore did not conflict with Taunton Deane Local Plan Policies EN16 and EN17.

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

The Committee was of the view that the proposal would not affect the character of the listed building.

14/2005/024

Erection of timber framed conservatory, Rockhouse, Adsborough.

Conditions

- (a) C001 - time limit;
- (b) Before the commencement of any works hereby permitted, details or samples of the materials to be used for the base wall/plinth 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.

Reason for granting planning permission:-

The proposed development would not adversely affect the character of the building or visual amenity, and therefore did not conflict with Taunton Deane Local Plan Policies H17, S1 and S2.

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

The Committee felt that the proposal would not affect the character of the listed building.

(Councillor Phillips declared a personal interest in the following application.)

25/2005/008

Continued use of Trenchard House and Meadow Court for special needs housing accommodation at Trenchard House and Meadow Court, Trenchard Park Gardens, Norton Fitzwarren (part retrospective).

Conditions

- (a) The existing access over the first 20m of its length should be widened to 5m to accommodate two way traffic, details of which shall be submitted to, and approved in writing by, the Local Planning Authority. Such works shall be carried out and completed within four months of the date of planning permission being granted;
- (b) The occupiers of the accommodation shall be subject to the terms of the "Daily Agreement Conditions for Trenchard Park Gardens Occupancy" submitted with the planning application

- and the management of the establishment shall strictly enforce the agreement with occupiers;
- (c) Within three months of the date of this planning permission, seven car parking spaces shall be provided in accordance with a plan to be submitted to, and approved in writing by, the Local Planning Authority;
 - (d) There shall be no more than 30 clients accommodated at the premises at any one time.

Reason for granting planning permission:-

The proposed use was considered to be an appropriate one for this building in compliance with Taunton Deane Local Plan Policy H5 and guidance contained in Planning Policy Guidance Note No. 3.

43/2005/032

Conversion of bakery store building and first floor extension to rear of 13 High Street, Wellington to form a two storey residential dwelling with access from White Hart Lane (resubmission).

Conditions

- (a) C001 - time limit;
- (b) C101 - materials;
- (c) C416 - details of size, position and materials of meter boxes;
- (d) The new windows and doors 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 a different material;
- (e) P001A - no extensions;
- (f) P010 - no further windows or doors;
- (g) The development hereby permitted shall not be occupied until a sheltered cycle rack (for two bicycles) has been provided within the site;
- (h) Prior to the commencement of development, a survey shall be carried out to ascertain the importance of the building for bats and nesting birds, including barn owls, all species of which are legally protected under the Wildlife and Countryside Act 1981. If bats and nesting birds are to be affected, details of mitigation measures shall be submitted and carried out as part of the development;
- (i) The first floor doors on the south-west elevation shall be opened for emergency purposes only.

(Notes to applicant:- (1) N111 – disabled access; (2) N112 – energy conservation; (3) N115 – water conservation; (4) N114 – meter boxes; (5) N024 – development in accordance with approved plans; (6) Applicant was advised to investigate the history of the site and determine the likelihood of any contamination resulting from its

previous use. If contamination might be present, a site investigation, risk assessment and remediation strategy should be submitted to the Local Planning Authority prior to commencement of development on the site; (7) Applicant was advised of the need to ensure that the integrity of Wessex Water infrastructure on site is protected. Points of connection should also be agreed with Wessex Water for connection onto their infrastructure.)

Reason for granting planning permission:-

The proposal was to convert and extend an existing building within the urban area to residential use. The proposals were not considered to have any significant adverse affect on the amenity of the occupiers or neighbouring properties and the application was therefore considered to be in accordance with Taunton Deane Local Plan Policy S1.

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

22/2005/005

Erection of two storey and single storey extensions at Hoccombe Barn, Lydeard St Lawrence.

Reason:-

The existing dwelling is the result of the conversion of a former agricultural building of traditional character, where the Local Planning Authority's policies require that the appearance, structure and surroundings of the building should remain materially unaltered. In the opinion of the Local Planning Authority, the proposed two storey extension by reason of its size and form will have a detrimental impact on the architectural integrity and traditional character of the existing dwelling and detract from the visual amenities of the locality. (Taunton Deane Local Plan Policies H7 and H17).

72. Residential development comprising the erection of 23 dwellings following the demolition of existing industrial buildings, Kings Yard, Taunton Road, Bishops Lydeard (06/2005/015).

Reported this application.

RESOLVED that subject to:-

- (1) The receipt of no adverse views from the County Highway Authority; and
- (2) The applicants entering into a Section 106 Agreement to provide:-
 - (i) Affordable housing based on 25% of the total number of dwellings. This provision to be on the basis of (at present) 2 No one bedroom flats, 2 No two bedroomed flats and 1 No two

bedroomed house together with a financial contribution equating to 75% of the costs (to the developer) of providing a further two bedroomed dwelling. The flats to be rented and house shared equity; and

- (ii) A contribution towards sport, and every dwelling with two bedrooms or more to contribute towards play at the current calculated rates at the time of permission being implemented,

the Development Control Manager be authorised to determine the application in consultation with the Chairman and, if outline planning permission were granted, the following conditions be imposed:-

- (a) C005 - outline – reserved matters;
- (b) C009 - outline – time limit;
- (c) C014 - time limit;
- (d) C101 - materials;
- (e) C201A - landscaping;
- (f) C207 - existing trees to be retained;
- (g) C208A - protection of trees to be retained;
- (h) C208B - protection of trees – service trenches;
- (i) C209 - protection of hedges to be retained;
- (j) C210 - no felling or lopping;
- (k) The existing hedge on the north-eastern boundary of the site shall be retained to the satisfaction of the Local Planning Authority;
- (l) C215 - walls and fences;
- (m) The proposed estate roads, footways, footpaths, cycleways, bus stops/bus lay-bys, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking, 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.
- (n) The access to the site shall be based on the existing access from Taunton Road. There shall be no vehicular access from Mill Lane;
- (o) The visibility splays shown on the submitted plan shall be constructed prior to the commencement of the use of the premises and visibility shall thereafter be maintained to the satisfaction of the Local Planning Authority;
- (p) C416 - details of size, position and materials of meter boxes;
- (q) Before any of the dwellings hereby permitted are occupied, all the existing buildings on the site shall be demolished and all materials resulting from the demolition shall be removed from the site;
- (r) C923B - remediation investigation/certificate;

- (s) P005 - no garages;
- (t) P007 - no fencing in front of dwellings;
- (u) C010 - drainage;
- (v) Prior to the demolition of any of the buildings or the commencement of development, a survey shall be carried out to ascertain the importance of the buildings and land for bats, nesting birds and slow worms, all species of which are legally protected under the Wildlife and Countryside Act 1981. If bats and nesting birds are to be affected, details of mitigation measures shall be submitted and carried out as part of the development.

(Notes to applicant:- (1) NO48A – remediation strategy; (2) Applicant was advised that copies of “Sustainable Drainage Systems” produced by Somerset Local Authorities in conjunction with the Parrett Catchment Study and the Council’s Design Guide for on-site attenuation are attached to the certificate; (3) Applicant was advised that according to Wessex Water, records indicate that there is a public water main close to the site and a foul sewer crossing the site. Wessex water normally requires a minimum 3m easement width on either side of its apparatus for the purpose of maintenance and repair. Diversion or protection works need to be agreed. You should agree with Wessex Water prior to the commencement of works on site any arrangements for the protection of infrastructure crossing the site. You should also agree with Wessex Water connections to their infrastructure for water supply and drainage; (4) N118 – disabled access; (5) N112 – energy conservation; (6) N113 – street names; (7) N114 – meter boxes; (8) N115 – water conservation; (9) N117 – crime prevention; (10) N051B – health and safety; (11) N075 – Section 106 Agreement; (12) N095A – owls and bats; (13) N119 – Design Guide; (14) N110 – design.)

Reason for outline planning permission, if granted:-

The site was located within the settlement limits of Bishops Lydeard where residential development was considered acceptable in accordance with Somerset and Exmoor National Park Joint Structure Plan Review Policy STR6A. The proposal was considered to meet the requirements of the Taunton Deane Local Plan Policies S1, S4, H2, H9, EC9, C4 and BL2 and material considerations did not indicate otherwise.

Also RESOLVED that in the event that the Section 106 Agreement was not completed by the 21 June 2005, the Development Control Manager, in consultation with the Chairman, be authorised to refuse planning permission for the reason that the proposal did not make adequate provision for affordable housing and recreation contributions.

73. Formation of 40m x 20m fenced all weather dressage area on land adjoining The Paddock, Trebles Holford, Combe Florey (11/2005/008)

Reported this application.

RESOLVED that subject to the receipt of no adverse views from the Drainage Officer on the submitted drainage details, 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) C102A - materials;
- (c) C201A - landscaping;
- (d) The drainage shall be carried out in accordance with the submitted details;
- (e) Details of any lighting shall be submitted to, and approved in writing by, the Local Planning Authority prior to installation;

(Notes to applicant:- (1) With regard to condition (c), applicant was recommended that the new boundary hedgerow should be reinforced with another row of hedging plants and some tree planting (oak) at 6-8m intervals; (2) With regard to condition (d), applicant was advised to ensure that there is no pollution of the stream.)

Reason for planning permission, if granted:-

The proposed development would not have a significant impact on the visual amenity of the area in accordance with Taunton Deane Local Plan policy S7.

74. Erection of two storey one and two bedroom warden control retirement flats for persons over 55 years, land around Eastend Cottage and Fitzwarren House, Norton Fitzwarren (25/2004/029)

Reported this application.

RESOLVED that subject to the applicants entering into a Section 106 Agreement to provide for a contribution of £846 per flat towards community facilities and provision for affordable housing in the event that the number of dwellings proposed at the reserved matters stage exceeded 25, the Development Control Manager be authorised to determine the application in consultation with the Chairman and, if outline planning permission were granted, the following conditions be imposed:-

- (a) C005 - outline – reserved matters;
- (b) C009 - outline – time limit;
- (c) C014 - time limit;
- (d) C101 - materials;
- (e) C201 - landscaping;
- (f) C205 - hard landscaping;
- (g) C207 - existing trees to be retained;

- (h) C208A - protection of trees to be retained;
- (i) C208B - protection of trees – service trenches;
- (j) C210 - no felling or lopping;
- (k) C215 - walls and fences;
- (l) Prior to the commencement of development, unobstructed visibility shall be provided above a height of 900mm from adjoining carriageway level for a minimum distance of 90m on both sides of the point of vehicular access for a depth of 4.5m measured from the nearside edge of the adjoining carriageway. Such visibility shall thereafter be maintained to the satisfaction of the Local Planning Authority;
- (m) C301 - highways – in accordance with the Somerset County Council's booklet;
- (n) Plans showing a parking area to the Council's current standards shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of development. 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 connected with the development hereby permitted;
- (o) C415 - elderly persons dwellings restriction;
- (p) C416 - details of size, position and materials of meter boxes;
- (q) No buildings shall be demolished until a contract has been let for the redevelopment work;
- (r) C927 - remediation investigation/certificate;
- (s) Prior to the demolition of the existing buildings on the site, a survey shall be carried out to ascertain the importance of the buildings for bats and nesting birds, including barn owls, all species of which are legally protected under the Wildlife and Countryside Act 1981. If bats and nesting birds are to be affected, details of mitigation measures shall be submitted and carried out as part of the development;
- (t) Provision shall be made as part of the development for wheely bin storage and provision of storage for electric buggies.
- (u) Before any of the flats are occupied, a bus-layby shall be formed in accordance with plans to be submitted to, and approved in writing by, the Local Planning Authority.

