



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 27TH JULY 2005 AT 17:00.

(RESERVE DATE : MONDAY 1ST AUGUST 2005 AT 17:00)

AGENDA

1. Apologies
2. Minutes of the meeting of the Committee held on 6 July 2005 (attached).
3. Public Question Time
4. KINGSTON ST. MARY - 20/2005/007
ERECTION OF DWELLING AT LAND ADJACENT TO MILLFIELD HOUSE, PARSONAGE LANE, KINGSTON ST MARY.
5. MILVERTON - 23/2005/018LB
INSTALLATION OF SOLAR PANELS AT FORT GATE, ST MICHAELS HILL, MILVERTON.
6. NORTH CURRY - 24/2005/017
FORMATION OF FIELD ACCESS WITH NEW FIELD GATE AND STONE ENTRANCE AT BROAD LANE, NORTH CURRY
7. NYNEHEAD - 26/2005/003
ERECTION OF SINGLE STOREY EXTENSION AT REAR OF 3 COURT COTTAGES, NYNEHEAD AS AMENDED BY PLAN NO. AS/05/NH-02/P1 REV B RECEIVED 15TH JUNE, 2005
8. OAKE - 27/2005/009
ERECTION OF EXTENSION ABOVE STUDY AND GARAGES AT WILLOW GARDENS, HILLCOMMON AS AMENDED BY PLANS RECEIVED 7TH JULY, 2005 AND ADDITIONAL INFORMATION RECEIVED 7TH JULY, 2005
9. TAUNTON - 38/2005/213
ERECTION OF INFLATABLE SPORTS HALL ON TENNIS COURTS AT RICHARD HUISH COLLEGE, SOUTH ROAD, TAUNTON, AS AMENDED AND AMPLIFIED BY AGENT'S LETTERS, PLANS, PHOTOGRAPHS AND E-MAILS RECEIVED 14TH JUNE 2005, 16TH JUNE 2005 AND 29TH JUNE 2005
10. TAUNTON - 38/2005/227
RESIDENTIAL DEVELOPMENT OF 24 ONE BEDROOMED FLATS ON SITE OF DWELLING TO BE DEMOLISHED AT 5-7 COMPASS

HILL TAUNTON.

11. TAUNTON - 38/2005/248
ERECTION OF TWO DWELLINGS ON LAND TO REAR OF 99/101
STATION ROAD, TAUNTON.
12. 38/2000/237 - ERECTION OF 144 DWELLINGS AND ASSOCIATED
ROADS AND OPEN SPACE, TAUNTON VALE SPORTS CLUB,
LISIEUX WAY, TAUNTON - PROVISION OF PLAY AREAS. Miscellaneous item
13. 10/2003/018 - DEMOLITION OF AGRICULTURAL BUILDING AND
ERECTION OF DOMESTIC GARAGE TO BE USED IN
CONNECTION WITH FORMER BARN TO BE CONVERTED TO
DWELLING (POUND HOUSE), TRENTS FARM, ROYSTON ROAD,
CHURCHINFORD. Miscellaneous item
14. ENGLISH HERITAGE BUILDINGS AT RISK REGISTER 2005. Miscellaneous item
15. 38/2005/144 & 4E9/38/2005 - ERECTION OF TIMBER BUILDINGS
FOR STORAGE PURPOSES AT THE TAUNTON MOTOR
COMPANY LIMITED, PRIORY BRIDGE ROAD, TAUNTON. Enforcement item
16. ERECTION OF FENCE AND CHANGE OF USE OF LAND AT 45
VENN CLOSE, COTFORD ST. LUKE, TAUNTON. Enforcement item

G P DYKE
Member Services Manager

The Deane House
Belvedere Road
TAUNTON
Somerset

TA1 1HE

20 July 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:



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

Planning Committee – 6 July 2005

Present: Councillor Miss Peppard (Chairman)
Councillors Mrs Allgrove, Clark, Floyd, C Hill, Hindley, House, Phillips,
Mrs Smith and Stuart-Thorn

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

(The meeting commenced at 5.00 pm.)

79. Apologies

Councillor Mrs Hill (Vice-Chairman) and Councillors Miss Cavill, Croad,
Denington, Guerrier, Henley, Lisgo and Wedderkopp.

80. Minutes

The minutes of the meeting, held on 15 June 2005, were taken as read and
were signed.

81. Public Question Time

The Chairman of Burrowbridge Parish Council, Mr Nicholls, referred to the
recent planning permission that had been granted for the retention of an
extension at Sunridge, Stanmoor Road, Burrowbridge - Application No
51/2005/007. The extension had actually been erected three years ago.

Mr Nicholls was concerned that despite Burrowbridge being one of the
parishes in the delegation scheme the application, which was within a
category that would normally be dealt with by the Parish Council, had been
determined by Taunton Deane. He was also concerned that the views
expressed by the Parish Council in relation to the application had not resulted
in the application coming before the Planning Committee for consideration.

In response, the Development Control Manager (Tim Burton) replied that
there had been some ambiguity over the views received from the Parish
Council and this had led to the application being determined without referral to
the Committee. He went on to inform Mr Nicholls that retrospective
applications were always dealt with by Taunton Deane.

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

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).

Conditions

- (a) The railings hereby approved shall be erected within six months of the date of this permission.
- (b) P003 - no ancillary buildings.
- (c) C201 - landscaping.
- (d) P006 - no fencing.

Reason for granting planning permission:-

The proposed development would not adversely affect visual amenity and therefore did not conflict with Taunton Deane Local Plan Policy S1.

10/2005/008

Erection of two holiday chalets at Paye Plantation, Stapley (revised).

Conditions

- (a) C001 - time limit;
- (b) C101 - materials;
- (c) C412 - restriction of occupation for holiday lets in permanent buildings;
- (d) Prior to the commencement of works on site, details for the provision and implementation of a surface water run-off limitation scheme shall be submitted to, and approved in writing by, the Local Planning Authority. This scheme shall be implemented in accordance with the approved programme and details.
- (e) Prior to the commencement of works on site, full details of the construction of the access track and parking (including depth, make-up, drainage and surface treatment) shall be submitted to, and approved in writing by, the Local Planning Authority. The access shall be constructed in strict accordance with the approved details and shall be maintained as such thereafter.
- (f) In the event that this permission is not implemented within one year of the date of this permission and, prior to the commencement of works on site, a further wildlife survey shall be undertaken between March and July by a qualified Environmental Consultant and to include an investigation of all significant species of flora and fauna and protected species (including adders, slow worms and newts) and a report

submitted to, and approved in writing by, the Local Planning Authority. The survey and report shall include an identification of the species present, an impact assessment and mitigation/avoidance measures in order to safeguard protected species in accordance with the law. Once approved, the works shall take place in accordance with the agreed measures and in accordance with any licence requirements.

- (g) In connection with this development, no site clearance works or development (or specified operations) shall take place between 1 March and 31 October without the prior written approval of the Local Planning Authority.
- (h) Prior to the commencement of works on site, a Management Plan to enhance, conserve and monitor the mire and associated scrub, as identified in the Greenwood Environmental Ecological Survey, February 2004, and as detailed in the accompanying plan, shall be submitted to, and approved in writing by, the Local Planning Authority. Once approved, the management and monitoring works shall be carried out on an annual basis and according to the approved plan.
- (i) Prior to the commencement of works on site, plans showing one parking space for each unit, shall be submitted to, and approved in writing by, the Local Planning Authority. The approved spaces shall be provided prior to the commencement of the use and shall be thereafter maintained.
- (j) There shall be no external lighting of the chalets or site area without the prior written consent of the Local Planning Authority.
- (k) Within three months of the cessation of the holiday use hereby permitted, the chalets shall be demolished and/or removed from the site and the land restored to its former condition.
- (l) There shall be no additional accommodation provided within the remaining roof-space of the chalets hereby permitted without the prior written consent of the Local Planning Authority.
(Notes to applicant:- (1) With regard to condition (d), applicant was advised that a drawing identifying the necessary features would be sufficient to discharge this condition; (2) N061A - Highways Act - Section 184 Permit; (3) With regard to condition (e), applicant was advised that there is a need to ensure the track surface remains permeable whilst providing a bound surface (for the first 10 m) which will be in keeping with the character of the area; (4) N115 - water conservation.)

Reason for granting planning permission:-

The proposal represented small scale, unobtrusive holiday chalet development in accordance with Taunton Deane Local Plan Policies EC24 and EN10.

11/2005/009

Erection of holiday let unit at land east of Yard Farm, Combe Florey.

Conditions

- (a) C001 - time limit;
- (b) C101 - materials;
- (c) C201 - landscaping;
- (d) C412 - restriction of occupation for holiday lets in permanent buildings;
- (e) C927 - remediation investigation/certificate;
- (f) P002 - no extensions;
- (g) P003 - no ancillary buildings;
- (h) P005 - no garages;
- (i) P006 - no fencing;
- (j) Prior to the commencement of work, details of the access, parking and turning arrangements shall be submitted to, and approved in writing by, the Local Planning Authority;
- (k) The finished floor level of the unit shall be as indicated on the approved plan;
- (l) Within three months of the cessation of the holiday use hereby permitted, the chalet shall be demolished and/or removed from the site and the land restored to its former condition;
(Notes to applicant:- (1) Applicant was advised that it had been noted that a septic tank is to be used to dispose of foul sewage. Percolation tests should be carried out to ascertain the required lengths of sub-surface irrigation drainage; (2) Applicant was advised that the Environment Agency's Consent to Discharge to an underground strata is also required; (3) N115 - water conservation; (4) Applicant was advised to contact Wessex Water prior to the commencement of any works on site to agree connection onto Wessex Water infrastructure; (5) N111 - disabled access; (6) N112 - energy conservation; (7) N051B - health and safety; (8) Applicant was advised that the accommodation should be independently inspected to ensure a high quality product for visitors to the Taunton Deane area.)