(Notes to applicant:- (1) N126 – remediation strategy; (2) N118A – disabled access; (3) N112 – energy conservation; (4) N114 – meter boxes; (5) N115 – water conservation; (6) N051B – health and safety; (7) N075 – Section 106 Agreement; (8) Applicant was advised that there should be no new buildings within 3m of the foul drainage sewer; (9) In line with Government protocol, applicant was advised to contact Wessex Water to see if any of the drainage systems may be adopted; (10) Applicant was advised that there is spare capacity in the Wessex Water distribution system to service this development on the assumption that there will be no more than 100 units; (11) Applicant was advised that:- (a) 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 the building regulations stage; (b) Access for fire appliances should comply with

Approved Document B5 of the Building Regulations 2000; (c) All new water mains installed within the development should be of sufficient size to permit the installation of fire hydrants conforming to British Standards; (12) 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 to 1800 hours; Saturdays 0800 to 1300 hours. At all other times, including Public Holidays, no noisy working.)

Reason for planning permission, if granted:-

The proposed development made effective use of a brownfield site within the urban area and did not adversely impact on the amenity of adjacent residents. The development was therefore in compliance with Taunton Deane Local Plan Policies S1, S2 and H1.

(Councillor Phillips declared a personal interest in the application covered by Minute No 75 below.)

75. Erection of one bedroom units for special needs accommodation in several one or two storey buildings in association with Trenchard House with access off existing drive at Trenchard Park Gardens, Norton Fitzwarren (25/2005/007)

Reported this application.

RESOLVED that in the event that the Local Planning Authority had been in a position to determine the application, the application would have been refused for the following reasons:-

- (a) The site is located within an area of open countryside and it has not been demonstrated to the satisfaction of the Local Planning Authority that there is a clear and justifiable need for the accommodation that would be provided in the proposed accommodation (Taunton Deane Local Plan Policy S7);
- (b) The proposed development will be contrary to Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review since the proposed development derives direct access from a National Primary Route/County Route and an overriding special need or benefit has not been substantiated for the proposed development on this specific site (Somerset and Exmoor National Park Joint Structure Plan Review Policy 49);

76. Erection of nine dwellings at land north east of Dabinett Close, Norton Fitzwarren (plots 1-9) (25/2005/011)

Reported this application.

RESOLVED that subject to the receipt of no adverse comments from the County Highway Authority, the Development Control Manager be authorised to determine the application in consultation with the Chairman and, if the detailed plans were approved, the following conditions be imposed:-

- (a) Prior to the commencement of the development hereby approved, details of the future maintenance and management of the drainage screens, piped system throughout the development and attenuation bund shall be submitted to, and approved in writing by, the Local Planning Authority;
- (b) The mitigation measures of the Badger Survey received on 15 May 2005 shall be carried out prior to the commencement of the development hereby approved to the satisfaction of the Local Planning Authority. Any variation of the recommendations shall be agreed and approved in writing by the Local Planning Authority;
- (c) No works shall be carried out on the site before 0730 hours on weekdays and 0800 hours on Saturdays or after 1900 hours on weekdays and 1400 hours on Saturdays nor at any time on Sundays or Bank and Public Holidays.

(Notes to applicant:- (1) NO21 – conditions; (2) N115 – water conservation; (3) N112 – energy conservation; (4) N061A – Highways Act – Section 184 Permit.)

Reason for approving detailed plans, if granted:-

The reserved matters of this development were considered to be acceptable and would not harm visual nor residential amenity. Therefore, the scheme accorded with Policies S1, S2, H2, EN5, M4 and T15 of the Taunton Deane Local Plan.

77. Residential development (295 dwellings), affordable housing, recreational open space, structural landscaping and associated works, land forming part of Cades Farm, Taunton Road, Wellington (43/2005/004)

Reported this application.

RESOLVED that subject to:-

- (1) The views of the First Secretary of State;
- (2) The lifting of the Article 14 Direction issued by the Highways Agency;
- (3) The further views of the Drainage Officer, the Somerset Wildlife Trust, English Nature and the Council's Nature Conservation Officer and any further conditions that may be required;
- (4) The applicants entering into a Section 106 Agreement to provide the following:-
 - (i) 35% of the proposed dwellings to be affordable;
 - (ii) A contribution of £1017 per dwelling (index linked) towards improved secondary school provision at Court Fields Community School;
 - (iii) A contribution of £229,215 (on the basis of 295 dwellings) towards improvement of the capacity of existing playing fields in Wellington;

- (iv) A contribution of £177,022 (on the basis of 295 dwellings) towards the enhancement of the viability of existing sports facilities in Wellington;
- (v) A contribution of £250,000 (on the basis of 295 dwellings) towards improving local community facilities, 10% of which shall be provided prior to the commencement of development;
- (vi) The provision of a comprehensive cycle and pedestrian network within the development area and linking into the network within the adjoining residential area to the west and the proposed employment allocation at Chelston House Farm to the east;
- (vii) Improvements to the footway to the north of Taunton Road, linking the main site access to the town centre, these improvements to include conversion of the footway to shared use by pedestrians and cyclists to the appropriate standard;
- (viii) A package of public transport measures including:-
 - (a) A bus pass offering one years free travel for each dwelling, a pass at one third of the retail price in year two for each dwelling and at two thirds retail price in year three for each dwelling;
 - (b) A bus lay-by, information and shelters on the north and south sides of Taunton Road to serve the development; and
 - (c) A safe pedestrian crossing facility across Taunton Road in the vicinity of the bus lay-bys referred to above;
- (ix) Revision to the speed limit along Taunton Road;
- (x) Cessation of agricultural use at Cades Farm Buildings;
- (xi) The submission of an agreed Ecological Management Plan to cover the future maintenance responsibilities and management of the landscape framework, hedges, ponds and surface water attenuation areas and mitigation strategies for Great Crested Newts and Dormice (including any necessary licences). The plan shall provide for the payment of commuted sums where necessary; and
- (xii) The provision of details of the design and construction of the proposed roundabout access,

the Development Control Manager be authorised to determine the application in consultation with the Chairman and, if outline planning permission were granted, the following conditions be imposed:-

- (a) C007 - outline – reserved matters;
- (b) C009 - outline – time limit;
- (c) C010 - drainage;
- (d) C011 - phased programme;
- (e) C014 - time limit;
- (f) C101 - materials;
- (g) C241 - landscaping;
- (h) C205 - hard landscaping;

- (i) Before any part of the development is commenced, detailed drawings shall be submitted to, and approved in writing by, the Local Planning Authority showing existing and proposed levels and contours of the development site and finished floor levels of the proposed dwellings;
- (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) C215 - walls and fences;
- (p) Public Open Space shall be provided in accordance with the Local Planning Authority's approved standards and the detailed site layout shall provide for these accordingly. These areas shall be laid out to the satisfaction of the Local Planning Authority in accordance with a programme of development to be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of development and shall thereafter be used solely for the purpose of amenity open space;
- (q) A Local Equipped Area for Play and a Neighbourhood Equipped Area for Play shall be provided in accordance with the Local Planning Authority's approved standards and the detailed site layout shall provide for this accordingly. This area shall be laid out to the satisfaction of the Local Planning Authority in accordance with a programme of development to be submitted to, and approved in writing by, the Local Planning Authority prior to commencement of development and shall thereafter be used solely for the purpose of children's recreation;
- (r) C301 - highways – in accordance with the Somerset County Council's booklet;
- (s) C304 - access point;
- (t) C302 - highways – roads, footpaths and turning spaces to be surfaced;
- (u) C314 - visibility splays;
- (v) There shall be no vehicular access to the site other than from Taunton Road;
- (w) The car parking areas shown on the submitted plan shall be marked out in accordance with a scheme to be agreed by the Local Planning Authority prior to the car parking being brought into use;
- (x) C326A - garages – domestic purposes only;
- (y) C416 - details of size, position and materials of meter boxes;
- (z) C910B – archaeological investigation;
- (aa) P005 - no garages;
- (bb) P007 - no fencing in front of dwellings;

- (cc) No development approved by this permission shall commence until details for the provision and implementation of a surface water run of limitation scheme has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented in accordance with the approved programme and details;
- (dd) The submission of the details shall generally adhere to the principles laid down in the Design and Development Guide submitted with the current application;
- (ee) Detailed drawings to an appropriate scale of any proposed sub-station or other utility building or structure shall be submitted to, and approved in writing by, the Local Planning Authority before it is erected;
- (ff) Prior to the commencement of each phase of the development, details of proposed lighting to roads, footways, cycleways and amenity open space shall be submitted to, and approved in writing by, the Local Planning Authority;
- (gg) The memorial seat at the junction of Taunton Road and Nynehead Road shall be relocated in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority;
- (hh) No work shall commence on the development site until plans showing all off-site works, including the access roundabout, have been submitted to the Local Planning Authority at a scale of not less than 1:500 and approved in writing;
- (ii) The proposed development shall only be accessed by a new roundabout constructed in accordance with plans agreed in writing by the Local Planning Authority;
- (jj) Any existing vehicular accesses to the site shall be stopped up (and the verge crossings reinstated) and their use permanently abandoned within one month of the new access first being brought in to use;
- (kk) The proposed estate roads, footways, footpaths, cycleways, bus stops/bus lay-bys, verge junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, drive gradients, car parking and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections indicating as appropriate the design, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority;
- (ll) A network of cycleways and footpaths shall be constructed within the development site in accordance with a scheme to be approved in writing by the Local Planning Authority;

- (mm) The proposed estate 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 the existing highway;
- (nn) The development hereby approved shall not be brought into use until that part of the service road which provides access to it has been constructed in accordance with the approved plans.

(Notes to applicant:- (1) Applicant was advised that with regard to condition (z), the County Archaeologist would be willing to provide a specification for this work and a list of suitable contractors to undertake it; (2) N118 – disabled access; (3) N112 – energy conservation; (4) N113 – street names; (5) N114 – meter boxes; (6) N115 – water conservation; (7) N117 – crime prevention; (8) N061 – Highways Act – Road Opening Notice; (9) N051B – health and safety; (10) N075 – Section 106 Agreement; (11) N119 – Design Guide; (12) With regard to condition (q), applicant was advised that there should be a minimum buffer zone of 30m from the areas to any residential curtilage; (13) With regard to condition (ff), applicant was advised that lighting should be designed to avoid spillage into retained wildlife habitats; (14) With regard to condition (g), applicant was advised that strategic planting to a depth of approximately 20m should be provided along the northern, eastern and southern boundaries of the site; (15) Applicant was advised that any surface water disposal scheme will require the prior approval of Taunton Deane Borough Council as the Land Drainage Authority; (16) Applicants attention is drawn to the attached guidance notes for developers on surface water drainage issues; (17) Applicant was advised of a number of Environment Agency requirements.)

Reason for outline planning permission, if granted:-

The proposal was considered to meet the requirements of the Taunton Deane Local Plan Policies S1, H1, H9, H10, C1, C4 and W3 and material considerations did not indicate otherwise.

78. Erection of 2 No detached dwellings, The Manse, Ford Road, Wiveliscombe (49/2004/067)

Reported that the above reserved matters application was approved by the Committee on 24 November 2004.

The approved plans had indicated the position of one of the dwellings approximately 7m from the boundary with properties in Lion D'Angers.

Although not part of the application, the plans also indicated the position of a proposed garage for the existing dwelling, The Manse.

Before consent for the new dwellings was granted, a visit to the site had revealed that the new garage which was being erected under householder permitted development rights, was closer to one of the proposed dwellings than indicated on the plan. This was pointed out to the developer who was also informed that if consent for the dwellings was granted the distance between the nearest dwelling to the Lion D'Angers should still be 7m.

When construction began, complaints were received that the position of this dwelling was not in accordance with the approved plans, being closer to the Lion D'Angers boundary.

The developer was contacted and advised to stop work until the matter had been fully investigated. Unfortunately, works were continued and a request for a minor amendment was then received. The minor amendment indicated that from the two corners of the dwelling closest to the boundary, the distances were 6.05m and 6.20m – a difference of approximately 950mm and 800mm respectively.

The request for a minor amendment had been circulated and details of strong representations received from the Wiveliscombe Parish Council and four local residents were submitted.