Reason for granting planning permission:-

The site was adequately screened and the proposal was not considered to be harmful to the landscape; It had good access to the highway network and the visual and residential amenity of the area would not be detrimentally affected and was therefore compliant with Taunton Deane Local Plan Policies S1, S2, S7 and EC24.

14/2005/025

Erection of double garage and store with accommodation over at Daisy Cottage, Adsborough Hill, Adsborough

Conditions

- (a) C001 - time limit;
- (b) C102 - materials;
- (c) A turning space for vehicles within the curtilage, in accordance with a plan to be submitted and approved by the Local Planning

- Authority, shall be provided prior to the use within the building commencing;
- (d) The first floor accommodation hereby permitted shall not be used at any time other than for the purposes ancillary to the residential use of the dwelling and for the avoidance of doubt, shall not be rented out or at any time be occupied as a separate dwelling;
 - (e) No part of the ground floor use hereby permitted shall be used for habitable accommodation without the prior permission in writing of the Local Planning Authority.
(Note to applicant:- Applicant was advised to ensure that the existing septic tank is not damaged during construction and is adequate to serve the site.)

Reason for granting planning permission:-

The proposed development was not considered to affect residential amenity and was considered to accord with Taunton Deane Local Plan Policies S1, S2 and H18 and material considerations did not indicate otherwise.

20/2005/008

Formation of vehicle access from Kingston Road at Millfield House, Kingston St Mary.

Conditions

- (a) C001 - time limit;
- (b) The proposed access over its entire length shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have been submitted to, and approved in writing by, the Local Planning Authority.
- (c) Any entrance gates erected shall be hung to open inwards and shall be set back a minimum distance of 4.5 m from the edge of the carriageway;
- (d) The gradient of the accessway shall not at any point be steeper than 1:10 or a distance of 6 m from its junction with the public highway;
- (e) Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to, and approved in writing by, the Local Planning Authority. Such drainage shall be provided prior to the access first being brought into use;
- (f) There shall be no obstruction to visibility greater than 900 mm above adjoining road level in advance of lines drawn 2 m back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 60 m to the north of the access. Such visibility splays shall be fully provided before works commence on the construction of the access hereby permitted and shall thereafter be maintained at all times;

- (g) There shall be no obstructions to visibility greater than 900 mm above adjoining road level in advance of lines drawn 2 m back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 33 m to the south of the access. Such visibility splays shall be fully provided before works commence on the construction of the access hereby permitted and shall thereafter be maintained at all times.

(Note to applicant:- (1) N061A - Highways Act - Section 184 Permit.)

Reason for granting planning permission:-

The proposal was considered not to have a detrimental impact upon visual or residential amenity or highway safety and was therefore considered acceptable and, accordingly, did not conflict with Somerset and Exmoor National Park Joint Structure Plan Review Policy 49 and Taunton Deane Local Plan Policies S1 and S2.

38/2005/217

Erection of two retirement cottages in place of garage block at former Princess Margaret School site, Middleway, Taunton.

Conditions

- (a) C001 - time limit;
 - (b) C102A - materials;
 - (c) C215 - walls and fences;
 - (d) The access to the properties shall be via the main entrance to the site only, unless otherwise agreed in writing, by the Local Planning Authority;
 - (e) C201 - landscaping;
- (Note to applicant:- Applicant was advised that noise emissions from the site during construction should be limited to the following hours to avoid nuisance at neighbouring properties:- Monday to Friday 0800 to 1800 hours; Saturdays 0800 to 1300. At all other times, including public holidays, no noisy working.)

Reason for granting planning permission:-

The proposed development was considered to accord with Policies S1, S2 and H2 of the Taunton Deane Local Plan and material considerations did not indicate otherwise.

38/2005/240

Erection of single storey extension at 22 The Oaks, Taunton.

Conditions

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

Reason for granting planning permission:-

The proposed extension complied with Taunton Deane Local Plan Policy H17 in that there was no harm to the residential amenity of other dwellings and no harm to the form and character of the dwelling.

45/2005/008

Erection of dwelling at land adjacent to Richards at West Bagborough..

Conditions

- (a) C001 - time limit;
- (b) C101 - materials;
- (c) Prior to the commencement of works on site, details of the proposed access shall be submitted to, and approved in writing by, the Local Planning Authority;
- (d) C201 - landscaping;
- (e) C215 - walls and fences;
- (f) C112 - details of guttering, downpipes and disposal of rainwater;
- (g) C917 - services - underground;
- (h) C308 - access - existing access to be closed;
- (i) The proposed access and turning area shall be properly consolidated (not loose stone or gravel) in accordance with details to be submitted prior to commencement, and agreed in writing by, the Local Planning Authority. Such turning area shall be kept free of obstruction at all times;
- (j) Provision shall be made within the site for the disposal of surface water to prevent discharge onto the highway, details of which shall have been submitted to, and approved in writing by, the Local Planning Authority;
- (k) The dwelling hereby permitted shall not be occupied until two parking spaces for the dwelling have been provided in a position approved by the Local Planning Authority. The said spaces and access shall not be used other than for the parking of vehicles or for the purpose of access.
- (l) P001A - no extensions;
- (m) P003 - no ancillary buildings;
- (n) P006 - no fencing;
- (o) C205 - hard landscaping;
- (p) C314 - visibility splays;
- (q) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) the use of the garage hereby permitted shall be limited to the domestic and private needs of the occupier and shall not be used for any business or other purpose whatsoever;
- (r) No entrance gates shall be erected/hung at any time;
- (s) The gradient of the proposed access shall not be steeper than 1:10.
(Notes to applicant:- (1) N115 - water conservation; (2) N112 - energy conservation; (3) Applicant was advised to contact

Wessex Water prior to the commencement of any works on site to agree connection onto Wessex Water infrastructure; (4) N100 - design; (5) Applicant was advised that the soakaways should be constructed in accordance with Building Research Digest 365 (September 1991.)

Reason for granting planning permission:-

The proposal for residential development was located within the defined settlement limits where new housing was 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 was considered not to harm the landscape character of the Area of Outstanding Natural Beauty and was therefore considered acceptable. Therefore, the scheme accorded with Taunton Deane Local Plan Policies S1, S2, H2, EN14, EN16, EN10 and M4.

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

36/2005/011LB

Alterations of roof-space to form en-suite bathroom, including the removal of chimney breast and installation of 2 No conservation roof-lights, Poplar Farm, Meare Green, Stoke St Gregory.

Reason

The proposed rooflights would be detrimental to the character and appearance of the listed building. Accordingly the proposal is considered contrary to Taunton Deane Local Plan Policies EN16 and EN17.

(Note to applicant:- Applicant was advised that the internal conversation works are acceptable and that the replacement of roof-lights with an appropriately designed gable window may resolve the objection.)

42/2005/016

Erection of first floor extension and alterations at 2 Herswell Cottages, West Buckland.

Reason

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 these semi-detached

properties. Furthermore, it is considered that the proposal would have a detrimental affect on the visual amenities of the locality. Therefore, the proposal is in conflict with Taunton Deane Local Plan Policies S1 (general), S2 (design), H17 (extensions) as well as the advice contained within the Authority's Supplementary Planning Guidance on Design.

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

05/2005/029A

Display of illuminated fascia signs and projecting sign at 1 Wellington New Road, Taunton.

Conditions

- (a)-(e) C801 - C805 - standard conditions for advertisements;
- (f) C807 - constant illumination;
- (g) The advertisements hereby granted consent shall not be displayed until the existing fascia signs cease to be displayed.

- (4) That the following **applications be withdrawn**:-

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.

13/2005/004

Change of use of various barns to include café/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.

(The Senior Solicitor (Mrs J M Jackson) declared a prejudicial interest in the application covered by Minute No 83 below and left the meeting during its consideration.)

83. Erection of dwelling and garage at land to rear of 9 Church Street, Bishops Lydeard (06/2005/021)

Reported this application.

RESOLVED that subject to the receipt of no adverse comments from the Nature Conservation Officer and the inclusion of any further conditions requested, 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) C215 - walls and fences;
- (g) C917 - services - underground;
- (h) C205 - hard landscaping;
- (i) Before the access hereby permitted is first brought into use, the turning space for the new dwelling, as shown on the submitted plan, shall be properly consolidated and surfaced to the satisfaction of the Local Planning Authority. Such turning space shall be kept free of obstruction at all times.
- (j) The dwelling hereby permitted shall not be occupied until two parking spaces for the dwelling have been provided in a position approved by the Local Planning Authority. The said spaces and access shall not be used other than for parking of vehicles or the purposes of access.
- (k) P001A - no extensions.
- (l) P003 - no ancillary buildings;
- (m) P006 - no fencing;
- (n) C402 - single storey dwelling.
(Notes to applicant:- (1) Applicant was recommended to agree with Wessex Water, prior to the commencement of any works on site, a connection onto Wessex Water infrastructure; (2) N112 - energy conservation; (3) N115 - water conservation; (4) N100 - design; (5) Applicant was advised that the soakaways should be constructed in accordance with Building Research Digest 365 (September 1991).)

Reason for outline planning permission, if granted:-

The proposal for residential development was located within the defined settlement limits where new housing was 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. It was therefore considered acceptable and in accordance with Taunton Deane Local Plan Policies S1, S2, H2, EN14, EN16 and M4.

84. Conversion of barns to 3 No dwellings, Nethercott Farm, Combe Florey (22/2005/008)

Reported this application.

RESOLVED that subject to:-

- (1) The submission of a satisfactory flood risk assessment and any further observations or conditions requested by the Environment Agency; and
- (2) The further representations of the Nature Conservation Officer and Somerset Wildlife Trust on the follow-up survey for bats and birds and any further conditions requested, 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) C010A - drainage - not commenced until percolation test approved;
- (c) C106 - second-hand materials;
- (d) C112 - details of guttering, downpipes and disposal of rainwater;
- (e) C201A - 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) C324 - parking;
- (m) The garages hereby permitted shall be constructed only in accordance with the approved plans and shall remain available in perpetuity for the parking of a motor vehicle(s) for domestic purposes only;
- (n) C416 - details of size, position and materials of meter boxes;
- (o) C601 - schedule of works to ensure safety and stability of structure;
- (p) C654A - windows;
- (q) P001A - no extensions;
- (r) P003 - no ancillary buildings;
- (s) P006 - no fences;
- (t) Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), no windows/dormer windows or doors (other than those expressly authorised by this planning permission) shall be constructed;
- (u) C917 - services - underground;
- (v) Before the dwellings hereby permitted are occupied, the agricultural buildings as shown on the approved plan shall be demolished and all materials resulting from the demolition shall be removed from the site;
- (w) Mitigation recommendations contained in the Bat and Birds Survey, dated March 2005, shall be strictly adhered to and carried out as part of the development;
- (x) C917 - remediation investigation/certificate;
- (y) The dwellings hereby permitted shall not be occupied until two parking spaces for each dwelling have been provided in a position approved by the Local Planning Authority. The said spaces and access thereto shall thereafter be kept clear of obstruction and not used other than for the parking of vehicles or for the purpose of access;
- (z) The proposed access(es) over the first 6 m of its/their length as measured from the edge of the adjoining carriageway shall be

properly consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have been submitted to, and approved in writing by, the Local Planning Authority;

- (aa) Any entrance gates erected shall be hung to open inwards;
- (bb) Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to, and approved in writing by, the Local Planning Authority;

(Notes to applicant:- (1) N025 - conversions; (2) N25A - conversions; (3) N118 - disabled access; (4) N112 - energy conservation; (5) N119 - meter boxes; (6) N051B - health and safety; (7) N066 - listed building; (8) Applicant was advised that the soakaways should be constructed in accordance with Building Research Digest 365 (September 19991); (9) Applicant was advised that the Environment Agency's Consent to Discharge to an underground strata would be required; (10) Applicant was advised that the Hawk and Owl Trust can provide Barn Owl nest boxes, as well as practical advice regarding their positioning and will survey buildings for signs of use by Barn Owls prior to conversion; (11) N115 - water conservation; (12) N126 - land contamination; (13) Applicant was advised of a number of Environment Agency requirements.)

Reason for planning permission, if granted:-

The Local Planning Authority considered that the proposal complied with Taunton Deane Local Plan Policy S1 and the criteria contained in Policy H7.

85. Erection of apartment block of 20 affordable housing units at former Princess Margaret School site, Middleway, Taunton (38/2005/214)

Reported this application.

RESOLVED that subject to the receipt of no further representations raising new issues by 19 July 2005, the Development Control Manager be authorised to determine the application in consultation with the Chairman and, if planning permission was granted, the following conditions be imposed:-

- (a) C001 - time limit;
- (b) C101 - materials;
- (c) A sample panel of the brickwork and render to be used on-site shall be erected for agreement in writing by the Local Planning Authority prior to the construction commencing and, once agreed, shall be carried out as per the sample panel;
- (d) (i) In addition to the landscaping indicated on the Landscape Design Statement, details of the size, species and numbers of trees to be included in the boundary hedge planting to the roadside shall be submitted to, and approved in writing by, the Local Planning Authority prior to construction of the building commencing; (ii) The scheme shall be completely carried out within the first available planting season,

from the date of commencement of the development, or as otherwise extended with the agreement in writing of the Local Planning Authority;

(iii) For a period of five years after the completion of the planting scheme, the trees and shrubs shall be protected and maintained in a healthy, weed free condition to the satisfaction of the Local Planning Authority and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of similar size and species, or the appropriate trees or shrubs as may be approved in writing by the Local Planning Authority;

(e) Before any part of the permitted development is commenced, details of all boundary walls, fences or hedges forming part of the development shall be submitted to, and approved in writing by, the Local Planning Authority and any such wall, fence or hedge so approved shall be erected/planted before occupation of the development to which it relates takes place;

(f) C111 - materials - for drives.

(Notes to applicant:- (1) Applicant was advised that noise emissions from the site during construction should be limited to the following hours if nuisance is to be avoided:- Monday to Friday 0800 to 1800 hours; Saturdays 0800 to 1300. At all other times, including public holidays, no noisy working; (2) Applicant's attention is drawn to the Section 106 Agreement on application No 38/2003/549 relating to this site; (3) Applicant's attention is drawn to the cycle link requirement of the Section 106 Agreement in relation to the adjacent site.)

Reason for planning permission, if granted:-

The proposed development was considered to accord with Policies H2 and H9 of the Taunton Deane Local Plan and material considerations did not indicate otherwise.

(Councillor Mrs Smith left the meeting at 7.10 pm.)

(The meeting ended at 7.39 pm.)

20/2005/007

C J HEAYNS

**ERECTION OF DWELLING AT LAND ADJACENT TO MILLFIELD HOUSE,
PARSONAGE LANE, KINGSTON ST MARY.**

22295/29062

OUTLINE APPLICATION

PROPOSAL

The proposal comprises an outline application for the erection of a dwelling on land to the east of Millfield House and west of Kingston Road. All matters are reserved for future consideration. An indicative site plans shows how the proposed dwelling could be positioned on the site. The site lies outside the defined settlement boundary of Kingston St Mary.

Members will recall previous application 20/2005/008 for access was determined at Committee on 6th July, 2005 at the same site.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY recommend refusal as the proposal is located in an unsustainable location distant from adequate services that would encourage the use of the private car.

DRAINAGE OFFICER no objections subject to informative notes relating to surface water.

PARISH COUNCIL the proposal would conflict with Policy KM2 of the Taunton Deane Local Plan in that the site is outside the settlement limit of Kingston St Mary. The dwelling would not therefore constitute infilling inside the defined settlement limit.

ONE LETTER OF OBJECTION has been received raising the following issues:- the site lies outside the settlement limit; there is no justifiable need; there will be an increase in noise and loss of views; with the relocation of the applicants business there must be better locations available; will the dwelling be subject to an agricultural tie?; is this a precursor for more holiday chalets.

SEVEN LETTER OF SUPPORT have been received in support of the application as:- the new bungalow would mean that as they grow older they would be next door to family to care for them in their declining years as they have both had medical problems; it will not detract at all from the immediate area and will not be detrimental at all; it will go some way to balancing up the properties which exist on the Kingston side of Mill Cross; the site is well screened and surrounded on all sides by houses and would not be intrusive in any way to anybody; it seems a natural infill plot; the village is a short walk away and the bus to Taunton stops across the road; whilst outside of the village boundary I consider that the proposal is a practical use of an area of garden on all sides by existing development.

POLICY CONTEXT

Taunton Deane Local Plan Policies S1 and S2, (safeguard visual and residential amenity), S7 (outside settlements), Policy H2 (housing) and Policy M4 (access and parking standards).

ASSESSMENT

The site is located outside the defined settlement limits of Kingston St Mary and therefore there is a presumption against development unless material considerations indicate otherwise. There has been no agricultural justification or otherwise submitted with the proposal. The proposal is not considered to be an infill plot, i.e. the completion of a narrow gap on a substantially built up frontage.

Due to its location, outside of any recognisable settlement and remoteness from services including public transport, the proposal is considered to be unsustainable. As a consequence, occupiers of the new development would be dependant on the car use that would appear not to be consistent with planning policy, the objectives of which aim to reduce the need to travel and promote sustainable development. The proposal would therefore appear to be at odds with sustainable planning policy that aims to avoid fostering growth in the need to travel.

RECOMMENDATION

Permission be REFUSED for the reasons of (1) The site is located outside the limits of a settlement in an area that has very limited public transport services. The development will increase the reliance on the private motor vehicle and would compromise sustainable development, which is contrary to advice contained within PPG 13 and RPG 10 and to the provisions of Policies STR1 and STR6 of the Somerset & Exmoor National Park Joint Structure Plan Review 1991 - 2011 and contrary to Policy S1(a) of the Taunton Deane Local Plan. (2) The site is located outside the limits of a settlement within the open countryside, where it is the policy of the Local Planning Authority to resist new housing development unless it is demonstrated that the proposal serves a genuine agricultural need or other appropriate need. In the opinion of the Local Planning Authority the proposal does not constitute a genuine agricultural or other appropriate need and would therefore be contrary to policy STR1 and STR6 of the Somerset and Exmoor National Park Joint Structure Plan Review and Policy S7 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:

23/2005/018LB

MR D M ADAM

INSTALLATION OF SOLAR PANELS AT FORT GATE, ST MICHAELS HILL, MILVERTON.

12072/25832

LISTED BUILDING CONSENT-WORKS

PROPOSAL

The application comprises the installation of 2 No. solar panels on the slate roof of the rear of Fort Gate, a Grade II listed building. The panels measure 1.7 m x 1.25 m and will protrude 97 mm from the roof slope.