In the view of the Development Control Manager, the closest point from the first floor of the adjacent dwellings in Lion D'Angers to the dwelling under construction was 13m on an angle. The only window on the gable of the dwelling which could give rise to overlooking was a bathroom window which would be obscure glazed. It was considered that the distances of the gable end of the new dwelling to the dwellings in Lion D'Angers were within normal planning standards and would not have such a detrimental impact on the existing dwellings as to justify refusal of the minor amendment. It was therefore recommended that the minor amendment should be approved.

Having seen the slides of the site, Members were of the view that little would be gained now by refusing the minor amendment and taking enforcement action to move the dwelling approximately 1m further away. There was concern however that the developer had taken no heed of the advice given to stop works whilst the matter was investigated. The result was that the new dwelling did have a greater impact on the properties in Lion D'Angers.

As such, it was felt that the developer ought to provide measures to mitigate the situation. It was therefore suggested that all windows, comprising the bathroom and kitchen windows and the window in the kitchen door, on the gable end of the new dwelling should be obscure glazed, and that a 2m high

fence be erected along the rear boundaries of those properties in Lion D'Angers affected to provide a further degree of screening.

RESOLVED that subject to the developer providing obscure glazing to all windows in the gable end facing Lion D'Angers together with a 2m high boundary fence, the minor amendment be approved.

(Councillor Henley left the meeting at 7.40pm).

(The meeting ended at 9.35pm).

05/2005/029A

LADBROKES LTD

DISPLAY ILLUMINATED FASCIA SIGNS AND PROJECTING SIGN AT 1 WELLINGTON NEW ROAD, TAUNTON AS AMENDED BY AGENTS LETTER DATED 13TH JUNE, 2005 AND DRAWING NO. 1086/04A

21069/24320

ADVERTISEMENT

PROPOSAL

The proposal is for the display of two illuminated fascia signs and one projecting sign (lettering illuminated only). The signs would replace existing non-illuminated signs.

Permission has already been granted under delegated powers for the change of use to betting shop (application 05/2005/023).

CONSULTATIONS AND REPRESENTATIONS

PARISH COUNCIL these signs are considered to be garnish, and unsuitable for a largely residential area.

ONE LETTER OF REPRESENTATION has been received raising no objections provided that the existing "CLIMAX" signs are removed and that the signs are placed on the lower level of the building

POLICY CONTEXT

S1 General requirements, EC21 Outdoor advertisements and signs, this policy guides siting, appearance, proportion, etc. and if they are unduly prominent or create visual clutter when viewed with existing signs and they present a hazard to public safety, then they are unacceptable. Advertisement Control Policy Guidance sets out the likely acceptable adverts. This advises that illuminated projecting signs are acceptable in non-traditional streets and that illumination of the letters on fascia signs is acceptable providing that they are sympathetic to the street scene.

ASSESSMENT

The site is located within the vicinity of several commercial premises that display illuminated signs, most notably the adjacent Esso filling station. The proposal complies with Advertisement Control Policy in that only the lettering would be illuminated and the location on a non-traditional shopping street frontage. The signs would also replace existing signs that are on more conspicuous parts of the building. Amended drawings have also been submitted reducing the size of the fascia sign on the east elevation

facing properties at Lavender Grove. The proposal if amended would not to detrimentally affect the visual or residential amenity of the area.

RECOMMENDATION

Consent be GRANTED subject to standard conditions for signs, constant illumination (as opposed to flashing), existing adverts to be removed.

REASON(S) FOR RECOMMENDATION:- The proposed advertisements do not adversely affect visual or residential amenity and accordingly does not conflict with Policies S1 and EC26 of the Adopted 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: 356586 MR R UPTON

NOTES:

06/2005/021

THE PERSONAL REPRESENTATIVES OF MRS P L M WEBBER

ERECTION OF DWELLING AND GARAGE AT LAND TO REAR OF 9 CHURCH STREET, BISHOPS LYDEARD.

16903/29803

OUTLINE APPLICATION

PROPOSAL

The proposal comprises the erection of a dwelling in the rear garden area 9 Church Street, Bishops Lydeard that is surrounded by a stone boundary wall. Matters relating to siting, design, external appearance and landscaping are reserved for future approval, although an indicative location plan has been submitted showing how a dwelling could be accommodated on the site. The site area measures 450 sq m and utilises the existing access from Church Street.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY no objections subject to conditions. WESSEX WATER no objections. SOMERSET ENVIRONMENTAL RECORDS CENTRE 1 or more legally protected species found on site, 1 or more legally protected species located within 1 km of site.

CONSERVATION OFFICER no changes in circumstances to warrant refusal. WILDLIFE SPECIES CO-ORDINATOR comments awaited. DRAINAGE OFFICER no objections. Recommend an advisory note re surface water discharge to soakaways.

PARISH COUNCIL the Council does not support this application. Egress of vehicles from the existing access, adjacent to 9 Church Street, onto the highway would present a hazard to pedestrians and other vehicular traffic through the extremely limited visibility; close proximity of a flight of footway steps leading onto the Almshouses; legal parking of vehicles on the highway in the immediate vicinity; hazard created by other vehicles utilising the nearby junction of West Street with Church Street as a turning circle. Specific policies and guidelines within the Taunton Deane Local Plan, conservation areas (EN14) and Bishops Lydeard chapter (10.7) would indicate such planning applications should be resisted.

TWO LETTERS OF OBJECTION have been received raising the following issues: traffic danger at an already excessively busy junction; any additional traffic using the driveway of No. 9 will inevitably worsen this situation; more danger to children who use the pavement; also ambulances and service vehicles often have to park across the driveway of No. 9 because there is no where else to park; backland development not considered to be infill contrary to policy; poor visibility; detrimental impact upon the conservation area and setting of the listed almshouses; insufficient parking and turning within the plot without turning the whole area garden into tarmac; to comply with building regulation a dwelling must be located far enough away to avoid possible damage to the mature eucalyptus tree in the garden.

POLICY CONTEXT

Policies S1 (general requirements), S2 (design), H2 (housing), M4 (parking), EN14 (Conservation Areas) and EN16 (Listed Buildings) of the Taunton Deane Local Plan are relevant to this application.

ASSESSMENT

The site is located within the defined settlement limits of Bishops Lydeard and therefore there is a presumption in favour of development unless material considerations indicate otherwise. The dwelling and garage shown is for illustrative purposes only and the granting of this permission would not bind the development to the positions shown. The proposal relates to the siting of a dwelling in the applicants rear garden with access derived from Church Street with an existing drive passing by the applicants property.

The site could be described as a backland position. However this is not a reason on its own to refuse planning permission. Opportunities do exist in areas of low or medium density housing, where backland development could be accommodated without undue visual intrusion and where residential standards of space and privacy could be maintained at an acceptable level. Any proposal and ultimately the detailed design must be sympathetic to the character of the area. The Parish Council have commented that the policy BL4 precludes this form of development. Policy BL4 prohibits development in designated Urban Open Spaces. The site is not located in a designated Urban Open Space and therefore policy BL4 is not considered relevant to the proposal. Furthermore dwellings do exist in the locality in this backland position, namely the Almshouses wardens house and the Rectory.

The overall area of the existing garden to be assigned as residential curtilage for the dwelling is 450 sq m. It is considered that a dwelling could be comfortably accommodated on the plot, affording an appropriate area of amenity/garden area for any future occupants. The indicative plan shows a dwelling sited some 20 m from the applicants property (the nearest property). There would therefore appear to be sufficient distance between the proposed site and neighbouring properties not to cause a detrimental loss of residential amenity.

Turning to the history of the site, planning permission was granted in 1986 (application 06/1986/015) within the Conservation Area as its designation exists today. Since the previous proposal was approved there have been no changes in planning circumstances that would result in a different recommendation being made. The proposal is also not considered to harm the setting of the neighbouring listed Almshouses.

At the time of writing a slow worm survey is being carried out as they have been found on the site. Subject to appropriate mitigation measures to be submitted, the proposal is considered not to detrimentally harm this protected species.

In terms of the objections received regarding the access to the site, no objections have been received from the Highway Authority. Two parking spaces are required that would negate on-street parking and a turning spaces within the site is required to prevent reversing of vehicles onto the highway. The proposal is therefore not considered to be prejudicial to highway safety.

RECOMMENDATION

Subject to the receipt of no adverse comments from the Nature Conservation Officer, the Development Control Manager in consultation with the Chair/Vice Chair be authorised to determine and permission be GRANTED subject to conditions of outline-details to be submitted, time limit, commencement, materials, landscaping, boundary treatments, services located underground, hard landscaping, turning space, parking, no extensions, no outbuildings, no fences and single storey only. Notes re connection to Wessex Water infrastructure, energy, water conservation, high standard of development and soakaways.

REASON(S) FOR RECOMMENDATION:- The proposal, for residential development, is located within defined settlement limits where new housing is encouraged. The proposed access would be satisfactory and the development would not have a detrimental impact upon visual amenity, residential amenity or the character and appearance of the Conservation Area and setting of the neighbouring Listed Building and is therefore considered acceptable. Therefore, the scheme accords with Taunton Deane Local Plan Policies S1, S2, H2, EN14, EN16 and M4.

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

CONTACT OFFICER: 356586 MR R UPTON

NOTES:

06/2005/024

MR & MRS A KEITCH

RETROSPECTIVE APPLICATION FOR USE OF AMENITY LAND AS DOMESTIC CURTILAGE AND ERECTION OF RAILINGS AT 10 BETHELL MEAD, COTFORD ST LUKE (RE-SUBMISSION).

16668/27071

RETENTION OF BUILDINGS/WORKS ETC.

PROPOSAL

The proposal provides for the change of use of an area of open amenity land to domestic curtilage together with the erection of 900mm high sheep hurdle style fencing around and the erection of 1m high loop top railings either side of the existing access drive to the property. The additional curtilage involves a maximum of 4 m depth around 3 sides of the property. A previous similar application was refused by the Planning Committee at its meeting on 26th January for reason that the formation of domestic curtilage and provision of railings would result in an intrusive feature when viewed from the adjacent public open space and would consequently adversely affect the visual amenity of the area. An appeal has been lodged against that refusal of permission. The current application is accompanied by a letter of justification setting out the following:- (i) confirms that the applicant is the owner of the area of land in question; (ii) understand that the developers were intending to use the area of land to carry out general maintenance to the pond but have now confirmed that they no longer need this area of land; (iii) applicants have a grandchild which visits on a regular basis and therefore need a boundary restriction to ensure that the child is in a safe environment; (iv) applicants concerned in respect of dogs fouling the area used by themselves and the grandchild; (v) do not feel that the railings will result in an intrusive feature when viewed from the public open space; (vi) the railings are 1m and 900mm high and will still achieve the visual appearance that the area of land is part of the open space, unlike a timber fence or a brick structure; (vii) no intention to develop the area of land enclosed by the fence and a planning condition could be imposed to restrict any such development if felt necessary.

CONSULTATIONS AND REPRESENTATIONS

SIX LETTERS OF SUPPORT have been received stating the following:- welcome proposal; will enhance the appearance of the plot and be of aesthetic benefit to the area; ; will compliment the surrounding houses and the open space backing on to the property; having railings installed will improve the view from the open space and neighbouring properties; applicant is an extremely talented master tradesman in this field; will let community become a more attractive one for us all to appreciate; changes will be harmless and rather attractive; will provide a solution for the incessant nuisance posed by loose dogs; would be in keeping with the rest of the neighbourhood; will better define the public area; will prevent plants from being broken; railings will be a very good safety aspect for children because of the pond

ONE LETTER OF OBJECTION has been received raising the following issues:- the enclosing of amenity land for private use is not desirable; existing 2m high wall around the property provides maximum security, any deterioration to this security has been caused by the applicants; metal railings put in by the developer have been removed and the retaining wall breached with stairs built to gain access to the amenity land, replacing the original railings will give applicants the security they feel they currently lack; no evidence of dog fouling.

PARISH COUNCIL appreciates the problems encountered by residents upon amenity land, access thereto and the close proximity of dwellings but would urge the planning authority to refuse this application. The council would support the change of use from amenity land to domestic curtilage but would not advocate delineation of the revised domestic boundary by the erection of railings and thereby create a hard frame-like perimeter to the public open space.