CONSULTATIONS AND REPRESENTATIONS

CONSERVATION OFFICER no justification in terms of impact on character of Listed Building. Whilst on the rear, units very large and will clearly have a detrimental impact on the character of the roof. Objection raised.

PARISH COUNCIL the Councillors supported the application.

POLICY CONTEXT

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

ASSESSMENT

This Grade II Listed Building is of considerable architectural merit and consequently any alternations which are out of character or which would detract from their architectural merit, should be resisted. Regardless of their location on a rear roof slope, the solar panels are obtrusive, modern and totally alien to the character and appearance of the building. The panels would therefore clearly have a detrimental impact on the character of the roof resulting in a detrimental impact to this Grade II Listed Building. It is recommended that listed building consent be refused.

RECOMMENDATION

Listed building consent be REFUSED for the reasons of (1) the proposed development would be out of keeping with the character and appearance of this Grade II listed building. Accordingly, the proposal is contrary to Policies EN16 and EN17 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:

24/2005/017

MR H R S ANDERSON

FORMATION OF FIELD ACCESS WITH NEW FIELD GATE AND STONE ENTRANCE AT BROAD LANE, NORTH CURRY

32790/25730

FULL PERMISSION

PROPOSAL

The proposal is for the retention of an unauthorised field access off an unclassified road, Broad Lane North Curry. The access is approximately 4 m wide with metal gateposts set back off the highway. The metal gate is approximately 1.5 m high and, as hung, open outwards over part of Broad Lane by approximately 0.5 m. The proposed access would replace the existing access that is located in the north western corner of the field and exits onto Stoke Road, the main road linking North Curry to Stoke St Gregory.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY no objection in principal but the ditch must be piped with an adequate diameter pipe and the access laid out to County Highway standards, including the gate being re-hung to open inwards only

LANDSCAPE OFFICER subject to filling the existing access with a 1 m high bank and hedge it should be possible to achieve the access without harm to Policy EN12.
FOOTPATHS OFFICER no objection to the proposal.

PARISH COUNCIL object, there is nowhere around this field to provide a safe access due to bad visibility; the gate opens out onto the road; the drainage is inadequate in an area prone to flooding; the hedge was removed without permission; it is considered that the existing access is in the best position.

5 LETTERS OF OBJECTION have been received raising the following issues:- Broad Lane is very narrow and serves several farms, two nurseries, a builders business and a car service and repair business any increase in traffic would be an added hazard and dangerous for highway safety; this would result in additional traffic using the Stoke Road and Broad Lane junction which has very poor visibility; the existing access onto Stoke Road is preferable as it has better visibility with a better splay and gates could be hung to open inwards; I am suspicious that this new stoned and gated entrance access is for a non-agricultural use; if allowed all other access into the field should be closed; the ditch has been removed but is required to drain the land and road, it carries a lot of water in the winter when the road floods and becomes impassable; the new access cannot be seen when travelling along Broad Lane and will be dangerous for road users.

1 LETTER RAISING NO OBJECTION has been received provided the use is purely agricultural.

POLICY CONTEXT

Somerset and Exmoor National Park Structure Plan Policy 49 (Transport Requirements of New Development) requires proposals to provide safe access to roads of adequate standard within the route hierarchy and, unless the special need for and benefit of a particular development would warrant an exception, not derive access directly from a National Primary or County Route. Taunton Deane Local Plan Policy S1 (a), (General Requirements for development), EN12 (Landscape Character Areas).

ASSESSMENT

The Landscape Officer has not objected to the removal of the roadside hedge and the formation of the access subject to the filling in of the existing access onto Stoke Road. The County Highway Officer considers that the unauthorised access is substandard but has confirmed that he considers it a safer access than the existing. The applicant has been asked to amend the application in line with County Highway Standards. The applicant has agreed to remove the existing gate and replace it with a pole that would open inwards but has declined to amend the size of the access due to the additional cost and time.

The access crosses an open ditch that the applicant has piped. In order to do this he has cleaned and widened the ditch either side of the access. The County Highway Authority has expressed some concern that this pipe is not large enough for the purposes. Additional information has been requested to assess the situation in more detail. In view of the improved access, in comparison to the existing, Proposal considered acceptable

RECOMMENDATION

Permission be GRANTED subject to conditions of new gates to be erected, visibility splay.

REASON(S) FOR RECOMMENDATION:- The access provides a safer entrance/exit into the field than existing in accordance with the requirements of the Somerset and Exmoor National Park Structure Plan policy 49 and Taunton Deane Local Plan policy S1(A).

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:

26/2005/003

MR & MRS N HOLLINGSWORTH

**ERECTION OF SINGLE STOREY EXTENSION AT REAR OF 3 COURT COTTAGES,
NYNEHEAD AS AMENDED BY PLAN NO. AS/05/NH-02/P1 REV B RECEIVED 15TH
JUNE, 2005**

13747/22871

FULL PERMISSION

PROPOSAL

The proposal provides for the erection of a single storey extension to the rear of the existing dwelling. The materials are to match the existing, brick and slate. The accommodation is to provide a breakfast area adjacent to the existing kitchen. The proposed extension projects from the existing dwelling by 3.5 m and is 3.1 m in width. The height to eaves is 2.4 m and to the highest point of the roof, adjacent to the dwelling, 3.7 m.

CONSULTATIONS AND REPRESENTATIONS

PARISH COUNCIL although this proposal has no wider impact beyond Court Cottages, the Council has serious concerns about the issues raised by the owner of 2 Court Cottages and asks the Planning Authority to consider these carefully. Our consideration of the proposals was not made easier by the plans, which do not show the adjoining property and are inconsistent in the way the proposals are shown, e.g. the roof light shown on the plan but not on the elevation.

ONE LETTER OF OBJECTION has been received raising the following issues:- the height of the proposed wall and proximity to kitchen window will significantly reduce the amount of light to kitchen which is already a fairly dark room; no proposals made to accommodate existing drains (which pass under the position of the proposed extension), which are not shown on either existing or proposed plans; the location map is inaccurate; first floor and rear elevation plans are either wrong or misleading; there are restrictive covenants prohibiting any development that takes light or air from neighbours - this proposal will do both; a roof light would send both kitchen smells, sound and light up to the roof light (omitted from plans) in bedroom, which is directly above the extension of the second floor; not been kept informed of application; removal of window arch at ground floor level to widen the connection between the existing kitchen and the proposed extension could adversely affect the structural integrity of the building, which already has settlement cracks; should be a satisfactory agreement in place to pay for any remedial works that may be needed; the plans take no account of the way this pair of cottages is divided internally - neighbouring property occupies the whole of the top floor that is affected by these proposals; fail to see how interests can be adequately represented without details of the internal party walls being available, both to planning and building control; the way the accommodation is subdivided should be taken into account when considering the proposals.

POLICY CONTEXT

Policy S1 of the Taunton Deane Local Plan includes general requirements for new developments. Policy S2 of the same plan provides guidelines for the design of new developments. Policy H17 states that 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. I consider that the proposal meets with these criteria.

ASSESSMENT

The amended plans delete the roof light. A number of the issues raised by the neighbour, e.g. structural stability, building control and restrictive covenants are not planning considerations. Conditions are recommended removing permitted development rights for any further windows and requiring the submission of any details of extraction from the extension. A previous permission for a two-storey extension and relocated conservatory was granted in 2002 and has been implemented. Due to this previous extension having been carried out, the applicant's permitted development rights have been used up. Otherwise the proposal would have comprised permitted development. An advisory note is recommended with regard to the possibility of building over any sewer. It is considered that the submitted plans are adequate to appropriately assess the proposal. The proposal is considered to be acceptable subject to conditions.

RECOMMENDATION

Permission be GRANTED subject to conditions of time limit, materials, details of any extraction from kitchen/breakfast and removal of GPDO rights for further windows. Notes regarding building over public sewer and compliance.

REASON(S) FOR RECOMMENDATION:- The proposal is considered not to harm visual or residential amenity and is therefore considered to be acceptable and, accordingly, does not conflict with Taunton Deane Local Plan Revised Deposit Policies S1, S2 and H17.

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:

27/2005/009

MR & MRS B STEVENSON

ERECTION OF EXTENSION ABOVE STUDY AND GARAGES AT WILLOW GARDENS, HILLCOMMON AS AMENDED BY PLANS RECEIVED 7TH JULY, 2005 AND ADDITIONAL INFORMATION RECEIVED 7TH JULY, 2005

14912/26061

FULL PERMISSION

PROPOSAL

Willow Gardens is one of a pair of dwellings constructed in the early 1990's on the southern side of the B3227 in Hillcommon. These properties have garage and parking areas to their fronts and are set behind a substantial stone wall. Other dwellings in Hillcommon are generally located right up to the back edge of the footpath. The application proposes to erect an extension over an existing double garage, which is to the front of a detached property at Willow Gardens. Stanley Villas is to the east, and Willow Fields to the west. It is proposed to have windows in the east, west and northern elevations. The proposed windows facing Willow Fields are at a distance of approximately 19 to 22 m away from the actual dwelling over the parking/manoeuvring areas. The window facing 2 Stanley Villas is 3 m from the boundary, and its side extension is about 5.5 m away, with windows on its side elevation.

The plans have been amended to omit the 'normal' window and insert a high level window, with Velux windows in the bedroom and en-suite . The applicant has submitted a letter with an explanation of the needs of the family, especially relating to the requirements of a child with a disability and children of different sexes sharing a bedroom. The letter explains why an extension to the rear would not be appropriate, as the needs relate to bedroom space rather than reception room need.