POLICY CONTEXT

Policy S1 of the Taunton Deane Local Plan includes general requirements for new developments. One of these requirements is that the character and appearance of any affected landscape, settlement, building or street scene would be harmed as a result of the development.

ASSESSMENT

The applicants confirm that they own the land in question. I consider that the proposal involves minimal loss of amenity land and minimal impact on the visual amenity of the area and is therefore considered acceptable. A landscape condition is recommended which will soften any visual impact of the railings.

RECOMMENDATION

Permission be GRANTED subject to conditions of railings to be erected within 6 months, removal of GPDO rights for ancillary buildings and landscaping.

REASON(S) FOR RECOMMENDATION:- The proposed development would not adversely affect visual amenity, and therefore does not conflict with Taunton Deane Local Plan Policy S1.

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:

07/2005/013

MARK RICHARDS

ERECTION OF 2 NO. TWO STOREY DWELLINGS AND 1 NO. BUNGALOW AT LAND ADJACENT TO THE WALNUTS, ORCHARD CLOSE, BRADFORD ON TONE

17282/22759

OUTLINE APPLICATION

PROPOSAL

The proposal comprises an outline application for the erection of a dwelling on land to the east of The Walnuts, Bradford on Tone. All matters are reserved for future consideration however improvement details to the existing access. An indicative site plans shows how the proposed dwellings could be positioned on the site and that access could be sought from Orchard Close by the demolition of a double garage. The site lies outside the designated Conservation Area, however the south boundary of the site abuts the Conservation Area.

This proposal follows the refusal of application 07/2000/003 for 2 dwellings with access from Back Lane that was subsequently dismissed at appeal. In the latter appeal the Inspector agreed to the principle of erecting two dwellings on the site, however access from Back Lane was considered to detrimentally harm the character and appearance of the Conservation Area. The applicant has submitted a covering letter with the application that aims to address the previous concerns.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY no objections. I can advise you that the visibility at the entrance to Orchard Close is sub-standard in highway terms. However, the erection of two dwellings would be classed as a submission for the traffic volume using the two rented garages on Orchard Close. The addition of another dwelling is on the borderline of what would be classed as a significant increase of traffic using a substandard junction. Therefore I will not be raising any highway objections to these proposals, although I would expect to see adequate parking, turning and access within the confines of the site. In addition, there should be sufficient room for a refuse vehicle to maneuver at the end of Orchard Close. Standard Conditions recommended. WESSEX WATER no objections subject to informative notes relating to surface water and agreement of connection to Wessex Water infrastructure.

LANDSCAPE OFFICER concerned that double garage of unit 1 should not be built within the canopy spread of the TPO'd Walnut, bungalow 3 is too close to the retained Walnut and should be no closer than 10m to it to meet council guidance. Although not worthy of TPO there are a number of trees that are worthy of retention. They should be recorded and where appropriate their retention agreed. The northern boundary needs reinforcing with a new hedgerow and tree planting to help soften the impact of the development from the North. CONSERVATION OFFICER object. The principle of

development here has been accepted. My objection to the previous scheme, which was dismissed on appeal, was the proposed access to Back Lane. This scheme omits such an access and therefore I do not raise any concerns on the impact on the Conservation Area. I do however believe that the proposed bungalow represents a cramped form of development and agree with the Inspector that, the site is adequate for two dwellings. DRAINAGE OFFICER no objections subject to informative notes relating to surface water. HOUSING OFFICER there is a proven need for affordable housing in this area so we would be looking for a two bed house to satisfy the need which would be suitable. An off-site contribution would therefore be sought.

PARISH COUNCIL no objections but have the following comments, visibility splays are required onto Regent Street, 3 ft of Back Lane's hedge should be taken away to provide a pavement, the distances between proposed properties and adjoining boundaries should be adhered to and there appear to be an ownership dispute over the access land.

SIX LETTERS OF OBJECTION have been received raising the following issues:- the bungalow is on a small site; the site is approximately 2 feet higher than surrounding gardens, therefore the houses will visually dominate the area; dwellings in close proximity to boundaries therefore overlooking/loss of privacy of private amenity areas; details of landscaping should be submitted; a ditch running along the Regent Street end of the site floods and would be made worse by the development; the site is a haven for wildlife and Pipistrelle bats have been found in the wall at the Regent Street end of the site; the properties will be too height and should be restricted to 2 bungalows or 1 and a half storey; no bonfires to clear the site; safety concerns due to the increase in traffic and substandard access at the junction with Regent Street; Orchard Close is too narrow to allow for the increased level of traffic; concern over damage to the surface of Orchard Close during construction.

POLICY CONTEXT

Taunton Deane Local Plan Revised Deposit Policies S1 and S2, (safeguard visual and residential amenity), Policy H2 (housing), Policy M4 (access and parking standards) and Policy EN6 (protection of trees).

ASSESSMENT

The site is located within the defined settlement limits of Bradford on Tone and therefore there is a presumption in favour of development unless material considerations indicate otherwise.

As stated earlier this proposal follows the refusal of application 07/2000/003 for 2 dwellings with access from Back Lane that was subsequently dismissed at appeal. The Inspector agreed to the principle of erecting two dwellings on the site, however access from Back Lane was considered to detrimentally harm the character and appearance of the Conservation Area. This application seeks access from Orchard Close that has raised no objections from the Highway Authority despite concern raised in the letters of representation received.

The indicative site plan submitted shows siting of a bungalow in the southern part of the site. It is considered that whilst indicative, a bungalow in this position would represent a cramped form of appearance compared to the size of surrounding residential plots. Furthermore, as shown, this bungalow would be located too close to a Walnut tree subject to a TPO.

Although the submitted site plan is for indicative purposes only the applicant is required to show that three dwellings could be accommodated on the site with no detrimental affect o the visual or residential amenity of the area. The two storey dwellings shown appear to have a footprint much larger than surrounding dwellings in the area. This would also mean that the dwellings would be considerably taller than surrounding dwellings. Furthermore, considering the width of the properties it would be likely that the dwellings would need windows on all sides in order to achieve satisfactory natural lighting within the houses. In the positions shown the dwellings would therefore overlook neighbouring properties to an unreasonable degree. It is therefore considered that the proposal would detrimentally affect the visual and residential amenity of the area to an unreasonable degree. The garage of dwelling 1 would also be located with a proximity too close to the protected Walnut tree.

There are reports of bats using the north boundary wall and as a protected species a wildlife survey should be carried out. As this would be considered an undue expense given the recommendation for refusal a survey has not been requested.

RECOMMENDATION

Permission be REFUSED for reason that the indicative site plan does not demonstrate to the satisfaction of the Local Planning Authority that three dwellings could be accommodated on the site without resulting in a detrimental loss of visual and residential amenity. Furthermore the indicative plans shows the works are located within the root spread of trees subject to tree preservation orders and would not meet the requirements of BS5837 'Trees in relation to construction'. As such the proposal is contrary to policies S1, S2, H2 and EN6 of the Adopted Taunton Deane Local Plan. Notes re the right of the Local Planning Authority to raise the issue of protected species (bats) as a material consideration should the applicant appeal against this decision.

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

CONTACT OFFICER: 356586 MR R UPTON

NOTES:

10/2005/008

MR D COCKCROFT

**ERECTION OF TWO HOLIDAY CHALETS AT PAYE PLANTATION, STAPLEY
(REVISED)**

18627/13366

FULL PERMISSION

PROPOSAL

Planning permission was granted in November 2004 for the erection of two holiday chalets with associated drainage, access track and parking, in Paye Plantation. The site is located in an area of former conifer plantation and is surrounded by native shrub/woodland and moorgrass and rush pasture, the later of which is a key habitat in the National Vegetation Classification. This application would be for the same number of chalets but in a revised location to prevent disturbance and damage to significant ecological features. Chalet 1 was located 18 m away from the existing access track, 30 m from the adjacent road and 45 m away from the nearest dwelling, Stapley Mill. In this proposal Chalet 1 would be 15 m away from the existing access track, 14 m from the adjacent road and 30m away from the nearest dwelling, Stapley Mill. Chalet 2 was located 61 m away from the existing access track, 70 m from the adjacent road and 81 m away from the nearest dwelling, Stapley Mill. In this proposal Chalet 2 would be 60 m away from the existing access track, 64 m from the adjacent road and 76 m away from the nearest dwelling. There would be planting between chalet 1 and 2 to reduce visibility between units and this would also reduce the impact of chalet 2 on the road and dwelling to the west and north of the site. A drainage swale (20 x 20 m) was proposed adjacent to the road. In this proposal the swale has been relocated. Its northern most tip would be within 10 m of the road but instead of running along the road it would now stretch southwards away from the road. The previous reedbed has now been reduced in size and moved approximately 5 m to the west. Finally the access track has been realigned and reduced in overall length from 115 m to 95 m.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY raise no objection subject to visibility splays and surfacing of the access. COUNTY ARCHAEOLOGIST no objection. ENVIRONMENT AGENCY endorses the proposed surface water strategy and raises no objection subject to the provision of the swale and permeable stone track-ways being conditioned, views awaited.

LANDSCAPE OFFICER the proposals have some local landscape impact but with careful management and enhancement of the boundary planting it should be possible to integrate the proposals into the local landscape. SPECIES OFFICER has been involved in negotiations over the siting views on proposals awaited. TOURISM OFFICER

comments on previous application: support the application, there is a current demand for more self-catering accommodation in this area. This accommodation should be independently inspected to ensure a high quality/standard of accommodation. Views on current application:- there is a demand for 5 bedroom self-catering accommodation in the Taunton Deane area therefore I would have no problem in supporting this application as other similar accommodation elsewhere in the Taunton Deane area has 5 bedrooms and is successful in letting out the rooms for tourism purposes. As with my initial support for the original application we recommend that the accommodation must be inspected independently to ensure a good quality product for visitors to the area. DRAINAGE OFFICER the Environment Agency should agree to the details.

PARISH COUNCIL raise objection - the working drawings for the chalet show an increase from three to five bedrooms, a 67% increase that would lead to increased traffic and congestion along narrow lanes causing increased pollution as well; the chalets have been turned approximately 45 degrees with no justification; unit 1 has moved considerable closer to Stapley Mill potentially increasing noise for the occupants; the access track and hard-standing areas have been expanded presumably for the increased traffic; there is no evidence of how the ecology will be improved in fact the increased traffic will probably have the opposite effect.

5 LETTERS OF OBJECTION have been received raising the following issues:- the additional accommodation would allow for a maximum of 20 people to accommodate the site at any time this is not small and un-obtrusive, a requirement for the policy for chalets within the Blackdown Hills AONB; the dictionary definition of a chalet is small dwelling, 5 bedrooms, 3 bathrooms on two floors is not small scale; there are few dwellings in the village of Stapley with 5 bedrooms and this is too many; the proposed increase in bedrooms almost doubles the capacity of the units which will not be small scale, modest or unobtrusive and will create additional light pollution, extra traffic, disturbance to wildlife; additional waste and demand for additional facilities; The upper floors would not be accessible by disabled persons; there could be up to 10 cars on the site at any one time causing pollution, noise and disturbance and likely to result in cars parking along the adjacent narrow country lanes; the number of residents would be out of proportion to the hamlet of Stapley; the developers are trying to maximise the level of accommodation having considered that additional chalets would be resisted; it is understood that there are sufficient holiday lets in the area with spare capacity; the proposals appear to represent the start of more significant plans to develop within an environmentally sensitive area and encroach upon the local habitat by stealth.

POLICY CONTEXT

Somerset And Exmoor National Park Joint Structure Plan Review policies STR6 (development in the open countryside), Policy 3 (Area of Outstanding Natural Beauty), Policy 23 (Tourism development in the open countryside) and Policy 49 (Transport Requirements for new developments).

Taunton Deane Local Plan policies S1 (General requirements), S8 (Development outside of settlements), EC24 Static caravan sites and holiday chalet developments will only be permitted where the proposal: (A) would not harm the landscape and would be

adequately screened; (B) provides for access and turning by transporter lorries; (C) has good access to the main road network; and (D) is not situated in a floodplain or an area at high risk of flooding. Within Areas of Outstanding Natural Beauty only small-scale, unobtrusive developments will be permitted. EN10 (Area of Outstanding Natural Beauty), EN5 (Protected Species), M4 (Residential parking).

ASSESSMENT

Planning permission granted in 1994 was for two 3 bedroomed chalets. This proposal would introduce a partial 1st floor providing an additional 2 bedrooms and a bathroom with new windows in the gable and a velux in the roof. Whilst this would increase the potential occupation of the chalets to 5 bedrooms the Tourism Officer perceives a needs for 5 bedroom accommodation in this area. The proposal is still for two holiday chalet units but these have been relocated to a site closer to the existing residential property, Stapley Mill. Chalet 1 would now be 30 m from Stapley Mill. The orientation of the unit would ensure that the front elevations, with large areas of glazing, would be facing south, away from Stapley Mill. The windows facing the existing dwelling would be on the rear and consist of two and three casements on the ground floor with a two casement window in the gable of the first floor. The proposal indicates that additional scrub, between Chalet 1 and Stapley Mill would be retained (and may be reinforced with additional planting within a landscaping scheme provided this is compatible with the dormice habitat). Chalet 2 has also moved closer to Stapley Mill but I consider that the distance would be too great to have a significant impact on Stapley Mill, indeed I consider that the proposed planting between units 1 and 2 would serve to lessen the visual impact of the dwelling from that previously permitted.

The relocation has been a result of negotiations between this Authority's species Officer and the applicants wildlife consultant and is based on the results of detailed wildlife survey work undertaken in March this year. Taking into account the swale and reed beds the relocation will reduce the spread of the site and the impact on the surrounding wildlife habitat. The landscape Officer has advised that whilst the proposals will have some impact on the local landscape, careful management and enhancement of the boundary area would allow the development to be integrated into the landscape of the area. I accept the potential increase occupation of the chalets would be likely to result in more activity and noise from the units but I do not consider that this would be significantly greater than the existing permission. Proposal considered to be acceptable.

RECOMMENDATION

Permission be GRANTED subject to conditions of time limit, materials, holiday accommodation only, landscaping scheme, details of the swale construction, its management and retention, details of the access and track construction, additional wildlife survey if work does not commence within 1 year, parking, management plan to enhance, conserve and monitor the mire and scrub areas, no site clearance or works between 1st March and 31st October, no additional windows. Notes re County Highway to be notified prior to the commencement of works to the highway, access track should

be permeable whilst retaining a bound surface, water and energy conservation, landscaping scheme for the enhancement of the existing boundary area with the road.

REASON(S) FOR RECOMMENDATION:- The proposal represents small scale, unobtrusive holiday chalet development in accordance with Taunton Deane Local Plan Policies EC24 and EN10

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:

11/2005/009

MR D MIDDLETON

ERECTION OF HOLIDAY LET UNIT AT LAND EAST OF YARD FARM, COMBE FLOREY.

15586/32364

FULL PERMISSION

PROPOSAL

The proposal relates to the erection of a log cabin that measures 13 m x 10 m with an overhanging roof, the ridge of which is 6 m high. The accommodation therein comprises two bedrooms, kitchen, dining/lounge room, sauna, bathroom, laundry room and storage room at ground floor and a third bedroom and additional lounge in the roofspace. The design of the log cabin is typical for this form of development, incorporating natural timber walls with roof materials to be agreed.

The site is located on a former builders yard that was used in the conversion of the adjacent converted barns.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY whilst located in an unsustainable location a development for tourism must be viewed in conjunction with other policies. It is therefore a matter for the Local Planning Authority to decide whether the development is appropriate in these terms. You should however ensure that in detail, the access, parking and turning arrangements are adequate for the purpose proposed. ENVIRONMENT AGENCY no objections subject to floor levels set at a minimum level of 87.7m AOD as shown on drawing number 51204/1.

ENVIRONMENTAL HEALTH OFFICER no objections subject to a land contamination survey. RIGHTS OF WAY OFFICER the proposal should not obstruct footpaths at any time. TOURISM OFFICER the tourism unit is happy to support this application. Current demand supports this type of accommodation in this area and links to the Community Tourism Section of the Taunton Deane Borough Council Tourism Strategy. The accommodation should be independently inspected to ensure a high quality product to our visitors. DRAINAGE OFFICER No objections subject to Environmental Agency approval.

PARISH COUNCIL object on the grounds of its appearance. They feel it looks like an Alpine Chalet and is therefore quite undesirable for West Somerset and is also out of keeping with its surroundings

POLICY CONTEXT

The following Taunton Deane Local Plan policies are considered especially relevant: - Policy S1 requires that proposals for development should ensure that: - (A) additional road traffic would not lead to overloading of access roads or road safety problems; (B) the accessibility of the site for public transport, walking, cycling, and pedestrians would minimise the need to use the car; (D) the appearance and character of any affected landscape, settlement, building or street scene would not be harmed as a result of the development; Policy S2 requires development to be of a good design; Policy S7 requires that outside development limits new buildings will only be allowed, amongst other criteria, that they accord with a specific Development Plan Policy and supports the viability and viability of the rural economy; Policy EC24 requires that proposals for holiday chalets will only be permitted provided that the proposal would not harm the landscape and be adequately screened and has good access to the main road network.

ASSESSMENT

The site lies outside any recognised settlement limits. However Policy S7 supports the principle of this location where environmental quality is maintained/enhanced and the proposal accords with a specific Development Plan Policy, i.e. in this case Policy EC24 (holiday chalets). The site is well screened by a 1.8m fence and would not be seen from the main road. Only the ridge of the cabin would be seen by neighbouring properties. A landscaping condition is proposed to further bolster the screening of the development. In terms of screening therefore the proposal accords with Policies S7 and EC24 and therefore the visual amenity of the area would not be detrimentally affected.

The chalets are also located sufficient distance away from neighbouring properties not to cause any overlooking of overbearing affects and therefore the residential amenity of the area would not be detrimentally affected.

In order to satisfy the remaining criteria of policy EC19 the development should have good access to the main road network. The access with the A358 serves existing dwellings and converted barns. This short distance approximately 100m to the highway network would therefore appear to satisfy the remaining criteria of Policy EC24.

The Parish Council have objected to the design of the cabin, however as already mentioned the design of the log cabin is typical for this form of development. The walls would be constructed of timber and it is recommended that the roof matches materials used on the converted barns and neighbouring houses. The Tourism section have confirmed that there is demand for this type of development in the area and that the scheme accords with the Tourism Strategy.

To address the Highway Authority comments, it is generally accepted that tourism creates its own traffic within these countryside locations where public transport may be limited. This form of development is principally considered acceptable in this countryside location where development may be more reliant on the use of the car due

to its promotion of the rural economy and accordance with policy EC24. Conditions regarding access, parking and turning arrangements are proposed.

RECOMMENDATION

Permission be GRANTED subject to conditions of time limit, materials, landscaping, holiday let only, land contamination assessment, removal of PD rights for extensions, garages, gates, walls/fences, and outbuildings, access, floor level as indicated, parking and turning arrangements. Notes re disposal of foul drainage, the requirement of Environment Agency consent to discharge, Disabled Persons Act, energy and water conservation, health and safety and connection to Wessex Water infrastructure and the accommodation should be independently inspected to ensure a high quality product to our visitors.

REASON(S) FOR RECOMMENDATION:- The site is adequately screened and the proposal is not considered to be harmful to the landscape and has good access to the highway network, the visual and residential amenity of the area would not be detrimentally affected and therefore is compliant with Taunton Deane Local Plan Policy S1, S2, S7 and EC24.

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

CONTACT OFFICER: 356586 MR R UPTON

NOTES:

13/2005/004

W H G WARMINGTON ESQ

CHANGE OF USE OF VARIOUS BARNs TO INCLUDE CAFE/RESTAURANT, RETAIL, COMMUNITY HALL TO INCLUDE EXHIBITIONS, CONFERENCES, WEDDING RECEPTIONS AND CINEMA CLUB; MUSEUM/DISPLAYS OF WORKS OF ART AND OFFICE/CRAFT WORKSHOPS/A1 RETAIL, AT BARNs AT MANOR FARM, COTHELSTONE.

18253/31708

FULL PERMISSION

PROPOSAL

It is proposed to change the use of the existing barns to a range of uses, together with additional car parking to serve the new uses. The proposal includes the formation of a car parking area for 112 cars and raised beds for vegetables on the paddock on land opposite the redundant farm buildings. There is an existing access to the paddock and it is proposed to remove the existing hedgerow and some trees to allow for increased visibility.

Permission was granted in December 2001 for conversion of outbuildings to Offices and Community Hall and alteration to access, which include many of the buildings being used as offices with car parking for 36 vehicles amongst the buildings.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY the site is on an unrestricted section of Cothelstone Road, there are no footpaths, the roads leading to the site are substandard in width and alignment; visibility splays would need to be 4.5 m x 120 m, those shown are substandard, a significant increase in numbers of vehicles using the road, suggest refusal on basis of sustainability and unsuitable access. If permission is recommended suggest conditions. COUNTY ARCHAEOLOGIST no objections. WESSEX WATER no details of method of drainage and water supply, these to be addressed. CHIEF FIRE OFFICER recommends standards which will be discussed at Building Regulation's stage/British Standards. ENGLISH NATURE want to see the favourable conservation status for the local bat population, a mitigation plan will need to be prepared, concerned at the lack of emergence surveys. SOMERSET ENVIRONMENTAL RECORDS CENTRE County wildlife sites around the application site.

LANDSCAPE OFFICER concerned at loss of existing hedgerow and trees, to meet highway requirements, impact of large car park on the rural landscape. May be possible to overcome, but a landscape scheme has not been submitted, so consider the car parking will have a detrimental impact on the Area of Outstanding Natural Beauty (EN10) and landscape character of the area EN12. WILDLIFE OFFICER will need to develop

the site in respect of the bats, needs a condition of permission. A comprehensive landscape plan should take into account the presence of bats. DRAINAGE OFFICER no details on surface water or sewerage treatment works, these needed prior to consent. Environment Agency approval needed for consent to discharge. RIGHTS OF WAY no observations to make. LEISURE DEVELOPMENT OFFICER support.

PARISH COUNCIL supports the application. However, the proposals indicate that substantial vehicular movements will be generated, not only throughout the working day but also evenings and week-ends, with the majority of traffic flowing through Bishops Lydeard. With the current and inherent restriction of parked vehicles along the narrow thoroughfare it is essential that the two authorities, SCC & TDBC should be aware of such consequences and assist alleviate the potential congestion through the allocation of adequate financial resources for the provision of improved parking facilities, preferably off-highway, and associated infrastructure development.

POLICY CONTEXT

Structure Plan - Transport requirements of new Development.

Taunton Deane Local Plan Policies S1 General requirements, S2 Design, S7 developments outside settlements, EC6 Conversion of Rural Buildings, EC19 Farm Shops, EN3 Local Wildlife and Geological Interests, EN4 Wildlife in buildings to be converted or demolished, EN5 Protected Species, EN6 Protection of Trees, Woodlands Orchards and Hedgerows, EN10 Area of Outstanding Natural Beauty, EN12 Landscape Character Areas, EN17 Listed Buildings.

ASSESSMENT

The proposal for the alterations and change of use of buildings is acceptable in principle. However, there are important issues to be considered which relate to bats and the proposed car parking area. In respect of the protected species within the barns, English Nature is not satisfied that the information gathered is sufficient to give a considered view. The formation of the car parking area in the open field opposite the site is unacceptable and is considered to be incompatible with the sites location within an Area of Outstanding Natural Beauty. The proposal would also result in loss of hedgerow and trees with no landscape scheme to mitigate such a change. County Highways Authority has also advised refusal on the poor access, significant increase in traffic/sustainability and the inadequate visibility splays. The visibility splays shown on the plans are substandard, and thus to meet the highway's requirements, there would be even more impact on the rural character of the area. Thus it is considered that

although there is merit in the proposals in Listed Building terms, the potential adverse impact on the Area of Outstanding Natural Beauty and traffic generation outweighs such benefit.