CONSULTATIONS AND REPRESENTATIONS

PARISH COUNCIL concerned that windows on both sides of the new extension are overlooking the neighbouring property and thus depriving them of their privacy, perhaps an extension on the south side should be considered.

ONE LETTER OF OBJECTION has been received raising the following issues:- the extension is too large; loss of light and privacy from first floor sitting room, Willow Gardens was designed with this in mind; the roofscape is interesting, the proposed roof is a box; loss of view; overbearing wall and roof; If approved, any window should be obscure glazing, high level or roof lights.

POLICY CONTEXT

S1 General requirements, S2 Design and H 17 Extensions to dwellings.

ASSESSMENT

The building as proposed comes forward of the main bulk of the existing dwelling, the roofline is below the level of the main house. The windows on the western elevation are not considered to be overlooking, however the window facing east as originally shown was not acceptable. The amended plans showing a high level window facing east, with Velux windows to the bedroom and en-suite, are considered acceptable. I do not consider that an extension to the south of the main house would be preferable to that currently suggested. It is not considered that the proposed extension would be overpowering on the neighbour, or would result in significant loss of light. Whilst the existing roof's eave does have interest, the proposed roof is similar to many others and considered to be acceptable. The proposal is considered to meet the criteria set out in H17, now that the east facing window is high level.

RECOMMENDATION

Subject to no further representations raising new issues by 1st August, 2005, the Development Control Manager in consultation with the Chair be authorised to determine and permission be GRANTED subject to conditions of time, materials on form, no other windows facing east.

REASONS FOR DECISION:- The proposal is considered to accord with Taunton Deane Local Plan Policies S1, S2 and H17 subject to conditions as no detriment would be caused by the proposal.

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:

38/2005/213

RICHARD HUISH COLLEGE

ERECTION OF INFLATABLE SPORTS HALL ON TENNIS COURTS AT RICHARD HUISH COLLEGE, SOUTH ROAD, TAUNTON, AS AMENDED AND AMPLIFIED BY AGENT'S LETTERS, PLANS, PHOTOGRAPHS AND E-MAILS RECEIVED 14TH JUNE 2005, 16TH JUNE 2005 AND 29TH JUNE 2005

23424/23737

FULL PERMISSION

PROPOSAL

The proposal is for the erection of an inflatable sports hall on the tennis courts of Richard Huish College. The College has plans for a third phase of development, which will include a brick built sports hall. The current proposal is an interim strategy, to meet the needs of the College during the period leading up to the erection of a permanent structure. Ideally the College would like the inflatable hall for a 10-15 year time period, however, they are agreeable to a temporary 5-year consent. The College is adjacent to a Conservation Area and there is a public footpath adjacent to the application site. The proposed structure has dimensions of 37 m x 27 m and has a maximum height of 10.2 m. The hall is manufactured from polyester. An inflation/heating plant is required in order to keep the hall inflated at all times, this being sited on the south east elevation of the structure (82 m from the nearest dwelling). The upper section of the inflatable hall is to be coloured white and the details of the colour of the lower portion are yet to be agreed. It is recommended that this matter be dealt with via planning condition. A 2 m high chain link/wire mesh fence is proposed around the hall. At its nearest point the sports hall would be 24 m from the rear boundaries of the dwellings to the northwest, and 44.5 m from the nearest house itself. The College are proposing additional landscaping to help screen the hall and are also willing for a condition to be imposed, stipulating that the hall will not be used or internally illuminated after 9 pm.

CONSULTATIONS AND REPRESENTATIONS

THE RIGHTS OF WAY OFFICER the footpath will not be affected by the development. LANDSCAPE OFFICER there is good screening at low level provided by the by the boundary hedgerow form the adjacent public footpath which, with some hedgerow 'gapping up' and additional tree planting, could be improved. If the above measures are taken and the colour of the inflatable are chosen to match the existing building materials it should be possible to soften the impact of what will be an alien structure. ENVIRONMENTAL HEALTH OFFICER recommends the following condition regarding noise: "Prior to the commencement of any development works, the applicant shall, at his own expense, appoint a suitably qualified acoustics consultant with a remit to examine the premises/land and identify what measures, if any, may be necessary to ensure that noise nuisance to neighbouring premises will not be caused. The consultant shall submit a written report to the Planning Authority which shall detail all measurements taken and results obtained, together with any sound reduction scheme

recommended and the calculations and reasoning upon which any such scheme is based. Such report is to be agreed, in writing, by the Planning Authority prior to the commencement of development works".

LETTERS/E-MAILS OF OBJECTION AND REPRESENTATION have been received from 6 interested parties (including 3 Councillors) as well as a letter from a Child Psychiatrist outlining the effects the proposal would have on the child of an objector. The issues raised are as follows: The site is used as tennis courts. The proposal for a large structure means a change of use and a spoiling of a pleasant, open green field; though presented as temporary building the submission stipulated that the building would be in place for 10-15 years. This is not a temporary building but effectively, a permanent one. The spoiling of the site is likewise permanent; the development would also represent an intensification of use. An infrequently used tennis court would become a larger facility, used daily, by more people; the facility would by use of artificial light further intensify the usage of the site by extending its hours of operation late into the night. The numbers of people moving round the site would increase as would nuisances of vehicular noise and pedestrians; the building is on a massive scale, out of keeping with surrounding buildings and an over development of the site. It would almost double the surface area of the main college buildings, and would be overbearing to neighbouring properties, totally dominating the houses and gardens as it would be sited only a few feet from their boundary fences; loss of natural light; those living opposite the college and users of South Road will be able to see it looming over the college buildings and it will be visible from far away; the synthetic materials are unsympathetic to either the surrounding buildings or the fields beyond; the artificial light produced by the structure would change the current nature of the environment. The size of the dome would create a massive new light source, which would be at eye level on the second floor of adjacent houses. The light pollution would also make the structure visible on a far wider scale, negatively affecting the eye line of houses and walkers not in the immediate vicinity and who will not have been consulted on the proposal; the materials are also not of the same standards as those of a permanent building. The structure would be an eyesore from the outset, but also its deterioration would be more rapid than a permanent building. Consequently the extent to which it would degrade the area would increase over time; the building requires a generator or compressor to constantly fill the hall with air. Air halls require the services of this generator 24 hours a day, 365 days a year, even when the hall isn't being used. The generator will need to be of a powerful nature, while the intended location and the sheer scale of the proposed structure is such that the generator will necessarily be close to 2 metres high, brick walled buildings, causing the reverberation and amplification of the generator noise. All these factors mean that regardless of any subsequent restrictions on usage the building will be a constant source of sound pollution of the most persistent and aggravating sort from both the generator and the air expulsion fans and will render neighbouring gardens unusable for normal family leisure activities. This will have an effect on students as well as us. This noise nuisance will be particularly problematic at night; loss of outlook; loss of view. The blocking of views will represent a diminishing of the environment, a more closed in sensation not only for residents but for the users of the college itself and walkers who use the adjacent footpath; even if there were no pleasant view threatened, the introduction of an unpleasant one in the shape of the proposal is itself a worsening of our outlook and an eyesore for others; my son is autistic and I enclose a separate

letter from Child Psychiatrist Dr Alan Cockett to explain how autistic children cannot block out background light and sound, and how this can adversely affect their health and schooling, and therefore the schooling of others in their classes, as well as the extra strain on us in having to care for him. Indeed the effect on our son is the most acute and unsustainable version of what we would all suffer having a persistent, overbearing, source of noise, light and traffic a few feet from our windows day and night; I do not believe the amendments change the fundamental deficits of the plan. Firstly, the applicant suggests that the proposed structure could occupy the site for a shorter period. This is a source of confusion rather than enlightenment as the college originally stated that they were unable to afford an appropriate sports hall for at least ten years. The amendment does not indicate whether at the end of the five years they would bring forward the construction of a conventional building, do without any facility, or reapply for an extension after the shorter period has elapsed. In any case, a five-year building of this kind would still be intolerable; the college suggests that the hall will stop operating at night at 9 o'clock and the lights turned out. This only confirms that the college are indeed intending to intensify the usage of the courts. This is the opposite of reassuring. Restricting the hours of operation would not in any case address the issue of constant noise pollution. The company responsible for manufacturing the air hall has already established the generator would have to continue 24 hours a day in order for it to function; the college have not thought through the consequences on their students and the cheapening effect on the campus; the proposed colours and style of the structure will be out of keeping, not blend in with the existing buildings and be unsightly; the fence around the hall will not deter local youngsters from using the structure as a bouncy castle with appalling consequences. 24-hour security presence may address this; the light pollution will render neighbouring gardens unusable for normal family leisure activities; I am concerned that the application was not publicised widely enough. Summary of the Child Psychiatrist's letter regarding the son of the owners of 5 Kings Close: "The son has a diagnosis of Asperger's syndrome, which is a severe autistic disorder and produces a number of disabilities. One of those disabilities is an intolerance of persistent sound in the environment and this has been an issue for him in the past. You explained to me how this was a problem when you lived in London and that one of the reasons why you moved to Somerset was to come to an environment where such things would not be an issue, and his behaviour has improved since he has been away from, what for him, will have been an extreme and persistent irritation. I was very concerned to hear that the proposed development, which would be right next to your house, involves a large fan which would run continuously in order to keep the building inflated. I also understand that the building will be illuminated at night and this will also have an effect on the environment around the house. I would predict that he will become disturbed these things and thus, there is a real risk that his behaviour will deteriorate again. One of the other disabilities experienced by children with Asperger's syndrome is an inability to cope with changes either in routine or environment. This development is clearly going to cause a major change in his environment and that alone is likely to cause considerable distress, which in my view should be avoided. I am therefore very happy to support you in opposing this planning application on humanitarian grounds".

POLICY CONTEXT

Policy S1 (General Requirements) of the Taunton Deane Local Plan stipulates, inter alia, that proposals should not harm the appearance or character of any area, nor should it lead to noise nuisance or any type of pollution. The thrust of this policy is compounded by Policy S2 (Design) of the same plan, which states that development should "reinforce the local character and distinctiveness of the area".

Policy C5 (Sports Facilities) of the Taunton Deane Local Plan states that improved sports facilities will be permitted provided, among other things, the site is accessible to its intended users by a range of means of transport. Policy C6 (Public Rights of Way) of the Local Plan stipulates that proposals should not unduly inconvenience the users of any footpath.

Policy EN14 (Conservation Areas) requires, inter alia, that development within or affecting a Conservation Area, will only be permitted where it would preserve or enhance the appearance or character of the area.

ASSESSMENT

The application was correctly publicised in line with the Authority's best practice on notifications.

The building is a temporary solution to the College's need for a sports hall. Ideally the College would like the inflatable hall on site for a 10-15 year time period. However, I consider that this length of time would constitute more than a temporary period. In light of this the College have confirmed that they would be agreeable to a temporary 5 year approval, which coupled with the non-permanence of the materials, is considered to reasonably fall within the definition of a temporary structure. An advisory note is recommended advising that permission is unlikely to be granted to extend the approval beyond 5 years. However, should any such application be submitted in the future it would have to be assessed on its own merits.

Whilst relatively large the proposed hall is not considered to be out of scale with the surrounding buildings or that it would constitute an over development of the site. The structure is well related to the existing complex of College buildings, and when viewed from a distance, will be seen against the backdrop of the existing buildings. The existing/proposed hedgerow planting will lessen the impact of the proposal, and a condition is recommended to maintain control over the colour of the lower section of the hall. Whilst it is acknowledged that the materials are not entirely sympathetic to the surrounding buildings, the structure is only temporary and the materials are not considered likely to deteriorate sufficiently over a 5-year period to harm the visual amenities of the locality. In light of this it is considered that the inflatable hall would not significantly harm the visual amenities of the area or its character or appearance. Furthermore, it is not thought that the proposal would unduly impact on the Conservation Area.

There is good screening at low level provided by the hedgerow adjacent to the public footpath, and a condition is to be imposed requiring supplementary planting. When viewed from the footpath the hall will be viewed against the backdrop of existing

buildings. The Rights of Way Officer has raised no objection to the proposal. Therefore, it is considered that the scheme will not significantly impact upon the public footpath.

The building will be 44.5 m from the nearest dwelling. This is considered ample distance to ensure that, in planning terms, the outlook of neighbouring properties will not be unreasonably harmed. This distance should ensure that the building is not over dominant in relation to neighbouring houses, nor should there be any significant loss of natural light.

It is accepted that the sports hall may intensify the use of the site. However, during College time, it is reasonable to expect that the existing tennis courts be in use on a regular basis. Concerns over the intensification of the use are most likely to apply to the evening/night time. To address this a condition is recommended to ensure that the inflatable hall is not used after 9 p.m.

Planning and Environmental Health legislation requires that all interested parties be treated in a fair and equitable manner. Legislation regarding what constitutes a reasonable level of noise/light are applied in a consistent manner, with the same standards applied to all parties. Therefore, whilst the Planning Authority and Environmental Health Section sympathise with the individual circumstances of the occupants of the nearby residents, these circumstances are not sufficient to override other planning considerations. Therefore, the application must be assessed against existing Planning and Environmental Health standards in terms of the potential impact of noise/light on the amenities of any interested party.

The Environmental Health Officer has recommended a condition regarding noise, which requires an acoustic consultant to be appointed to investigate the matter and identify any mitigation measures that may be deemed necessary. This should ensure that neighbouring properties are not unduly harmed by noise nuisance.

The upper section of the hall is white, which allows natural light to permeate the structure during day light hours. This means that the hall will not need to be internally illuminated during daylight. The concerns raised over light pollution are obviously most relevant during periods of darkness. The Environmental Health Officer has raised no objection on light pollution grounds and furthermore a condition is recommended to prevent the internal illumination of the hall after 9 p.m. In light of this it is not considered reasonable to object to the proposal on light pollution grounds.

Loss of an individual's view is not a planning consideration. The concerns raised over security are a matter for the College itself to address.

For the above reasons the proposal, is considered to be acceptable, on the basis that the hall will only be located on the site for a temporary 5 year time period.

RECOMMENDATION

Temporary permission be GRANTED subject to the following conditions of the hall shall be removed from the site on or before 31/7/2010, details of the colour of the lower part of the hall to be submitted and approved, an acoustics consultant be appointed to identify noise mitigation measures, a landscaping scheme to be submitted and approved, that the hall shall not be used or illuminated after 9pm; and details of the fencing to be agreed. Notes re the works should be carried out in accordance with the approved plans, and that the hall is unlikely to receive permission to be retained beyond the 5 year life span of this approval.

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:

38/2005/227

SUMMERFIELD DEVELOPMENTS (SW) LTD

RESIDENTIAL DEVELOPMENT OF 24 ONE BEDROOMED FLATS ON SITE OF DWELLING TO BE DEMOLISHED AT 5-7 COMPASS HILL TAUNTON.

22248/24281

OUTLINE APPLICATION

PROPOSAL

Residential Development of 24 One Bedroomed Flats on Site of Dwellings to be Demolished at 5-7 Compass Hill, Taunton. The site currently consists of two semi-detached two storey properties in brick with hipped slate roofs. The site lies north of the Park Street Conservation Area and given the flats development to the north of the site, it is considered suitable by the applicant for a high density residential development to maximise the potential of the site in line with government guidelines for the redevelopment of brownfield sites. The design is guided by the site which is on the one-way gyratory system where it is not feasible to provide a safe vehicular access. There is 3 storey development in the area, including Dovetail Court, and the Design Statement considers it appropriate for the new development to be three storey to maximise potential.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY have no objection in principle to the proposed development. In detail highway issues regarding this site are extremely sensitive as Compass Hill is a very busy section of the A38 running one-way downhill with a heavy traffic flow and lots of crossing movements. Consequently a development here which gained vehicular access to the onto Compass Hill would create significant highway safety hazards. I am therefore pleased to see that the redevelopment of this site does not afford vehicular access. It is therefore acceptable. Compass Hill at this point narrows and it would be beneficial for a minor road widening to take place, generally in accordance with the enclosed drawing. This sets back the carriageway edge a maximum of 1.5m and will allow for additional manoeuvring space and lane width through the narrowest area. the construction of dwellings on this site will also be a complicated issue and traffic management must be undertaken with immense care. The developer will therefore be required to enter into a Section 278 or 106 Agreement with the Highway Authority to ensure the design construction and funding of the road widening and replacement of the roadside footway, together with agreeing a programme of works both for the highway alterations and the construction of the development on site insofar as that affects the public highway. It is necessary for the applicant to show the development meets the Accessibility criteria as laid out in RPG10. Furthermore on the initial plans no detail of bin storage or pedestrian visibility splays are detailed. In the event of permission being granted I would recommend conditions re bin storage and pedestrian visibility. COUNTY ARCHAEOLOGIST as far as we are aware there are limited or no archaeological implications to this proposal and we therefore have no objections. WESSEX WATER there is sufficient spare capacity to serve this site and connection may be made to the combined sewer in Compass Hill. The sewerage

system is combined in this area. Surface water may be discharged to the same sewer as the foul connection but the applicant is asked to investigate using the soakaways or other Sustainable Drainage solutions to keep the volume and rate of discharge to a minimum. Flow calculations will be required. In line with Government protocol the applicant is advised to contact Developers Services to see if any drainage systems can be adopted under a Section 104 Agreement. CIVIC SOCIETY welcomes the development of any starter, affordable or small-scale accommodation in the town centre. We accept that housing densities in the country have generally been very low and that much higher densities are desirable. On this site which is a traffic island, and one of the busiest in Taunton, we feel the proposal would result in an unacceptable over-development. Our principle objection is the lack of provision for access and servicing. How are residents to take deliveries of large goods, etc? How is waste to be collected in the context of more complex recycling procedures now being introduced? (We also doubt there is adequate space for the large number of bins and containers entailed in the new recycling process). Our second objection is that it is unrealistic to expect 24 small households to require no parking spaces. Quite apart from the very real needs of people to own their own transport, exacerbated by the poor public transport within Taunton and Somerset generally, what are visitors and tradespeople calling to do? The lack of any off-road parking/servicing space must create a potential for traffic problems and accidents in an already congested and accident prone area. We would also note that there is no current safe pedestrian access for anyone living on Compass Hill. Adding 20 to 40 or so more residents just increases the probability of casualties. A more modest proposal with adequate servicing space might be supportable, although it causes the loss of two pleasant houses. From an aesthetic point of view we consider the arrangement of blocks on this confined site unsightly. It might be argued that since buildings with few architectural merits such as Dovetail Court (which fortunately is virtually invisible from the street) have already been erected on Compass Hill that the appearance does not matter, but these blocks standing well towards the higher end of the slope will be very visible. There will be considerable visual impact from the circulating road, the Trull Road, the flats opposite and for the residents of the upper end of Cann Street.

LANDSCAPE OFFICER the site is locally prominent and the trees on it make a valuable contribution to the local street scene, however because of structural (tree) problems none are of sufficient amenity value to warrant a TPO. The proposals provide limited opportunity for landscape mitigation and given the local importance of the site my view is the site is being overdeveloped. There should be scope for a good quality street frontage with wall, railings and shrub and tree planting, as well as tree planting at the rear of the site to soften the impact from neighbouring properties. RIGHTS OF WAY OFFICER no observations. PLANNING POLICY as a site in central Taunton that is currently in residential use and is surrounded by other residential properties the proposal is acceptable in principle. Two significant policy issues in relation to the proposal are affordable housing and parking. On the first of these, the proposal falls just below the current site size threshold of 25 at which affordable housing will be sought. In view of the extremely high density proposed and only achieved through the inclusion of one-bedroomed dwellings it is reasonable to accept that the site is not capable of accommodating 25 or more units. The Government has consulted on a proposal to reduce the threshold to 15 dwellings and the Council has decided that if this change is confirmed by the Government it will be implemented with immediate effect. If the threshold is reduced an element of affordable housing should then be sought from the

site. The developer should be advised that this will be the case if the threshold changes before the application is determined. As far as the issue of parking is concerned the principle of a car free development in this location would appear to be appropriate, and may even be a pre-requisite in view of the conditions on the adjoining highway at peak times. LEISURE DEVELOPMENT MANAGER a contribution towards local recreational facilities in line with Local Plan policy should be sought. HOUSING OFFICER there is a proven need in the area but unfortunately the provision of 24 falls below the present affordable housing 'trigger' level.

9 LETTERS OF OBJECTION have been received raising the following issues:- overpowering and too close to Dovetail Court; overlooking; loss of privacy and natural light; loss of view; increase in noise; loss of trees; Council advice note support their retention; trees help alleviate pollution and reduce high volume of noise; three storey high blocks here would dominate the skyline unless properly screened and two storey would be more appropriate; it will affect drainage of foul and surface water; lack of parking; no plan for landscaping; query disabled access; dangerous development on main road; development is too big and will destroy attractive family homes; 24 flats is inappropriate; vehicle setting down and picking up would be dangerous; problem of servicing and visitor access; increase in parking in surrounding area; appearance on Compass Hill will be significant as will the impact on Cann Street with 3 storey flats closer than the houses; remaining gardens are important 'green lungs' and sanctuaries for wildlife; it is unrealistic to suppose purchasers will not have cars.

POLICY CONTEXT

RPG10 Regional Planning Guidance for the South West.

Somerset and Exmoor National Park Joint Structure Plan Review Policies STR1 Sustainable Development, STR4 Development in Towns, POLICY 9 The Built Historic Environment, POLICY 33 Provision For Housing, POLICY 37 Facilities for Sport and Recreation, POLICY 39 Transport and Development, POLICY 48 Access and Parking, POLICY 49 Transport Requirements of New Developments.

Taunton Deane Local Plan Policies S1 General Requirements, S2 Design, H2 Housing within Classified Settlements, H4 Self-contained Accommodation, M4 Residential Parking Requirements, M5 Cycling Provision, C4 Standards of Sport and Recreation Provision, EN6 Protection of Trees, Woodlands, Orchards and Hedgerows, EN8 Trees in and Around Settlements, EN14 Conservation Areas, T33 Taunton Skyline.

ASSESSMENT

The proposal is for the redevelopment of an existing housing site to provide 24 one-bedroomed flats on 0.1075 ha currently occupied by two dwellings. The main

considerations are the design and suitability of the site, landscape impact and access for servicing provision.

The site lies within the central area of Taunton and is considered suitable in terms of a car free development. This view is supported by the Highway Authority given that the site lies off the one way system where access for vehicles would be dangerous where there are 3 lanes of merging traffic. Hence the proposal is for one bedroomed units in 3 storey form within the site without any parking. There are other examples of three storey development in the adjacent area and the provision of three storey blocks on this site are not considered to be out of character. The precise design and layout of the blocks is reserved for subsequent approval, however subject to the detailed design to avoid direct overlooking and levels details, the principle of three storey development here is considered to be acceptable and in compliance with policy S2 and not to detrimentally affect the skyline.

There are a number of trees within the existing site and these have been assessed by the Council's Landscape Officer. None are considered worthy of a TPO, however it is considered that replacement planting should be provided to mitigate the loss in line with policies EN6 and EN8 and it is considered that this can be achieved on site and can be conditioned into any reserved matters application.

There has been a request from the Highway Authority that a strip of land across the site frontage be incorporated into highway width improvements. The applicants are agreeable to this and it is still considered possible to design a development with defensible space and planting on the frontage. The site proposal has no access other than a pedestrian one and this is not unlike other developments in the adjacent Park Street. Adequate bin and cycle store provision will be required and be subject to conditions. A means of providing a servicing bay on the road frontage is being investigated, however such provision cannot be provided for within the site in addition to the road widening scheme as this would fatally compromise the scheme proposed. The provision of a layby within the frontage is currently being considered in safety terms by the Highway Authority.

In summary the site is a suitable one for car free development within the town centre. The provision of 3 storey development here is considered to be in keeping with the character of the area and subject to detailed design would not adversely affect the amenity of neighbours or the visual amenity of the street scene. The site is an urban one and the provision of landscaping to mitigate the loss of trees is considered acceptable. The initial lack of service layby on the frontage is not considered sufficient in itself to warrant refusal of the application given that there are other premises in the area that do not have such a facility. The application is considered a high density urban development in line with government guidance for the reuse of brownfield sites and is recommended for approval.

RECOMMENDATION

Subject to the applicants entering into a Section 106 Agreement to provide a Sport and recreation contribution 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, reserved matters, drainage, levels, materials, sample brick panel, window details, landscaping, tree retention, tree protection, boundary treatment, no occupation until road widening scheme carried out, bin stores, cycle parking, combined aerial, meter boxes. Notes re design, Wessex Water connection

REASON(S) FOR RECOMMENDATION:-The proposal is considered to comply with Taunton Deane Local Plan Policies S1, S2, H2, H4, M4 and C4 and material considerations do not indicate otherwise.

If the Section 106 is not signed by 22nd August, 2005 the Development Control Manager be authorised to REFUSE permission as contrary to Taunton Deane Local Plan Policy C4.

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:

38/2005/248

MR M TUCKER

**ERECTION OF TWO DWELLINGS ON LAND TO REAR OF 99/101 STATION ROAD,
TAUNTON.**

22673/25287

OUTLINE APPLICATION

PROPOSAL

The proposal seeks the erection of two flats on land 8.5 m by 17 m to the rear of 99/101 Station Road. The site is to be accessed from a single-track roadway serving various properties. The site is within 1-10 m of the rear of the existing properties in Station Road. These properties have various uses at ground floor level including Chinese takeaway and dental lab, both with residential above. To the north of the site is a Chinese restaurant that runs along the corner of Whitehall and Station Road. A 1 m gap between these buildings would be retained for pedestrian access to the rear of 101 Station Road. To the south of the site there is an access to a parking area to the rear of 93-95 Station Road with a residential unit, Penny Cottage beyond. Opposite the site there are commercial properties used as a funeral directors and roofing company.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY - the site is within a sustainable transport area of Taunton and it is not essential to provide parking in these areas. The applicant does not own or have control over the access and this would be essential to allow the homes to be accessed. I would recommend the refusal of the application on this basis. If an access can be provided then I would have no objection, subject to a condition for a fully lockable cycle parking facility.

ENVIRONMENTAL HEALTH OFFICER views awaited.

7 LETTERS OF OBJECTION have been received raising the following issues: parking in Whitehall is already difficult and the added burden of cars from this development would make parking near impossible; the proposed development would be an eyesore; these houses will not be needed when the Firepool development goes ahead; the red-brick would be out of keeping and should be stone; the site currently provides parking in Whitehall which is already oversubscribed; the houses would have the proportions of two large postage stamps and would back on to 2 Chinese food outlets, 1 fish and chip shop and a cafe leading to a nasty smell for those living in the new properties; extra parking in Whitehall will reduce the width of the road making it difficult for emergency access should the need rise.

POLICY CONTEXT

Taunton Deane Local Plan Policies S1 General Requirements Criteria; S2 Design; H2 Housing within Classified Settlements; H4 Self-Contained Accommodation; M4 Residential Parking Requirements.

ASSESSMENT

The proposal has been reduced to a smaller building providing 2 flats each with a reduced level of accommodation. This would avoid overlooking of the rear of existing flats and properties and result in a layout and design better suited to the site. Objections have been received to the loss and lack of parking associated with the development of the site. Policy M4 does not require parking spaces for development within the Central Area of Taunton. The proposal does not provide car parking but would provide cycle parking as required by Policy M4. The site would provide an opportunity for a small development that would complement the area and I consider the proposal to be acceptable.

RECOMMENDATION

Subject to the receipt of no further letters of objection raising new issues by the 2nd August 2005, 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, materials, obscure glazed windows, cycle parking. Notes re disabled persons, energy/water conservation, lifeline homes, meter boxes.

REASON(S) FOR RECOMMENDATION:- The proposal would constitute infilling within an existing settlement limit in accordance with Taunton Deane Local Plan Policies S1, S2, H2, H4 and M4.

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:

PLANNING COMMITTEE – 27 JULY 2005

Report Of The Sports Services Manager

MISCELLANEOUS REPORT

38/2000/237 - ERECTION OF 144 DWELLINGS AND ASSOCIATED ROADS AND OPEN SPACE, TAUNTON VALE SPORTS CLUB, LISIEUX WAY, TAUNTON

Background

The Planning Committee approved the above application in April 2001.

The plans indicated the position of five play areas on the above site. Four of the play areas were to be Local Equipped Areas For Play (LEAP's) and one was to be a Neighbourhood Equipped Area for Play (NEAP), the latter being larger, for older children and with more pieces of equipment than the former.

Persimmon Homes completed the NEAP and two of the LEAP's by the end of 2004, although none of the areas are as yet adopted.

In addition Persimmon Homes had entered into a 'Section 106' agreement with the Council to provide £48,456 towards an extension to the Hamilton Gault Pavilion, a nearby sports pavilion serving three football pitches but with only four changing rooms.

On pricing the proposed extension to the pavilion it was evident that there were insufficient funds to carry out the necessary extension and at the same time the '2 year time limit' on the S106 agreement was due to expire. In negotiations regarding an extension of time for the funds to be spent, Persimmon Homes suggested that they could supplement the funds available for the Hamilton Gault project should they not be required to construct the remaining two play areas on the Boundary Park development.

TDBC Play Provision Guidelines

The Council's current Local Plan Policy (C4) for play provision is 20 square metres of play space per family dwelling. On this basis five play areas were required on the Boundary Park site.

Since this time, the Council has developed a Greenspaces Strategy, which included work on the reasonable and actual walking distance from a child's home to a play area. This was calculated at 300 metres.

The outcome of this is that a site such as Boundary Park with its high density development, would today only be asked to provide sufficient equipped play

areas to ensure that every home is within 300 metres walking distance of one. In this instance, two play areas would be required.

The area of open space on which a play area would have been located is still provided for casual recreation, but it does not have to be equipped as a formal play area.

The Revised Options

A cost of £53,500 has been agreed as the value of the outstanding play areas and it was decided that a consultation exercise would be carried out with neighbours living closest to the proposed play areas to seek their views as to the best option.

45 questionnaires were circulated and 34 replies were received. Of the replies, 28 respondents wished the proposed play spaces to be left as grass for casual recreation, 2 respondents wanted to see the areas installed as planned, one respondent wished for one area to be used as a play area but the other left as grass whilst a further respondent wanted the areas to be converted into car parking spaces!

Two further responses were received which were detailed and extensive but drew no firm conclusions.

The questionnaire asked householders to indicate how many children were in the household but the results showed that even the vast majority of those with children in the household felt that there were already sufficient play areas on the development.

Conclusion

Whilst the original plan for five play areas on this site was well intentioned it is clear, following a consultation exercise, that residents feel that there are already sufficient play areas on the development and that they would prefer the proposed play areas to remain as open space.

As a result of negotiations with the developer this Council would have a total of £101,956 to fund improvements to sports and leisure facilities in the immediate area for the benefit of the wider community.

Recommendation

It is RECOMMENDED that the S106 Agreement of the 31 May 2000 and made between Taunton Deane Borough Council (1) Beazer Homes (2) Taunton Vale Sports Club (3) and Somerset County Council (4) be varied such that the obligation to provide two play areas on site be replaced by the obligation to pay a sum of £101,956 to be used to provide/enhance sports and play facilities in the vicinity of the development.

Contact Officer: Steve Hughes; Tel. 01823 356389 or e-mail
s.hughes@tauntondeane.gov.uk

PLANNING COMMITTEE – 27 JULY, 2005

Report of the Development Control Manager

MISCELLANEOUS ITEM

10/2003/018 DEMOLITION OF AGRICULTURAL BUILDING AND ERECTION OF DOMESTIC GARAGE TO BE USED IN CONNECTION WITH FORMER BARN TO BE CONVERTED TO DWELLING (POUND HOUSE), TRENTS FARM, ROYSTON ROAD, CHURCHINFORD

1.0 PURPOSE OF REPORT

- 1.1 To seek approval under the minor amendment procedure for the approved garage to be turned through ninety degrees.

2.0 PLANNING HISTORY

- 2.1 Planning permission for the demolition of the existing agricultural building and its replacement with a garage block was granted planning permission on 11th September, 2003.
- 2.2 Planning permission 10/2005/004 was granted earlier this year for a revised conversion and extension of the barn, called The Pound House.

3.0 PROPOSAL

- 3.1 The applicant has requested a minor amendment to turn the garage through ninety degrees so the ridge lines up with the proposed extension and thus create more of a courtyard area.
- 3.2 Parish Council comments that the Council is strongly opposed for reason of modifications of this nature are out of character with the site. The Council wonders how many more times the same 'barn' can be the subject of a planning application. This is yet another contradiction to your guidelines, to everything you said on your recent visit to Churchstanton and, possibly, a precursor to a further application for additional building.

4.0 ASSESSMENT

- 4.1 The rotation of the previously approved garage block through ninety degrees is not considered to adversely affect the character of the proposed barn conversion on the site. No neighbouring amenity is affected by the change and the alteration is considered an acceptable one.

5.0 RECOMMENDATION

- 5.1 That the minor amendment be APPROVED.

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

CONTACT OFFICER: Mr G Clifford. Tel: 356398

PLANNING COMMITTEE – 27 JULY, 2005

Report of Development Control Manager

MISCELLANEOUS ITEM

ENGLISH HERITAGE BUILDINGS AT RISK REGISTER 2005

1.0 PURPOSE OF REPORT

1.1 To advise Members of the above publication, which can be inspected in the Heritage and Landscape office.

2.0 BACKGROUND

2.1 English Heritage has published an annual Register of Buildings at Risk in England, since 1999. The Register includes Grade I and Grade II* listed buildings and structural scheduled Ancient Monuments at risk.

3.0 SUMMARY OF DATA IN THE 2005 REGISTER

3.1 England has 30,491 buildings or groups of buildings listed Grade I and II*. Nationally, 34% of these are included in the Register.

3.2 91 entries from the 2004 Register have been removed, as their future has been secured but 58 entries have been added.

3.3 During 2004/2005 English Heritage offered grant aid towards 68 buildings at risk, totalling, £4.3 million.

4.0 SUMMARY OF ENTRIES FOR SOMERSET

<u>District</u>	<u>Grade I</u>	<u>Grade II*</u>	<u>SAM</u>
Mendip	1	7	-
Sedgemoor	1	2	-
South Somerset	-	3	-
Taunton Deane	1	3	-
West Somerset	-	1	2

5.0 BUILDINGS INCLUDED IN THE REGISTER, IN TAUNTON DEANE

Sandhill Park, Bishops Lydeard	Grade II*
Gatehouse at Cothelstone Manor, Cothelstone	Grade I

Cloth Finishing Works at Tone Mills, North
Range, Langford Budville

Grade II*

Tonedale Mills (west complex), Wellington

Grade II*

CONTACT OFFICER: Diane Hartnell Tel: 356492

PLANNING COMMITTEE – 27 JULY, 2005

Report of the Development Control Manager

ENFORCEMENT ITEM

Parish: Taunton

1. **File/Complaint Number** 38/2005/144 - E49/38/2005
2. **Location of Site** Taunton Motor Co Ltd, Priory Bridge Road, Taunton.
3. **Names of Owners** Taunton Motor Co Ltd,
4. **Names of Occupiers** Taunton Motor Co Ltd,
5. **Nature of Contravention**

Erection of timber buildings for storage purposes

6. **Planning History**

The structures came to our attention on 14 February, 2005. A site visit was carried out and it was assessed that the structures required planning permission.

The owner was contacted and a retrospective planning application was submitted on 29 March, 2005. The application was subsequently refused under delegated powers on 16 May, 2005. No appeal against the decision has been lodged and the structures remain on site.

7. **Reasons for taking Action**

It is considered that the structures, by reason of their design and appearance are out of keeping with the area and have a serious impact on the visual amenities of the neighbouring residential properties. It is considered contrary to Taunton Deane Local Plan Policies S1 and S2.

8. **Recommendation**

The Solicitor to the Council be authorised to serve an enforcement notice and take prosecution action subject to satisfactory evidence in the event of the notice not being complied with.

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

CONTACT OFFICER: Mr J A W Hardy Tel: 356479

PLANNING COMMITTEE – 27 JULY, 2005

Report of the Development Control Manager

ENFORCEMENT ITEM

Parish: Bishops Lydeard

1. **File/Complaint Number** E427/06/2004
2. **Location of Site** 45 Venn Close, Cotford St Luke, Taunton
3. **Names of Owners** Mr & Mrs R Baker
4. **Names of Occupiers** Mr & Mrs R Baker

5. **Nature of Contravention**

Erection of fence and change of use of land

6. **Planning History**

A complaint was received on 6 December, 2004 that vegetation had been removed and a fence erected around an area of land to the front of 45 Venn Close. A visit was made to the property and the owners confirmed that they were in possession of a letter from the Council informing them that no planning permission was required for the work. Further investigation revealed that planning permission was in fact required as the development involved a change of use and the erection of a fence, all of which is restricted by a condition on the original planning permission (06/1994/018). The owners were informed that an error had been made on the initial enquiry and that an application should be submitted. However, whilst the Landscape Officer has raised concerns the Planning Officer considers that neither the impact upon neighbouring properties or the character of the adjacent open space is such as to warrant enforcement action and any retrospective application submitted would likely to be viewed favourably. To date no planning application has been received.

7. **Reasons for taking Action**

It is not considered that the area of land in question has been visually harmed and the fencing is of an acceptable design therefore in the event of no planning application having been submitted, no further action will be taken to regularise the situation.

8. **Recommendation**

That no further action be taken over the change of use of land and the erection of a fence.

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

CONTACT OFFICER: Mrs A Dunford, Tel: 356479