RECOMMENDATION

Permission be REFUSED for the following reasons:- (1) The site is located outside the confines of any major settlement in an area that has very limited public transport services. The development, if approved, will increase the reliance on the private motor car and foster a growth in the need to travel, contrary to advice given in PPG.13 and Policies STR1 and STR6 of the Somerset and Exmoor National Park Joint Structure Plan Review. (2) The approach roads, by reason of their restricted width and poor alignment are considered unsuitable to serve as a means of access for the additional volume of traffic likely to be generated by the proposed development. (3) The proposed development would adversely affect the flows and safety of traffic as the site frontage is inadequate for the provision of adequate visibility splays in accordance with the requirements of the Highway Authority. Furthermore the required visibility splays would result in the loss of a hedgerow and trees to the detriment of the visual amenity of the area and street scene at this point. As such the proposal is contrary to Somerset and Exmoor National Park Joint Structure Plan Review Policy 49 and Taunton Deane Local Plan Policies S1, S2, EN6 and EN12. (4) The site lies within The Quantocks Area of Outstanding Natural Beauty and it is considered that the proposal; for the car parking area, is contrary to policy EN10 of Taunton Deane Local Plan by reason of adverse visual impact. (5) The information submitted in respect of the wildlife survey is deficient in respect of summer emergence and swarming survey work, and without this information, there is insufficient information on which to base a considered decision in respect of the use of the barns by bats contrary to Policies EN3, EN4 and EN5 of Taunton Deane Local Plan. Note re you are advised to contact Officers in the Landscape Section of the Planning Department to discuss the wildlife/landscape reasons for refusal to ascertain whether the reasons for refusal can be overcome.

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

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

NOTES:

14/2005/025

MR & MRS D MARKER

ERECTION OF DOUBLE GARAGE AND STORE WITH ACCOMMODATION OVER AT DAISY COTTAGE, ADSBOROUGH HILL, ADSBOROUGH AS AMENDED BY BLOCK PLAN AND DRAWING NO. S2 REV C RECEIVED 1ST JUNE, 2005

27684/28863

FULL PERMISSION

PROPOSAL

The application is to erect a double garage/store with a room in the roof over to replace existing dilapidated garage and store building at the end of the garden. The building has been reduced in size so it is now 6 m x 7.6 m and 5.4 m to the ridge. It will be rendered with a second hand double roman clay tile roof. The building has been resited away from the steep slope and boundary trees.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY no objection provided garage is erected more than 6 m from the carriageway edge.

PARISH COUNCIL the application is strongly opposed for reasons of overdevelopment. We feel strongly no further living accommodation should be built on site, which is used a private residence and bed and breakfast business, because we feel the site is unsuitable for further residential development and is adjoining open countryside. The properties are approached by an entrance which serves 4 dwellings with inadequate visibility directly off tiny Adsborough Lane, which itself is served by a hazardous turning off the A38. There is no turning circle within the site and is reported that vehicles have to back out of the property. In addition to bed and breakfast the applicant is running a catering business from the site and as a result traffic is heavier than expected at a private address. Extra living accommodation would result in even more traffic. It has been reported that the property is one of 3 sharing a septic tank which has been reported as overflowing into Adsborough Lane. The Parish Council would have no objection to the erection of a single storey garage with store at this site as this would provide garaging for existing vehicles.

9 LETTERS OF OBJECTION have been received raising the following issues:- overdevelopment; increase in occupation; drainage problems with septic tank; site stability; poor access and visibility onto the narrow lane; concern over traffic increase; size affecting a house; would lead to greater occupancy and student use; impact on trees; noise; damage to drive and house from construction traffic; commercial use.

4 LETTERS OF OBJECTION have been received on the amended plans reiterating previous objections.

1 LETTER OF SUPPORT.

POLICY CONTEXT

Regional Planning Guidance 10. Somerset and Exmoor National Park Joint Structure Plan Review Policies STR1 (sustainable development), STR6 (Development outside towns, rural centres and villages). Taunton Deane Local Plan Policies S1 (general requirements), S2 (design) and H18 (ancillary accommodation).

ASSESSMENT

The proposal is for a replacement outbuilding to provide a double garage and store and ancillary accommodation above. A number of concerns have been raised in objection many of which relate to the use of the existing house. The commercial uses referred to are currently under investigation.

The proposed building has been reduced in size and moved away from the eastern boundary so as not to have any adverse impact on the boundary trees and it is not considered overdevelopment. The septic tank concerns are not affected by the current application and in any case an investigation;has been carried out by Environmental Health and no problem found. The building will provide parking for existing vehicles using the site and a condition can be imposed restricting the garaging to this use and preventing it being converted. The first floor room for ancillary use also can be conditioned as such and is not considered to affect residential amenity and is considered to comply with policy. The replacement garage in relation to the existing residential use on site will not result in any additional traffic and with a turning space this should improve the existing situation. Concern over disturbance during construction is not a reason to oppose the proposal and the application is considered acceptable.

RECOMMENDATION

Permission be GRANTED subject to conditions of time limit, materials, turning , ancillary use and no conversion of garage/store to habitable use.

REASON(S) FOR RECOMMENDATION:- The proposed development is not considered to affect residential amenity and is considered to accord with Taunton Deane Local Plan Policies S1, S2 and H18 and material considerations do not indicate otherwise.

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

CONTACT OFFICER: 2456 MR G CLIFFORD

NOTES:

20/2005/008

C J HEAYNS

FORMATION OF VEHICLE ACCESS FROM KINGSTON ROAD AT MILLFIELD HOUSE, KINGSTON ST MARY

22295/29062

FULL PERMISSION

PROPOSAL

The proposal comprises the formation of an additional residential access from Kingston Road. The access would punctuate a roadside hedge onto an area of highway verge.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY no objections raised subject to conditions. The proposed vehicular access would enable a car emerging to have 60 m visibility in a northerly direction and 33 m in a southerly direction, this would be adequate visibility within a 30 mph limit to serve a single dwelling.

LANDSCAPE OFFICER I have no objections to the proposed driveway. (1) the existing hedgerow is classed as 'important' under the hedgerow regulations because of its proximity to the road. It has six species within the hedgerow which is just one short of being 'species' important. (2) the construction of the ramped driveway will require considerable excavations which will affect the amenity of this important access into Kingston St Mary.

PARISH COUNCIL the Parish Council has given careful consideration to this application but wishes to object on the following grounds:- There is already adequate access to Millfield House from Parsonage Lane. It is understood from Parish Council records that the hedge fronting Kingston Road is likely to be of Mediaeval origin. Doctor C G Hancock of the Somerset Wildlife Trust has previously advised that the diversity of species in the hedgerow indicates this to be the case. Policy EN6 of the Local Plan states that development that would harm historic hedgerows of value to the area's landscape character will not be permitted. No compensation of the loss of such a hedge is likely to be acceptable in this case. Mill Cross experiences complex vehicle turning movements with limited visibility, at a narrow section of the highway where traffic often needs to give way to on-coming vehicles from the opposite direction. An additional access at the location proposed would accentuate these difficulties and further prejudice highway safety in the village.

TWO LETTERS OF OBJECTION have been received raising the following issues:- there is already adequate access to Millfield House, this would be a third access within a 40m distance on to what is already a dangerous and increasingly busy road; a previous application was refused due to the highway safety reasons and because of the Saxon hedge, such an access would seriously inconvenience residents of Milcot, Mill Cross Cottages, Davestones, and Mill Cross; concerned that this application is a precursor to more holiday cottages.

ONE LETTER OF SUPPORT has been received:- the new drive will make very little change to the existing frontage and will have a more convenient access to the house.

POLICY CONTEXT

Policy 49 (access) of the Somerset and Exmoor Joint Structure Plan Review is relevant to this application.

Policies S1 (general requirements), S2 (design) and EN6 (protected trees and hedgerows) of the Taunton Deane Local Plan are relevant to this application.

ASSESSMENT

In the opinion of the Highway Authority there is adequate visibility so that the proposal would not be prejudicial to highway safety. There is enough highway verge so that a car emerging from the access would gain enough visibility in each direction. This verge area adjacent to the highway would mean that visibility splays, which would result in the cutting back or removal of the roadside hedge, would not be required. It has been pointed out that cars park on this verge area. The County Highway Authority have indicated that this area is an unofficial place where vehicles stop on the highway rather than laid out parking spaces or a formal lay-by. As such the Highway Authority raise no objections.

Only a small section of hedge, the width of the access, would need to be removed and therefore the proposal would not cause a detrimental loss to the visual amenity of the area. The fact that the applicants have an existing access from Parsonage Lane should not be an overriding consideration in this area.

Regarding the landscape officer's comments, whilst the hedge may be important, a section of hedge, the size of that proposed to be removed to form the access, could be removed without the need for consent given its domestic ownership. Furthermore as visibility splays are not required only a small section of hedge needs to be removed. The lack of visibility splays means that views of the ramped driveway (which is limited by Highways to 1 in 10) will be limited.

In previous applications the hedge bounding the highway has been found to be of ancient origin. Although applications in the garden area of Millfield House for housing have been refused in the past (applications 20/1988/026 and 20/1990/022) the punctuation of the hedge did not form part of the reasons for refusal.

RECOMMENDATION

Permission be GRANTED subject to conditions of time limit, consolidated surface, entrance gates, gradient, disposal of surface water to highway, visibility and any other conditions recommended by the Landscape Officer. Notes regarding connection to the highway.

REASON(S) FOR RECOMMENDATION:- The proposal is considered not to have a detrimental impact upon visual, residential amenity and highway safety and is therefore considered acceptable and, accordingly, does not conflict with Policy 49 of the Somerset and Exmoor Joint Structure Plan Review and Taunton Deane Local Plan Policies S1 and S2.

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

CONTACT OFFICER: 356586 MR R UPTON

NOTES:

22/2005/008

MR & MRS B J COLES

CONVERSION OF BARNs TO 3 NO. DWELLINGS, NETHERCOT FARM, COMBE FLOREY AS AMENDED BY LETTER DATED 13TH JUNE, 2005 WITH ACCOMPANYING DRAWING NO. 1200/1A AND CONSERVATION REPORT

14648/32561

FULL PERMISSION

PROPOSAL

The proposal provides for the conversion of traditional barns to three dwellings. The barns are of natural stone walls with tile, slate and corrugated sheeting roofs. The application was accompanied by a structural report and wildlife survey. The structural report notes that the barns are typical agricultural barns which have been spasmodically maintained and have been altered and adapted over their lifetime. The basic structural condition of the three main barns is reasonable and there is no evidence of long term structural instability provided the recommended structural repairs, strengthening works and localised areas of rebuilding are carried out. The applicant's agents have investigated the commercial reuse potential of the buildings. They note that they are in an isolated location, accessed by narrow lanes, which do not best serve commercial delivery vehicles, etc. They therefore consider this as an unsuitable location for commercial development and not sustainable. Furthermore, any potential conversion of these buildings into commercial use would have a bad-neighbour impact on the existing farmhouse and other residences nearby, particularly given that the farmhouse is attached to the agricultural buildings in question and that vehicles would have to share current access with the residents. The agents have also explored the possibility of converting the barns into holiday units but, given the overall size of the structures and the layout, they regard their conversion as uneconomic given the floor sizes and cost of conversion. Furthermore, it is understood that the market is saturated with holiday homes in this part of Somerset. The agents' general conclusion is that the buildings are not suitable for commercial development and consider them appropriate for residential conversion.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY The proposed development site is remote from any urban area and therefore distant from 'adequate services and facilities, such as, education, employment, health, retail and leisure. In addition, public transport services are infrequent. As a consequence, occupiers of the new development are likely to be dependant on private vehicles for most of their daily needs. Such fostering of growth in the need to travel would be contrary to government advice given in PPG13 and RPG10, and to the provisions of policies STR1 and STR6 of the Somerset and Exmoor National Park Joint Structure Plan Review (adopted policies: April 2000). In terms of traffic generation the proposed development may generate a similar level of traffic to that of the agricultural use of the barns, but the nature of the trip patterns connected with 8 residential use are likely to be very different with a higher level of longer distance trips. In detail, I am very concerned with regard to the approach roads, which are poor in

width alignment and forward visibility. In addition to this the junction with the A358 which is County Route, is substandard and is a very busy stretch of highway with traffic travelling speeds of up to 50 mph. Therefore, I would recommend that this application be refused on highway grounds for the following reasons:- (1) The proposed development would be located where it was remote from adequate services, public transport, etc, and would therefore increase' the need for journeys to be made by private vehicles, which would be non-sustainable and in conflict with advice given in PPG13, and Policy STR1 of the Somerset and Exmoor National Park Joint Structure Plan Review. (2) The roads providing access to the site, by reason of their function in the highway network and their inadequate width, alignment and forward visibility, are considered unsuitable to accommodate the increase in traffic likely to be generated and as a means of access to the proposed development. Should the Local Planning Authority feel that the re-use of the barns outweighs the transport policies and road safety issues I have raised above and be minded to grant consent; I would welcome the opportunity to be consulted further so that I am able to recommend any conditions that I feel are necessary to impose. SOMERSET ENVIRONMENTAL RECORDS CENTRE no statutory and non-statutory sites and species at the application site. One or more statutory legally protected species found within 1 km. Three County Wildlife Sites and one County Geological Sites within 1 km of the site. Badger data within 1 km of the site. SOMERSET WILDLIFE TRUST there is record of a bat in the immediate vicinity of the application site. Agree with the recommendations made in the survey report, however if possible would recommend that a summer survey to determine the level of bat activity taking place within barn A be conducted prior to the granting of any planning permission. If minded to grant permission at this stage, would strongly recommend that all the recommendations made within the survey report be secured through the use of appropriate conditions or obligations.

LANDSCAPE OFFICER the trees along the western boundary of the stream provide considerable amenity and should be retained. NATURE CONSERVATION OFFICER advise that further survey work for bats is done before September and ideally before any decision is made on the application. The site is important for swallows and would like to see evidence of a scheme for future provision of swallows and bats if permission is granted. To avoid harm to nesting birds advise that a condition to avoid nesting birds is made if application approved. DRAINAGE OFFICER soakaways should be constructed in accordance with Building Research Digest 365 (September 1991). Percolation tests should be carried out to ascertain the required lengths of sub surface irrigation drainage. The Environment Agency's consent to discharge to an underground strata is also required. TOURISM OFFICER happy that the buildings are not put forward for holiday use.

PARISH COUNCIL the development proposes a total of 13 bedrooms, indicating at least 15 persons. This leads to concerns over (i) increased traffic - the site is on a very narrow lane and the junction with the A358 is a poor one and (ii) waste disposal - there is no indication of where a septic tank would be sited and the farm is not far above the level of a nearby stream, with a potential pollution risk. The west elevation has a large area of window glass, which may have a visual impact.

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. The County Highway Authority considers that the proposal would clearly foster a growth in the need to travel and is therefore unsustainable in terms of transport policy. They also consider that the road network leading to the site is inadequate. However, I consider that the economic benefits of the development in terms of diversification in the rural economy and the retention of the building outweigh the concerns of the Highway Authority.

Policy S1 of the Taunton Deane Local Plan includes general requirements for new developments. One of these requirements is that the accessibility of the development by public transport, cycling and pedestrian networks would be consistent with its likely trip generation and minimising the need to use the car. Policy H7 of the same plan states that outside the defined limits of settlements, the conversion of buildings to residential use will not be permitted unless certain criteria are met. It is considered that the relevant criteria are met with the proposal.

ASSESSMENT

A separate listed building application is being considered delegated powers. The applicant's agents confirm that a further bat survey is to be carried out shortly. The buildings are structurally sound and meet the criteria of the barn conversions policy. Whilst it is accepted that the accesses onto the A358 are not ideal and the County Highway Authority recommends refusal, the current authorised use of the buildings generates traffic which would also exit onto the A358. I consider that the conversion of the buildings, which are listed by virtue of curtilage, will secure their long term future. A condition is recommended requiring the carrying out of percolation tests.

RECOMMENDATION

Subject to the receipt of amended plans and the consultation response from the Environment Agency and the Tourism Officer, 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, percolation tests, materials, rainwater goods, landscaping (hard and soft), retention/protection of trees, no services beneath trees, no felling, boundary treatment, parking, garages to remain available for use by vehicles, meter boxes, underground services, schedule of works, timber doors/windows, removal of GPDO rights for extensions, ancillary buildings, doors/windows and walls/fences, removal of agricultural buildings and adherence to mitigation measures set out in wildlife report. Notes re conversions letter, future extensions unlikely, disabled access, energy/water conservation, meter boxes, CDM regulations, listed building consent, soakaways, consent to discharge from Environment Agency and Hawk and Owl Trust.

REASON(S) FOR RECOMMENDATION:- The Local Planning Authority consider that the proposal complies with Taunton Deane Local Plan Policy S1 and the criteria contained in Policy H7.

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

CONTACT OFFICER: 356461 MR J HAMER

NOTES:

36/2005/011LB

MR & MRS A WELLWOOD

ALTERATIONS OF ROOF SPACE TO FORM EN-SUITE BATHROOM, INCLUDING THE REMOVAL OF CHIMNEY BREAST AND INSTALLATION OF 2 NO. CONSERVATION ROOFLIGHTS, POPLAR FARM, MEARE GREEN, STOKE ST GREGORY.

33591/26803

LISTED BUILDING CONSENT-WORKS

PROPOSAL

The original farmhouse is a late C16th/early C17th thatched cottage, which now incorporates later additions. It is a listed Grade II building.

The proposed development relates to a later additional with interlocking tiles.

CONSULTATIONS AND REPRESENTATIONS

CONSERVATION OFFICER no objection in principle. Rooflights not acceptable, should be omitted and replace by window in gable. If listed building consent subsequently approved, should include conditions.

PARISH COUNCIL feel that it will have little visual impact and does not overlook any adjoining property. No objection.

POLICY CONTEXT

Policies EN16 and EN17 of the Taunton Deane Local Plan seek to safeguard the character and appearance of listed buildings.

ASSESSMENT

The principle of conversion of loft to bathroom is considered acceptable, but the 2 conservation rooflights would adversely affect the appearance of the listed building. A revised application replacing the rooflights with a single gable window would be acceptable, subject to details of design.

RECOMMENDATION

Permission be REFUSED because of adverse impact on the character and appearance of the listed building.

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

CONTACT OFFICER: 356465 MR J GRANT

NOTES:

38/2005/214

BARNADOS DEVELOPMENTS LTD RETIREMENT VILLAGES PLC

ERECTION OF APARTMENT BLOCK OF 20 AFFORDABLE HOUSING UNITS AT FORMER PRINCESS MARGARET SCHOOL SITE, MIDDLEWAY, TAUNTON.

22373/23568

FULL PERMISSION

PROPOSAL

Erection of apartment block of 20 affordable housing units at former Princess Margaret School site, Middleway, Taunton.

Permission was granted in November 2004, application 38/03/549, for the demolition of the principal buildings on the site of Blagdon Lodge and the Princess Margaret School and the erection of retirement village containing 72 apartments, 11 bungalows and 11 houses. The current application is for affordable housing that was required through a Section 106 Agreement on that previously approved application.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY in terms of overall traffic generation the proposed development is likely to have the same volume of traffic as current permission. However, the submitted plans show a change in the internal arrangements, swapping the traffic of two dwellings and 20 affordable housing units. The access via the existing coach house is substandard for any substantial increase in traffic volume above that which currently has approval. I understand that the existing approval is for the coach house and two dwellings to use this access. Therefore, by swapping the two dwellings with the 20 affordable housing units, it would create an additional 18 units using the coach house access, above existing approval. Which is likely to be detrimental to road safety at this location. The 20 affordable housing units should therefore access the site via the main entrance and the two dwellings via the coach house access. I would therefore request that the applicant submits revised plans to reflect these comments.

WESSEX WATER the development is located in a sewered area with foul and surface water sewers available. The developer has proposed to dispose of surface water to existing surface water sewer. It will be necessary for the developer to agree points of connection to the system. According to our records there is a public water main and surface water sewer close to the site. Normally a minimum 3 metre easement is required for the purpose of maintenance and repair. Diversion or protection work may need to be agreed. An informative is recommended to be placed on any consent to require the protection of Wessex systems prior to commencement of works on site.

AVON AND SOMERSET CONSTABULARY there appears to be a small number of parking spaces for this part of the development raising questions as to where residents are going to park. I have some concerns regarding road safety and security if residents vehicles are to be parked away from their homes and not under close surveillance.

LANDSCAPE OFFICER overall the scheme provides scope for a reasonable landscape scheme, however I think that there is scope for more tree planting within the areas of open space and the group of trees on the southern boundary need thinning to favour more appropriate species. CONSERVATION OFFICER some of the design issues addressed from the earlier scheme. Sense of arrival is still poor. Suggest parking in front of building moved. A coloured bound gravel for the access road, turning and parking may be a better solution than a combination of tarmac and block paving. Landscape Officer will no doubt comment on this aspect. I suggest close boarded fencing is re-specified as hazel hurdles so climbing plants can readily establish. Materials will still be important here and suggest sample panels of brickwork/render are conditioned. DRAINAGE OFFICER no observations. HOUSING OFFICER we are anxious to see social housing on this valuable site, close to the town centre, at a level which has been agreed to reflect the need for elderly accommodation.

WILTON AND SHERFORD COMMUNITY ASSOCIATION it is still apparent that the degree of segregation can be further reduced by the removal of the internal boundary hedging and revised landscaping of this area. Whilst I quite understand that there will be no offer of services due to the financial implications of the main site dwellers, there is actually no need to create physical segregation within the site. The occupants of the social housing I am sure will be made aware of what is or is not available to them. On the issue of parking the developer states that there are 104 spaces to serve 86 units, giving a ration of 1.2 per dwelling. This is true for the main village but for the social housing this is not the case and it appears that the provision is only 0.6 per dwelling. The area of Middleway and Churchill Way has recently come under scrutiny from this Association and the Highways department of SCC. The area has become a stomping ground for an increasing number of commuters and parking is being revised to ensure that this occurs in a safe manner. I can advise that on road parking in this area is such that it could not cope with the added pressure of even more cars. The ratio of the social housing should reflect the same level as the main village and not be deprived because of its status as "social housing" nor should the existing residents be inflicted with even more congestion.

POLICY CONTEXT

RPG10 South West Regional planning Guidance. Somerset and Exmoor National Park Joint Structure Plan Review Policies STR1 Sustainable Development, STR4 Development in Towns, Policy35 Affordable Housing, Policy49 Transport Requirements of New Development. Taunton Deane Local Plan Policies S1 General Requirements, S2 Design, H2 Housing within Settlements, H9 Affordable Housing, M4 Parking.

ASSESSMENT

This application is for the provision of an apartment block of affordable housing units in a block of 20 to blend in with the design of the rest of the site which has had approval under permission 38/2003/549. This application is also linked to application 38/2005/217 (see later report) which seeks to re-site two retirement cottages from the

previous approval to allow for the provision of a new access to serve the affordable units. The main issues with the current proposal are the design, parking and access. A previous application in November 2004 was withdrawn following concern being raised over the scheme being inferior to the previous approval.

The apartment block as now submitted has been altered in terms of the roof structure and the articulation and design of the bay window features. The block is now of a size, design and detailing which is considered to reflect that of the other apartment blocks approved on the remainder of the site and is considered acceptable and in compliance with Policy S2.

The parking shown around the new affordable housing block shows 12 parking spaces. In relation to the remainder of the site this is less than the 1.2 spaces per unit as identified by the Residents Association, however the provision of 12 spaces for the elderly in a block of 20 affordable units is not considered to be sufficient to warrant an objection to the scheme in light of policy M4.

The access to serve the site is of a subsidiary access off Middleway that previously was to serve the Coach House and two pairs of cottages only, although emergency access through gates would be maintained. This access has limited visibility which cannot be improved due the position of the Coach House to the north. While the provision of a separate access to the affordable housing block is not objected to in principle the current scheme does not achieve the necessary visibility required for highway safety and is considered an inferior layout to that previously approved. The layout provides more physical barriers between the affordable block and the rest of the village which is disappointing and limits its assimilation with the rest of the site. The importance of providing affordable housing on this site in line with policy H9 is recognised. However, in light of the Highway Authority objection to the scheme, its limited assimilation into the site as a whole and the ability to provide a working alternative under the previously approved scheme it is considered that the current application is not acceptable and is therefore recommended for refusal.

RECOMMENDATION

Permission be REFUSED for reasons of inadequate visibility at the access to serve the affordable housing contrary to Policy49 of the Somerset and Exmoor National Park Joint Structure Plan Review and means of access and proposed setting of the building is inferior to the previous approval and would detract from the appearance of the overall development contrary to Policies S2(A) and H2(F).

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

CONTACT OFFICER: 356398 MR G CLIFFORD

NOTES:

38/2005/217

BARNADOS DEVELOPMENTS LTD RETIREMENT VILLAGES PLC

ERECTION OF TWO RETIREMENT VILLAGE COTTAGES IN PLACE OF GARAGE BLOCK AT FORMER PRINCESS MARGARETS SCHOOL SITE, MIDDLEWAY, TAUNTON

22371/23607

FULL PERMISSION

PROPOSAL

Erection of Two Retirement Village Cottages in place of Garage Block at Former Princess Margaret School site, Middleway, Taunton.

Permission was granted in November 2004 for the demolition of the principal buildings on the site of Blagdon Lodge and the Princess Margaret School and the erection of retirement village containing 72 apartments, 11 bungalows and 11 houses. The current application seeks to provide an alternative layout where a garage block is removed to allow for the re-orientation of a pair of cottages with access via the main part of the site rather than a subsidiary access to the south. This also allows for the alternative access to be used by affordable housing. (See application 38/2005/214).

CONSULTATIONS AND REPRESENTATIONS

DRAINAGE OFFICER no observations.

WILTON AND SHERFORD COMMUNITY ASSOCIATION (comments also relate to 38/2005/214) it is still apparent that the degree of segregation can be further reduced by the removal of the internal boundary hedging and revised landscaping of this area. Whilst I quite understand that there will be no offer of services due to the financial implications of the main site dwellers, there is actually no need to create physical segregation within the site. The occupants of the social housing I am sure will be made aware of what is or is not available to them. On the issue of parking the developer states that there are 104 spaces to serve 86 units, giving a ration of 1.2 per dwelling. This is true for the main village but for the social housing this is not the case and it appears that the provision is only 0.6 per dwelling. The area of Middleway and Churchill Way has recently come under scrutiny from this Association and the Highways department of SCC. The area has become a stomping ground for an increasing number of commuters and parking is being revised to ensure that this occurs in a safe manner. I can advise that on road parking in this area is such that it could not cope with the added pressure of even more cars. The ratio of the social housing should reflect the same level as the main village and not be deprived because of its status as "social housing" nor should the existing residents be inflicted with even more congestion.

POLICY CONTEXT

RPG10 South West Regional Planning Guidance. Somerset and Exmoor National Park Joint Structure Plan Review Policies STR1 Sustainable Development, STR4 Development in Towns. Taunton Deane Local Plan Policies S1 General Requirements, S2 Design, H2 Housing within Settlements.

ASSESSMENT

The re-orientation of the pair of cottages is in itself considered an acceptable one. Access to these properties would be through the main access into the site and parking spaces would potentially be available opposite. The loss of the garage block would be able to be replaced with parking elsewhere and the design and materials of the dwellings would match with those previously approved. The boundary treatment and immediate landscaping would vary from that previously approved, however the revisions can be controlled by condition. The re-siting of the dwellings to allow for an alternative access in itself is not considered so adverse as to warrant a reason to refuse the proposal.

RECOMMENDATION

Permission be GRANTED subject to conditions re time limit, materials, boundary treatment, access and landscaping.

REASON(S) FOR RECOMMENDATION:- The proposed development is considered to accord with policies S1, S2 and H2 of the TDLP and material considerations do not indicate otherwise.

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

CONTACT OFFICER: 2456 MR G CLIFFORD

NOTES:

38/2005/240

S VERRIER & I WOOLEN

ERECTION OF SINGLE STOREY EXTENSION AT 33 THE OAKS, TAUNTON

24059/23385

FULL PERMISSION

PROPOSAL

Permission is sought to erect a single storey lean to extension measuring 2.55 m x 3.6 m to the west of the property. The extension will be positioned behind the existing garage. The existing property is constructed of part brick and part render under a tiled roof with wooden fenestration. Materials for the proposed extension will match the existing property. Planning permission is required due the withdrawal of permitted developments rights on the original planning approval.

The applicant is a member of staff.

CONSULTATIONS AND REPRESENTATIONS

None received.

POLICY CONTEXT

Taunton Deane Local Plan Policy H17 extensions to dwellings state: Extensions to dwellings will be permitted provided they do not harm: a) The residential amenity of other dwellings; b) The future amenities, parking turning space and other services of the dwelling to be extended; and c) The form and character of the dwelling and are subservient to it in scale and design.

ASSESSMENT

The proposed extension will have no material impact on neighbouring amenities and therefore complies with Policy H17.

RECOMMENDATION

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

REASON FOR RECOMMENDATION:- The proposed extension complies with Taunton Deane Local Plan Policy H17 in that there is no harm to the residential amenity of other dwellings and no harm to the form and character of the dwelling.

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

CONTACT OFFICER: 356462 MRS S MELHUISE

NOTES:

42/2005/016

MR & MRS P THOMAS

ERECTION OF FIRST FLOOR EXTENSION AND ALTERATIONS AT 2 HERSWELL COTTAGES, WEST BUCKLAND.

18662/21495

FULL PERMISSION

PROPOSAL

The dwelling, which is the subject of this application, is a traditional semi-detached cottage, with rendered walls and a slate roof. The proposal is for the erection of a first floor side extension, measuring 8.9 m x 5.9 m x 6.5 m to the ridge of the roof (which matches that of the existing dwelling). The proposed materials are render and fibre cement slate.

CONSULTATIONS AND REPRESENTATIONS

PARISH COUNCIL approves of this application.

POLICY CONTEXT

Policy STR1 (sustainable development), Policy STR6 (development outside towns, regional centres and villages) of the Somerset and Exmoor National Park Joint Structure Plan Review.

Policies S1 (general) and S2 (design) of the Taunton Deane Local Plan stipulate that development should not harm the character of any area or the appearance of any given street scene. Policy H17 (extensions) of the Taunton Deane Local Plan requires extensions to be subservient to the main house, as well as respecting the character and form of the dwelling.

ASSESSMENT

The scale and design of the first floor side extension is not subservient to the main house and , if allowed, would harm the character and form of the dwelling, as well as disrupting the balance/symmetry of the pair of cottages. This would be to the detriment of the visual amenities of the area. For these reasons the proposal is considered to be unacceptable.

RECOMMENDATION

Permission be REFUSED for the reason that it is considered that the proposed first floor extension would be detrimental to the form and character of the dwelling by reason of its size, lack of subserviency, siting, design and external appearance and if allowed, would unbalance the appearance of the semi-detached properties. Furthermore, it is considered that the proposal would have a detrimental effect on the visual amenities of the locality. Therefore the proposal is in conflict with Taunton Deane Local Plan Policies

S1 (general). S2 (design) and H17 (extensions) as well as the advice contained within the Authority's Supplementary Planning Guidance on design.

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

CONTACT OFFICER: 356468 MR A GRAVES

NOTES:

45/2005/008

MR & MRS P ANDERSON

ERECTION OF DWELLING AT LAND ADJACENT TO RICHARDS AT WEST BAGBOROUGH.

17234/33283

FULL PERMISSION

PROPOSAL

The proposal comprises the erection of a dwelling within the residential curtilage of the Grade II Listed Building, Richards. The site currently accommodates a garage that serves the dwelling.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY objections raised due to the unsustainable location, however it is a matter for the Local Planning Authority to decide whether the principle of development on this site outweighs the transport policies. Further objections raised due to the lack of visibility although turning on site can be achieved. WESSEX WATER the proposal is not located in a sewered area. Notes relating to connection to Wessex Water infrastructure.

CONSERVATION OFFICER no detrimental impact to the setting of the Listed Building. RIGHTS OF WAY no objections. DRAINAGE OFFICER no objections subject to notes relating to soakaways.

PARISH COUNCIL Councilors have expressed concern regarding location, notwithstanding the location within development limits.

ONE LETTER OF OBJECTION has been received raising the following issues:-the proposal would not preserve or enhance the character of the Conservation Area; the roof height will be much higher than properties opposite, clearly visible above existing buildings and visible from the top of the Quantocks contrary to AONB policies; loss of light; loss of views to the Quantocks; Taunton Deane have misjudged the scale and massing of residential development in West Bagborough before; the plan do not correctly show the entrance to Higher House.

POLICY CONTEXT

Policies S1 (general requirements), S2 (design), H2 (housing), M4 (parking), EN10 (AONB), EN14 (Conservation Areas) and EN16 (Listed Buildings) of the Taunton Deane Local Plan are relevant to this application.

ASSESSMENT

The site is located within the defined settlement limits of West Bagborough and therefore there is a presumption in favour of development unless material considerations indicate otherwise.

This modestly sized, three bedroom dwelling, is of 1 and a half storey construction and is considered sympathetic to the cottage style properties in the area as detailed in West Bagborough village design statement. The design is therefore considered appropriate for the context of the area and would maintain the character and appearance of the Conservation Area. Considering the degree of separation from the listed property Richards, the proposal is considered not to harm the setting of the Listed Building. Considering the dwelling would be set into the hillside as per the existing garage, it is not considered that the proposal would harm the landscape character of the AONB.

As the dwelling will not project beyond the crest of the hill its impact when viewed from the neighbouring property would be minimal. Higher House is located to the south of the site. It is not therefore considered that the building will cast shadow and cause loss of light to Higher House.

A dwelling can be comfortably accommodated on the plot, affording an appropriate area of amenity/garden area for any future occupants.

The County Highway Authority have raised objection regarding the sustainability of the location. However the site is located within the settlement limits of West Bagborough. The County Highway Authority also maintain that there is insufficient visibility at the access point. Whilst visibility may not meet their full standard, it must be taken into account that the site currently serves a garage that handles all of the traffic movements for Richards. Overall there will be no increase in traffic movements at the site. Furthermore the proposal incorporates a turning space whereas currently vehicles have to either reverse onto or from the highway. The turning space will enable vehicles to enter and exit the access in a forward gear. This would appear to represent an improvement to highway safety compared to the existing circumstances.

RECOMMENDATION

Permission be GRANTED subject to conditions of time limit, materials, timber windows and doors, guttering and downpipes, landscaping, boundary treatments, services located underground, hard landscaping, turning space, parking, gradient of access, consolidated surface, no extensions, no outbuildings and no fences. Notes regarding connection to Wessex Water infrastructure, energy, water conservation, high standard of development and soakaways.

REASON(S) FOR RECOMMENDATION:- The proposal, for residential development, is located within defined settlement limits where new housing is encouraged. The proposed access would be satisfactory and the development would not have a detrimental impact upon visual amenity, residential amenity or the character and appearance of the Conservation Area, the setting of the neighbouring Listed Building

and is considered not to harm the landscape character of the AONB and is therefore considered acceptable. Therefore, the scheme accords with Policies S1, S2, H2, EN14, EN16, EN10 and M4 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: 356586 MR R UPTON

NOTES: