



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 7TH SEPTEMBER 2005 AT 17:00.

(RESERVE DATE : MONDAY 12TH SEPTEMBER 2005 AT 17:00)

AGENDA

1. Apologies
2. Minutes of the meeting of the Committee held on 17 August 2005 (TO FOLLOW).
3. Public Question Time
4. BRADFORD ON TONE - 07/2005/019
ERECTION OF FIRST FLOOR EXTENSION OVER EXISTING GARAGE AT FAIRFIELD, BRADFORD ON TONE
5. CREECH ST MICHAEL - 14/2005/029
ERECTION OF DWELLING ON LAND TO SOUTH OF TREHOOT, NORTH END, CREECH ST MICHAEL AS AMENDED BY APPLICANTS PLANS RECEIVED 15TH JULY, 2005
6. CREECH ST MICHAEL - 14/2005/034
ERECTION OF SINGLE STOREY EXTENSION AT 1 KENDALL CLOSE, CREECH HEATHFIELD
7. KINGSTON ST. MARY - 20/2005/012
ERECTION OF 13 LOG CABINS FOR HOLIDAY LET AT LAND AT MILLFIELD NURSERY, PARSONAGE LANE, KINGSTON ST MARY AS AMENDED BY APPLICANTS LETTER DATED 18TH JULY, 2005 AND FLOOD RISK ASSESSMENT REPORT AND AMPLIFIED BY APPLICANTS E-MAIL RECEIVED 24TH AUGUST, 2005
8. NORTON FITZWARREN - 25/2005/021
ERECTION OF SINGLE STOREY EXTENSION TO REAR, 2 STEMBRIDGE WAY, NORTON FITZWARREN
9. STOKE ST GREGORY - 36/2005/015
ERECTION OF 7 DWELLINGS TO MEET LOCAL HOUSING NEEDS ON LAND AT POLKESFIELD, STOKE ST GREGORY
10. STOKE ST GREGORY - 36/2005/016
ERECTION OF VILLAGE HALL, DARK LANE, STOKE ST GREGORY.
11. STOKE ST MARY - 37/2005/010
REMOVAL OF CONDITION 05 OF PLANNING PERMISSION

37/95/001 TO ALLOW FOR RESIDENTIAL USE AND ERECTION OF 2M HIGH FENCE/WALL AT BARN ADJOINING ORCHARD BARN, BROUGHTON LANE, SHOREDITCH.

12. TAUNTON - 38/2005/265
ERECTION OF DWELLING TO REAR OF 26 STOKE ROAD, TAUNTON
13. TAUNTON - 38/2005/295
ERECTION OF SINGLE STOREY DWELLING ON LAND TO REAR OF 36-40 WELLINGTON ROAD, TAUNTON AS AMENDED BY AGENTS LETTER DATED 17TH AUGUST, 2005
14. TAUNTON - 38/2005/296LB
DEMOLITION OF PART OF BOUNDARY WALL AND TWO GARAGES, AND ERECTION OF NEW FENCING TO ALLOW FOR ERECTION OF DWELLING TO REAR OF 36-40 WELLINGTON ROAD, TAUNTON AS AMENDED BY AGENTS LETTER DATED 17TH AUGUST, 2005
15. TAUNTON - 38/2005/299
CONVERSION OF FORMER PUBLIC HOUSE AND CREATION OF BUILDING ON LAND ADJOINING TO FORM 4 CLASS A1 (RETAIL) UNITS, 4 CLASS A2 (FINANCIAL AND PROFESSIONAL SERVICES) UNITS, 2 CLASS A3 (RESTAURANT) UNITS AND 14 RESIDENTIAL APARTMENTS TOGETHER WITH ACCESS AND PARKING, FORMER FOUR ALLS PUBLIC HOUSE AND CASTLE MOAT CHAMBERS, CORPORATION STREET AND BATH PLACE, TAUNTON AS AMENDED BY DRAWING 0451/12BB ATTACHED TO AGENTS LETTER DATED 4TH AUGUST, 2005 AND TRANSPORT ASSESSMENT RECEIVED UNDER COVER OF PETER EVANS PARTNERSHIP LETTER DATED 8TH AUGUST, 2005
16. TAUNTON - 38/2005/322
DEMOLITION OF EXISTING HOUSE AND REPLACEMENT WITH BUILDING COMPRISING 10 UNITS FOR PEOPLE WITH SPECIAL CORE NEEDS, 12 MOORLAND CLOSE, TAUNTON AS AMENDED BY LETTER DATED 26TH AUGUST, 2005 WITH ATTACHED PLAN NOS. 2904/6A, 5A AND 3C
17. TAUNTON - 38/2005/323
DEMOLITION OF BUILDING AND ERECTION OF 13 FLATS OF ONE AND TWO BEDROOM AT 46 ST JAMES STREET, TAUNTON AS AMENDED BY LETTER DATED 26TH AUGUST, 2005 AND PLAN NOS. 1499/02 REV A AND 03 REV A
18. WIVELISCOMBE - 49/2005/043
ERECTION OF EXTENSION TO FACTORY, REAR OF THE FORMER WILSCOMBE MELAMINE BUILDING, FORD ROAD, WIVELISCOMBE (RENEWAL)
19. WIVELISCOMBE - 49/2005/047
CONVERSION OF SPACE OVER GARAGE AND STORE TO FORM LIVING ACCOMMODATION AT 28 WEST STREET, WIVELISCOMBE AS AMENDED BY LETTER AND PLAN NO.8902A RECEIVED 8TH

AUGUST, 2005

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| 20. | E392/19/2003 - ERECTION OF CANOPY TO FRONT OF BUILDING, OLD POST COTTAGE, VILLAGE ROAD, HATCH BEAUCHAMP, TAUNTON. | Enforcement item |
| 21. | E32/38/2005 - ERECTION OF FENCE AT 38 TYNE PARK, TAUNTON. | Enforcement item |
| 22. | E66/47/2005 - ERECTION OF WALL OVER 1 METRE HIGH ADJACENT TO THE HIGHWAY AT ABBEYWOOD, WEST HATCH, TAUNTON. | Enforcement item |

The following item is likely to be considered after the exclusion of the press and public because of the likelihood that exempt information would otherwise be disclosed relating to the Clause set out below of Schedule 12A of the Local Government Act 1972.

23. PROPOSED FURTHER ACTION IN RESPECT OF THE O2 MAST AT SHOREDITCH ROAD, TAUNTON. CLAUSE 12 - LEGAL ADVICE.

G P DYKE
Member Services Manager

The Deane House
Belvedere Road
TAUNTON
Somerset

TA1 1HE

31 August 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 – 17 August 2005

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

Officers: Mr T Burton (Development Control Manager), Mr J Hamer (Area Planning Officer (West)), Mr G Clifford (Area Planning Officer (East)), Mrs J M Jackson (Senior Solicitor) and Mr G P Dyke (Member Services Manager)

No press were present at this meeting.

(The meeting commenced at 5.00 pm.)

(Councillors Clark and Lisgo arrived at the meeting at 5.37 pm and 6.01 pm respectively)

99. Apologies

Councillor Mrs Hill (Vice-Chairman) and Councillor Miss Cavill.

100. Minutes

The minutes of the meeting held on the 27 July 2005 were taken as read and were signed.

101. Applications for Planning Permission

The Committee received the report of the Development Control Manager on applications for planning permission and it was RESOLVED that they be dealt with as follows:-

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

10/2005/012

Removal of Condition 18 of permission 10/2004/020 to allow garages to be living accommodation and alterations to elevations at front and rear at Trents View, Trents Farm, Churchinford

Condition

A plan showing parking and turning for two vehicles within the curtilage of the site shall be submitted to, and approved in writing by, the Local Planning Authority and thereafter carried out as agreed prior to occupation of the barn.

(Note to applicant:- Applicant was advised of the need to comply with any outstanding conditions on approval 10/2004/020.)

Reason for granting planning permission:-

The proposal would still enable adequate parking provision on site in line with Taunton Deane Local Plan Policy M4 and material considerations did not indicate otherwise.

26/2005/007

Retention of change of use on agricultural land to domestic curtilage, Ashmore, 1 Monument View, Nynehead.

Conditions

- (a) (i) Within six months from the date of this approval, a landscaping scheme which shall include details of the species, siting and numbers to be planted shall be submitted to, and approved in writing by, the Local Planning Authority.
(ii) The scheme shall be completely carried out within the first available planting season 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.
- (b) COO3 – No ancillary buildings.

Reason for granting planning permission:-

The proposal did not constitute an intrusive feature and was in keeping with the character of the rural surroundings in accordance with Taunton Deane Local Plan Policies S1, S2, S7 and EN12.

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

The Committee was of the view that the change of use of the land did not constitute an undesirable intrusion into the countryside.

38/2005/275

Erection of dwelling, garage and access thereto on land at 29 Calway Road, Taunton.

Conditions

- (a) C001 - time limit;
- (b) C101 – materials;
- (c) C201 – landscaping;
- (d) C208A - protection of trees to be retained;
- (e) C213 - hedge to be retained;
- (f) C215 - walls and fences;
- (g) There shall be no obstruction to visibility greater than 900mm above adjoining road level forward of a line drawn 2m back parallel to the nearside carriageway edge over the entire site frontage. Such visibility shall be fully provided before works commence on the erection of the dwelling hereby permitted and shall thereafter be maintained at all times;
- (h) The access, parking and turning arrangements shall be provided as per the submitted plan (Drawing No 3305/2) prior to the occupation of the dwelling. This area shall be consolidated and surfaced (not loose stone or gravel) details of which shall have been submitted to, and approved in writing by, the Local Planning Authority;
- (i) The access hereby permitted shall not be brought into use until dropped kerbs have been installed at the carriageway edge and a vehicle cross-over constructed across the footpath fronting the site for the width of the access;
- (j) Any entrance gates erected shall be hung to open inwards and set back a minimum distance of 4.5m from the edge of the carriageway;
- (k) The dining room and hall windows on the south elevation shall be glazed with obscure glass and fixed, and retained as such thereafter;
- (l) The w.c. and utility windows on the south elevation shall be glazed with obscure glass and have restricted opening (300mm) and retained as such thereafter;
- (m) P010 – no further windows;
- (n) Before any work hereby permitted is commenced, details of the existing and proposed site levels shall be submitted to, and approved in writing by, the Local Planning Authority.

(Notes to Applicant:- (1) N111 – disabled access; (2) N112 – energy conservation; (3) N114 – meter boxes; (4) N115 – water conservation; (5) N116 – disabled access; (6) N118 – disabled access; (7) N024 - development in accordance with approved plans; (8) N037 – drainage/water; (9) Applicant was advised to contact Wessex Water to agree points of connection onto the Wessex Water Infrastructure; (10) N061A – Highways Act – Section 184 Permit; (11) Applicant was advised of the need to protect the integrity of Wessex Water Systems and any arrangements for the protection of infrastructure crossing the site should be agreed as early as possible, certainly before the developer submits any Building Regulations application; (12) Applicant was advised that there is a public water main

and surface water surface sewer near the site. Wessex Water normally requires a 3m easement width on either side of its apparatus for the purpose of maintenance and repair. Diversion or protection works may be necessary; (13) Applicant was advised to take care during construction to avoid any unnecessary nuisance to neighbouring properties.)

Reason for granting planning permission:-

The site lay within the settlement limits for Taunton, was large enough to accommodate a dwelling and met the requirements of Taunton Deane Local Plan Policy H3. Furthermore, the protected Ash tree would not be harmed and, as such, the proposal also accorded with Taunton Deane Local Plan Policy EN6.

38/2005/290

Erection of gatehouse and two no. security barriers, Taunton School, Staplegrove Road, Taunton.

Conditions

- (a) C001 - time limit;
- (b) Notwithstanding the elevational details submitted, the proposed windows to the side and rear elevations shall be three pane in accordance with details which shall first be submitted to, and approved in writing by, the Local Planning Authority. In addition, all windows shall be timber and sections, mouldings and profiles shall also be submitted to, and approved in writing by, the Local Planning Authority before development commences;
- (c) Before development commences, a sample panel of render shall be erected on site for the consideration and approval in writing by the Local Planning Authority;
- (d) The barriers hereby approved shall not be brought into use until the internal road widening and junction alterations indicated on the block plan have been completed;
- (e) The barriers hereby approved shall not be brought into use until new road markings have been laid in accordance with details which shall have been submitted to, and approved in writing by, the Local Planning Authority;
- (f) Full details of any alteration to the walls at the junction with Staplegrove Road shall be submitted to the Local Planning Authority for consideration and written approval before development commences.

(Note to applicant:- With regard to condition (f) above, applicant was advised that any alteration to the Highway boundary wall would require the benefit of separate listed building consent.)

Reason for granting planning permission:-

The proposed development would not adversely affect visual amenity, the setting of the adjacent listed buildings or road safety. Accordingly, the proposal did not conflict with Taunton Deane Local Plan policies S1, S2 and EN16.

(Councillors Denington and Hindley declared personal interests in the following application and left the meeting during its consideration.)

42/2005/025

Retention of two storey front extension at Sweethay Court, Sweethay, Trull.

Reason for granting planning permission:-

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

43/2005/081

Erection of building for employment use (B1, B2 and B8 Uses) and provision of parking area at Unit 18, Rylands Farm Industrial Estate, Bagley Road, Rockwell Green, Wellington (amended Scheme).

Conditions

- (a) C001 - time limit;
- (b) C101 - materials;
- (c) C201A - landscaping;
- (d) C215 - walls and fences;
- (e) C324 – parking;
- (f) C708 - restricted use – no storage except where stated;
- (g) Noise emissions from any part of the premises or land to which this permission refers shall not exceed the background levels by more than 3 decibels expressed in terms of an A-Weighted, 2 minute Leq when measured at any point 1.5m from any residential or other noise sensitive boundary. Noise emissions having total characteristics, for example hum, drone or whine, shall not exceed background levels at any time, when measured as above. For the purposes of this permission, background levels shall be those levels of noise which occur in the absence of noise from the development to which this permission relates, expressed in terms of an A-Weighted, 90th percentile level, measured at an appropriate time of day and for a suitable period of not less than 10 minutes.
- (h) Other than within the areas used for B1 (light industry) use, no work shall be carried out on the site on any Sunday, Christmas Day or Bank Holiday or other than between the hours of 0800 and 1800 on Monday to Saturdays
- (i) Within a period of three years from the date of this permission details of the arrangements to be made for the disposal of surface water drainage from the proposed development shall be

submitted to, and approved in writing by, the Local Planning Authority before any work hereby permitted is commenced.

(Notes to applicant:- (1) N111 – disabled access; (2) N112 – energy conservation; (3) N115 – water conservation; (4) N051B – health and safety; (5) Applicant was advised that the Drainage Officer is not aware of any existing drain in the area, and the details submitted pursuant to Condition (i) should ensure that any additional surface water flows should not exacerbate any existing capacity. Applicant was further advised that there is a history of localised flooding in the area; (6) With regard to condition (c), applicant was advised that tree planting to the western boundary should be sufficient to soften the impact of the new buildings. It is recommended that the proposed planting comprises a single staggered row of native hedging plants at 0.5m, species to include hazel, hawthorn, field maple and holly and field maples planted as 1.2m to 1.8m feathered trees at 10m intervals; (7) Applicant was requested to ensure that the provision of any external lighting does not cause light pollution to the nearby residential properties; (8) Applicant was requested to investigate the provision of better signage for the estate.)

Reason for granting planning permission:-

The proposal was considered to comply with Taunton Deane Local Plan Policies S1, S2 and EC1 in that the site had good transport links and with the conditions imposed neither residential nor visual amenity would be adversely affected.

- (ii) That **planning permission be refused** for the under-mentioned 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:-

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

23/2005/017

Change of use of land from paddock/orchard to residential curtilage/garden at land to rear of Soap House, Sand Street, Milverton.

Reason

The proposal would constitute an undesirable intrusion into an attractive open space to the detriment of the visual amenities of the locality and character and appearance of the Conservation Area and, as such, would be contrary to Taunton Deane Local Plan Policies S1, S2, EN12 and EN14.

37/2005/007

Change of use of land and erection of building for vehicle restoration and storage at Dairy House Farm, Stoke Hill, Henlade.

Reason

The proposal is for a new commercial building outside defined settlement limits in a rural location and is considered contrary to Taunton Deane Local Plan Policy S7 and Somerset and Exmoor National Park Joint Structure Plan Review Policy STR6.

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

38/2005/221 – Erection of extension to create additional retail floorspace, form atrium and traveller lobby and erection of decked car park of 123 spaces at Tesco, Wellington Road, Tangier, Taunton;

38/2005/248 – Erection of two dwellings on land to rear of 99/101 Station Road, Taunton;

42/2005/023 – Change of use of house from residential to educational use D1 at Canonsgrove House, Staplehay, Trull;

42/2005/024 – Erection of 14 houses, erection of student/staff accommodation on the tennis court, erection of theatre workshop building and formation of associated car parking at Canonsgrove House, Staplehay, Trull

(Councillors Mrs Allgrove and Floyd declared prejudicial interests in the item covered by Minute 102 below and left the meeting during its consideration.)

102. Breach of Condition – Out of the Blue, Galmington Road, Taunton
(38/2002/286)

Reported that in September 2002, planning permission had been granted for the change of use of shop premises at 193, Galmington Road, Taunton to an A3 use (takeaway) subject to a number of conditions, two of which were imposed to overcome potential odour problems.

The first condition required the installation of filtered air extraction equipment to vent the premises prior to commencement of the use. The second required that cooking odours should not be detectable at the façade of any residential or other odour sensitive premises.

The premises opened as a fish and chip shop under the name “Out of the Blue”. Details of the filtration system were submitted for approval and it was installed. However, the system appeared not to have been as adequate as claimed by the proprietor of the business as complaints of odour which were first received in June 2003, had continued since. Although further improvements to the filtration system had been made, these had not solved the problem.

In June 2004, a breach of condition notice had been served alleging a breach of both odour conditions. Despite further work to the filtration system being undertaken, an Abatement Notice was served by the Environmental Health Officer in December 2004.

Noted that a successful appeal against this notice was heard in the Magistrates Court during May 2005. However, whilst the Court did not require the proprietor to take any further steps to abate the nuisance, it did acknowledge that there was an odour problem.

During the course of the court proceedings evidence was given by the Environmental Health Officer that an increase in the height of the existing vent, combined with a robust cleaning programme, should prevent future odour problems.

The proprietor had indicated that he would be prepared to discuss and implement such measures, which would include obtaining planning permission to raise the height of the vent. However, to date, no action had been taken.

Although the Council was no longer able to deal with this odour problem as a statutory nuisance, action could still be taken for failure to comply with the breach of condition notice served in June 2004. However, Members considered that further negotiations should be sought with the proprietor before formal action was taken.

RESOLVED that, if further negotiations failed to resolve this issue within a reasonable timescale, the Solicitor to the Council be authorised to issue proceedings against the proprietor of "Out of the Blue", Galmington Road, Taunton under Section 187A of the Town and Country Planning Act 1990 for failure to comply with the breach of condition notice served on the 18 June 2004.

103. Installation of uPVC double glazed windows at 82, Staplegrove Road, Taunton

Reported that uPVC double glazed windows had been installed in November 2004 to the second floor of 82, Staplegrove Road, Taunton without listed building consent.

At the time, the owner had indicated that the unauthorised windows would be removed and replaced with appropriate wooden sash windows. However, to date, the replacement windows had not been installed to rectify the situation.

RESOLVED that:-

- (i) Listed building enforcement action be taken to seek the removal of the unauthorised uPVC windows that had been installed to the second floor of 82, Staplegrove Road, Taunton;

- (ii) Subject to being satisfied with the evidence, the Solicitor to the Council institute legal proceedings should the Listed Building enforcement notice not be complied with; and
- (iii) The Solicitor to the Council be also authorised to institute legal proceedings in respect of the unauthorised works undertaken to the listed building.

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

The Chairman reported that she had certified that the item covered by Minute No 106 below should be dealt with as an urgent matter.

105. Exclusion of Press and Public

RESOLVED that the press and public be excluded from the meeting for the item of business covered by Minute No 106 below because of the likelihood that exempt information would otherwise be disclosed relating to Clause 12 of Schedule 12A of the Local Government Act 1972.

106. Enforcement Item – Notification to Install Telecommunications Mast on land at Shoreditch Road, Taunton (Application No TEL/1/05)

Reference Minute 98/2005, reported on the current situation relating to the proposed erection of a telecommunications mast by the company O₂ on land off Shoreditch Road, Taunton.

Submitted details of the legal position which had indicated that a challenge to the proposed enforcement notice and stop notice by O₂ was likely to be successful and that substantial costs could well be incurred by Taunton Deane.

The Council's legal adviser had indicated though that if Taunton Deane wished to secure the removal of the mast in the longer term, consideration ought to be given to the service of a discontinuance notice. Noted however that this would make the Council liable for the payment of compensation. Although at this stage it was difficult for such compensation to be quantified, it would probably involve the costs of finding an alternative site and relocation.

Further reported that as the temporary stop notice expired on the 16 August 2005, a stop notice and enforcement notice had been served to ensure no further development took place on the site before the Committee had had the opportunity to further consider the matter.

RESOLVED that:-

- (i) The Solicitor to the Council be authorised to withdraw the stop notice and enforcement notice served on the 16 August 2005 in respect of the proposed telecommunications mast at Shoreditch Road, Taunton forthwith; and

- (ii) Specialist valuation advice be sought as to the potential financial liabilities which would arise should a decision be made to issue a discontinuance notice in respect of the development authorised pursuant to notification TEL/1/05.

(The meeting ended at 7.16 pm)

07/2005/019

MR & MRS R BRYANT

ERECTION OF FIRST FLOOR EXTENSION OVER EXISTING GARAGE AT FAIRFIELD, BRADFORD ON TONE

17210/22627

FULL PERMISSION

PROPOSAL

The application is for the erection of a two storey pitched roof extension attached to the side of an existing semi-detached dwelling within the village limits of Bradford on Tone. There is an existing flat roofed garage at present and this will be retained, with an en-suite bedroomed formed above.

The front wall of the extension will be set back 2.2 m from the front wall of the house, and the ridge of the extension will be 700 mm lower than the ridge. Materials will match the existing house.

The applicant is a member of staff.

CONSULTATIONS AND REPRESENTATIONS

PARISH COUNCIL views awaited.

POLICY CONTEXT

Policies S1, S2 and H19 of the Taunton Deane Local Plan allow extensions to dwellings providing that they are appropriate in scale and design and do not harm amenity.

ASSESSMENT

The proposed extension will be in keeping with the existing dwelling and will satisfy all the policy requirements.

A previous permission for a single storey extension across the rear of the dwelling has not been implemented.

RECOMMENDATION

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

REASON(S) FOR RECOMMENDATION:- The proposed extension does not adversely affect the character of the existing dwelling, or visual and residential amenity and therefore does not conflict with Taunton Deane Local Plan Policies S1, S2 or 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:

14/2005/029

MR A M THORNE

ERECTION OF DWELLING ON LAND TO SOUTH OF TREHOOT, NORTH END, CREECH ST MICHAEL AS AMENDED BY APPLICANTS PLANS RECEIVED 15TH JULY, 2005

27308/26107

OUTLINE APPLICATION

PROPOSAL

The proposal is an outline application for the erection of a dwelling on land to the south of Tre Hoot . The application site lies within the recognised settlement limits for Creech St Michael, adjacent to the class III road which runs through the village. There are residential properties on either side of the site. The plot varies in width, being 25 m across the site frontage (to allow for the provision of a waiting bay), but is only approximately 10 m at its narrowest point. Outline permission was granted on appeal for the erection of a dwelling on the same site in 1990.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY note that the previous application was granted on appeal and the Inspector imposed conditions including the provision of a turning space. In the event of your Council granting permission I would request the same conditions be imposed. WESSEX WATER recommend informatives.

PARISH COUNCIL strongly objects for the following reasons:- overdevelopment as the dwelling would be squeezed in between others; the access is dangerous, onto a main road, which is busier than it was 15 years ago when consent was previously allowed; the access is over a traffic calming hump and the layby would result in congestion with traffic being parked in the layby and encroaching onto pedestrians; loss of hedgerow; overlooking; and it would not be in keeping with its surroundings.

POLICY CONTEXT

Policies S1 (general) and H2 (housing within settlements) of the Taunton Deane Local Plan stipulate that, inter alia, proposals should not harm the character or appearance of an area, harm neighbouring amenity, or be prejudicial to highway safety.

ASSESSMENT

The site lies within the settlement limits for Creech St Michael, where there is a presumption in favour of development.

When permission was granted on appeal in 1990 the Inspector commented:- "I accept that the site is narrower than generally found on this frontage but I am more than satisfied that it is of sufficient width to accommodate, in physical terms, a modest dwelling together with enough land to be reasonably accommodate the amenity needs

of future occupants". There has been no significant change in circumstances since this time and therefore it cannot reasonably be agreed that the proposal constitutes overdevelopment.

In terms of highway safety, the Inspector stated: "... this is not a proposal to my mind, which would harmfully increase the degree of risk inherent in the current situation". Since 1990 it is unlikely that traffic levels have increased sufficiently to justify a different stance. Furthermore, the Highway Authority has raised no concerns.

According to the Inspector in 1990 the loss of the hedgerow would not "... make a perceptible difference to the character of the area".

It is considered that design, scale and siting can be agreed at Reserved Matters stage, which will ensure that the proposed dwelling would not harm the character of the area or lead to an unreasonable level of overlooking.

In light of the above, the proposal is considered to be acceptable.

RECOMMENDATION

Permission be GRANTED subject to conditions of reserved matters details to be submitted, details within 3 years, commencement time limit, materials to be submitted and approved, landscaping, details of trees to be retained, protection of trees, boundary treatment, turning area, access hardsurfaced, sufficient parking, visibility, no extensions and no further windows. Notes re Disable Persons Act, energy conservation, meter boxes, water conservation, Rowntree Foundation, Wessex Water connection points, works to be carried out in accordance with plans, design, Part M, surface water disposal and bungalow appropriate.

REASON(S) FOR RECOMMENDATION:- The application site lies within the recognised settlement limits of Creech St Michael and it is considered that a dwelling could be satisfactorily accommodated on the site in manner which would accord with Taunton Deane Local Plan Policy H2.

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:

14/2005/034

MR & MRS J SEABROOK

ERECTION OF SINGLE STOREY EXTENSION AT 1 KENDALL CLOSE, CREECH HEATHFIELD

27817/27298

FULL PERMISSION

PROPOSAL

The proposal is for the erection of a front extension to a bungalow, measuring 3 m x 5.7 m x 4.9 m to the ridge of the roof. A bay window is proposed to the front of the extension and an open fronted porch to the side (2.2 m x 3.7 m). The materials are to be rendered and tile to match the existing building.

The applicant is a member of staff.

CONSULTATIONS AND REPRESENTATIONS

PARISH COUNCIL views awaited.

POLICY CONTEXT

Policies S1 (general), S2 (design) and H17 (extensions) of the Taunton Deane Local Plan seek, inter alia, to ensure that extensions do not harm the appearance or character of an area, or harm neighbouring amenity.

ASSESSMENT

The scale and design of the proposal are considered to be acceptable and the scheme would not harm the appearance of the street scene or neighbouring amenity.

RECOMMENDATION

Subject to the receipt of no letters of representation by 13th September, 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. Notes re drainage and that the works should be carried out in accordance with the approved plans.

REASON(S) FOR RECOMMENDATION:- It is considered that the proposal would not significantly harm the appearance of the street scene or neighbouring amenity and as such accords with Taunton Deane Local Plan 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: 356468 MR A GRAVES

NOTES:

20/2005/012

MILLFIELD NURSERIES LTD

ERECTION OF 13 LOG CABINS FOR HOLIDAY LET AT LAND AT MILLFIELD NURSERY, PARSONAGE LANE, KINGSTON ST MARY AS AMENDED BY APPLICANTS LETTER DATED 18TH JULY, 2005 AND FLOOD RISK ASSESSMENT REPORT AND AMPLIFIED BY APPLICANTS E-MAIL RECEIVED 24TH AUGUST, 2005

22138/29124

FULL PERMISSION

PROPOSAL

The proposal comprises the erection of 13 log cabins. All the proposed log cabins are of identical design of 1 and a half storey construction and measure 7.71 m x 9.81 m x 5.19 m to the ridge. The cabins incorporate two bedrooms at ground floor, with an open plan first floor within the roofspace. The design of each log cabin is typical for this form of development, incorporating natural timber walls and a tiled roof.

The site is located in the western section of the nursery curtilage that currently sites glasshouses, polytunnels and other ancillary buildings in connection with the current nursery and landscaping operations. The latter buildings are proposed to be removed to make way for the cabins with landscaping proposed between the proposed units. Trading of the nursery site is to cease and the landscaping operations moved to other premises not in the village to make way for the new venture. The nurseries existing access from Parsonage Lane is proposed to be used as well as an existing access drive through the nursery site. The cabins are proposed to be sited in two rows parallel to the west boundary of the site with individual accesses from the main track through the site.

The applicant maintains that the traffic flow associated with the cabins would be no more than that generated by the nursery site and landscaping operations. A Flood Risk Assessment also accompanies the application.

Members will recall that a previous application 20/2005/005 for 5 units was approved at Planning Committee dated 20th April, 2005. The cabins previously approved would be located in the north west area of the Millfield Nursery site and are of a similar nature to those proposed by this application.

In response to the objection letters received, a letter dated 24th August, 2005 has been received from the applicant amplifying the proposal as follows:-

Traffic: Current traffic movements are in excess of 150 per day on 'worst case scenario' for staff movements and an average for customer movements. Current traffic includes HGV, 40 foot trailers, 7.5 ton, 3.5 ton and cars. Current use of the site has no restriction on traffic movements and so if the current use were intensified there would be no limitation to the amount of traffic that could be generated. The current use involves traffic movements in peak commuting times. The change of use will:-(1) Remove HGV, 7.5 ton and 3.5 ton traffic. (2) Reduce traffic movements - even with full occupancy of

the 18 cabins there would be a worst case scenario of 36 cars which it is reasonable to expect would make 2 movements per day thus a total of 72 movements. (3) Restrict the capacity to increase traffic movements. (4) Traffic movements would take place out of the main daily commuting times.

The 150 traffic movements are calculated as a worst case scenario based on the figures below:-

Staff (initials and number of movements per day): CH - 8, TH - 10, PH - 12, BP - 6, HC - 8, DP - 4, RT - 4, LH - 4, JH - 6, SR - 4, JP - 4, JO - 4, JS - 4, CB - 4, RB - 4, BG - 4, PJ - 4, SB - 4, RS - 4, WS - 4.

Deliveries - 12 (artics, 10 ton, 7.5 ton & 3.5 ton)

Other visitors - 16

Customers - 20 (this can peak at 50 on busy days and then drop to less than 10 on wet winter days).

154 movements, a movement being an entry or exit.

Just to confirm that this is a complete change of use application with the nursery closing and the landscaping operations moving to other premises not in the village.

Conclusion: The impact of traffic on the junction at Mill Cross and the wider community would be reduced by the change of use.

Mill Cross Junction: There are passing places on Parsonage Lane on both the approach and at the Mill Cross junction. We have spoken to Somerset County Council Highways who have confirmed that have no recorded reportable accidents at Mill Cross for the past 3 years.

Light & Noise Pollution: Currently the site is illuminated by 10 halogen security lights mounted on 4-5 m poles or buildings. In addition there are halogen spotlights in the glass houses that are illuminated in the winter months. Currently the nursery starts work at 6.30 - 7.00 a.m. with the movement of machinery (forklift) and vehicles. There are a compressor, power washer and chipper/shredder that are operated on site in addition to excavators and compact tractors. Such movements/activities can occur 7 days a week. There is no provision in the application for street lighting, such new lighting that may be required would be low level and low intensity.

Conclusion: Light and noise pollution would be significantly reduced by the change of use.

Access: Entry and egress will be via the existing access on Parsonage Lane.

Flooding: The full Flood Risk Assessment has satisfied the Environment Agency. The 200 year flood projection shows minor flooding at the access to the site which will cover 50% of the width of the access road and will therefore not prevent entry and egress. The positions of the cabins are not affected by flood.

Impact Locally: Although not a planning consideration it has been commented, without supportive evidence, that the change of use would have an impact on the value of local properties. Although a matter for individual opinion the advice we have is that there would be no detrimental impact and may even be a positive impact by the removal of the existing commercial agricultural/horticultural use. Comment has been made regarding the use of the Spinney. This is an area open to the public, which is currently used by the general public and dog walkers from both the village and wider community, including Taunton. The site currently has approximately 1950 sq m of greenhouses, polytunnels, sheds, stores and in excess of 1500 sq m of hard surfaces for storage. The remainder of the site is currently outside standing area for plants. The change of use will remove the majority of the hard surfaces and replace with landscaping in the form of woodland planting. The current application of use brings in 13 cabins at an average of approximately 85 sq m average each giving a total of 1105 sq m with significant planting in the areas between.

Services: Mains sewer runs through the site. Gas, electric and mains water are all on site.

Viability: Interest in the original 5 cabins has been significant and encouraged the submission of the application for the 13 cabins following which further interest has been shown. Our calculations have been made on less than full occupancy being based on national average figures. The scheme is viable and there is a need for this accommodation as confirmed by the Tourism Officer.

Summary: We are naturally concerned that so many people should feel it necessary to write in relation to this application. It is disappointing that neither the Parish Council or the correspondents have felt able to address their concerns to us direct as we could have easily and willingly provided the information set out above. It is of particular concern that the Parish Council made no approach to us prior to the meeting of 10th August and were therefore unable to fully brief the meeting and the public present. Had we been invited by the Parish Council to make a presentation to the Parish Council and the meeting then we consider that many of the concerns could have been answered. We accept that even if this had happened many people may still have been unhappy with the proposal but at least their decision would have been an informed one. It is also relevant to highlight that, although the concerns of the correspondents must rightly be addressed, the announcement of the meeting was it seems selectively delivered and even some of our immediate neighbours did not receive the notice.

CONSULTATIONS AND REPRESENTATIONS

HIGHWAY AUTHORITY no objections. The roads leading to the site are generally narrow and therefore I would not wish to see development take place here which would increase traffic on these roads. However the proposed development will replace the existing Nursery business on the site and therefore I have taken the existing traffic into account. I understand from the applicant that the number of daily vehicle movements is

in the region of 150. This includes staff, deliveries, visitors and customers. This may be liable to fluctuation up or down. I estimate that the number of vehicle movements generated by each Log cabin to be between 4 and 6 per day. This totals between 52 & 78 trips per day. I believe that the proposed development will generate less traffic than the existing and consequently do not propose to object to the proposal. I would however require a condition be attached to any consent to require the existing visibility splays to be kept clear of all obstructions in excess of 600 mm above adjoining carriageway level. The Highway Authority have also confirmed that the highway outside the entrance to the nurseries in Parsonage Lane would not be considered area of flood risk. ENVIRONMENT AGENCY following the recent submission of an appropriate Flood Risk Assessment (FRA), the Agency hereby confirms that it has no flood defense related objections to this proposal, provided all works are undertaken in accordance with the submitted FRA dated June 2005. A conditions restricting the location of the cabins outside the floodable area is required. SERC No records of statutory and non-statutory species have been recorded on the site.50 LETTERS OF OBJECTION have been received raising the following issues that have been split into 4 separate categories:- (1) Highways:- the traffic through Kingston is already quite heavy along a narrow "main road" and any more traffic around the Mill Cross, Parsonage Lane crossroads area would add to the already dangerous situation to vehicles and pedestrians; the 30 mph speed limits are regularly exceeded; the village struggles to cope with existing traffic volumes and from the crossroads at Mill Cross all directions are extremely hazardous with speed limits being disregarded by very many; where will the holiday makers shop? You cannot walk through the village safely as there are no pavements or lighting; there has been no accurate assessment as to the impact of the increased traffic; Parsonage lane is an accident blackspot (between 8-10 per year) and is particularly dangerous where it is exacerbated by the narrowness of the lane that is almost single track within yards of the Kingston Road. The proposal would therefore lead to more congestion plus present a hazard to walkers; it is unclear whether the existing access or the access approved by application 20/2005/008 will be used; the traffic movements associated with 18 holiday lets will be significantly greater than the existing movements on the site; Currently only movements for office use with limited delivery/pick up as most commercial vehicles are located off-site; movements are nothing like 150 per day as previously quoted; new movements will be 7 days per week; the County Highway Authority commented on the application for 5 units that they would not wish to see any further development of the site; application 20/2005/007 refused permission for a dwelling as it is "located outside the limits of a settlement area in an area that has very limited public transport services. The development will increase reliance on the motor car". This proposal will multiply the grounds for refusal at least 13 fold; the developer should pay for improvements to the road network and contribute to a footpath through the village; there is a bus stop at this junction with no pull in area to allow passengers to board or leave the bus this presents a safety issue to motorists, cyclists and pedestrians. (2) Detrimental impact to the area:- concern about the Woodland Trust Spinney area to the north of the site that is a beautiful, quiet place but how would you keep visitors in any numbers from spoiling this as it is next door to the nursery; the proposal of this scale outside settlement limits, will change for ever the look, feel and nature of this quiet village environment situated in the open countryside; by any stretch of the imagination the proposal would not enhance the lovely and much admired Area of Outstanding Natural Beauty and Conservation Area at the gateway to the Quantocks; the proposed development will be overlooked from neighbouring properties and will have an overbearing affect on the residential amenity of the area; substantial increase

in noise pollution will occur from vehicles, tourists and entertainment activities; this is an attractive Greenfield Land, not brownfield there are continuing applications which is changing the face of this end of the village; the 5 units already approved are well hidden in the north part of the site, however the additional 13 units would be seen from the road and surrounding properties; there would have to be some form of illumination that would cause light pollution to surrounding properties; the value of many of the properties within the area would be reduced; there will be an increase in litter in the area. (3) Future speculation:- holiday lets would not stop here! there would be a need for a site office shop, laundry room, club house, swimming pool and who knows what else; Question 17 of the previous applications did not state that the application form part of a larger scheme and no details about the ultimate development were given; once an access road and services have been established, will planning follow to convert the cabins into permanent dwellings as there are doubts over the profitability of the scheme?; we have spoken to several local people who offer such a service for holiday makers and each one has told us that it would be extremely unlikely that they would be unable to offer accommodation at any time throughout the year should it be required; it will have to be lit for Health and Safety Grounds and will there be any security staff?; concern if the site is sold to become a holiday park; how would the holiday let use be controlled; who would occupy the cabins when not in use seeing as there is a homelessness problem or problem families or ...? there is already an increased level of vandalism in the area and police have advised to note the presence of strange people and vehicles, the proposal would attract 70 different strangers in our midst every week; a small village such as Kingston can not warrant holiday lets in such numbers as there are no amenities here other than one pub and post office; unsuitable for this predominantly residential village; what business plans the proposed development based?; permission to build Millfield House was given on appeal on the basis that it would provide a home for the manager of Millfield Nurseries; by granting permission for the access drive to Millfield House you have made it possible for Millfield House to be sold without any restriction on its use; this application should be viewed in a wider context of other applications to follow and additional uses sought for the cabins when they become redundant. (4) Miscellaneous :- it would require significant planting to comply with the plan as no such planting exists where the polytunnels are, have no planting; planting would take time to mask the development and many trees have been removed from the site; the Flood Risk Assessment requires quote "located the log cabins as far away from the nursery stream as possible... locate the log cabins as far up the site as possible". The plan does not reflect this. The assessment also identifies potential flood areas, one of which is at the existing Parsonage Lane access which suggests this is an inappropriate access point; is there to be detailed plans for looking after the families in this camp? How long would the lets be?; as this is a nursery is it agricultural land? Why is it not kept as a nursery?; why make two separate applications?; would the existing businesses that operate from the site cease?; we view with horror the encroachment of "holiday-let cabins" into the environs of Kingston as being only marginally less awful than an invasion of travelers; there would be no benefit to Kingston St Mary itself; what arrangements will be made for refuse collection; is change of use permission required from horticultural/nursery use to holiday use; the five cabin are not yet built but would have provided evidence of demand or not; what are the plans for sewage services, electricity supply, gas supply?; how many staff would be employed, would there be a reduction in employment compared to the existing level?

4 LETTERS OF SUPPORT have been received raising the following issues:- the proposal would be a great and progressive improvement to the area of Kingston St Mary which at the moment shows signs of going backwards in this modern age; the applicants deserve all the support which they can get and as I understand that the application is supported by government directives I assume that approval will be forthcoming.

LANDSCAPE OFFICER No objections. My overall impression is that it should be possible to integrate the proposals into the local landscape subject to a details tree survey of the site, wildlife assessment of river corridor and detailed landscape proposals. Services provision should also be addressed in terms of its possible impact on trees and hedges.FORWARD PLANNING the proposal lies beyond any settlement limit as defined under the recently adopted Taunton Deane Local Plan. It also falls beyond the Quantocks AONB boundary. The relevant policy for consideration of this proposal is Policy EC24 (Camping, Caravans and Holiday Chalets). The latter policy recognises the important role such uses can have on the rural economy, but also notes that they can have a detrimental environmental impact. A set of criteria is therefore set out for consideration of such uses. These criteria fall beyond the policy principle, covering highway, access and landscape impact. Subject to no adverse comment from these areas, there is no policy objection to a proposal of this scale and nature in this instance, provided that the use is conditioned for holiday use only, requiring removal if proven unviable since the location is unsuitable for unrestricted residential use. TOURISM OFFICER the tourism unit is happy to support this application. The cabins should be independently inspected for quality by "Quality in Tourism". DRAINAGE OFFICER no objections, however further details of the western stream bank levels and the emergency spillway are required. Somerset County Council should be consulted for their input into flooding issues on Parsonage Lane.

PARISH COUNCIL objects to the proposal as the extra 13 Log Cabins are located close to neighbouring properties and consequently have a detrimental effect on the residential amenity of the area. The Parish Council particularly wishes to support the points made by Mr and Mrs Garnett concerning this application as stated in their letter to Mr Burton of 5th August, 2005 [this letter is amongst those summarised below]. The increase in traffic created by the building of 18 units on this site will seriously compromise highway safety at Mill Cross due to poor visibility at the junction. The Parish Council note that the County Highways Consultancy has already expressed their concern about any increase in the number of units beyond the 5 already granted (20/2005/005). The Parish Council do not support claims by the applicants that traffic movements from past and current business activities at Millfield Nurseries have been in the region of 100-150 movements a day. We believe that 18 holiday log cabins will create considerably more traffic in Parsonage Lane and Mill Cross than in the past. The Parish Council note the absence of any business case for these further 13 log cabins and believe that it is premature to grant permission until the financial viability of the first 5 is proven. If the Council are minded to grant permission for this application, the Parish Council wish to request a significant contribution to a footpath from Mill Cross to the centre of the village or another form of traffic calming scheme. 57 members of the public attended the

extraordinary Parish Council meeting held on 10th August, 2005 and registered their concern over the application. There was a show of hands as to who objected to the development and this amounted to 53 people. None in support. 7 out of 8 Parish Council members voted against the decision. Consequently, the Parish Council urges you to refuse this application. It was also noted in the response to the previous application 20/2005/005 that the proposal for 5 cabins would lead to further development.

POLICY CONTEXT

Somerset and Exmoor National Park Joint Structure Plan Review the following policies are considered relevant:- Policy STR1 on sustainable development is relevant. Policy STR6 states that development outside towns, rural centres and villages should be strictly controlled and restricted to that which benefits economic activity, maintains or enhances the environment and does not foster growth in the need to travel. Policy 49 states that proposals for development should be compatible with the existing transport infrastructure and provide safe access to roads of adequate standard.

Taunton Deane Local Plan the following policies are considered especially relevant: - Policy S1 requires that proposals for development should ensure that: - (A) additional road traffic would not lead to overloading of access roads or road safety problems; (B) the accessibility of the site for public transport, walking, cycling, and pedestrians would minimise the need to use the car; (D) the appearance and character of any affected landscape, settlement, building or street scene would not be harmed as a result of the development; Policy S2 requires development to be of a good design; Policy S7 requires that outside development limits new buildings will only be allowed, amongst other criteria, that they accord with a specific Development Plan Policy and supports the viability and viability of the rural economy; Policy EC24 requires that proposals for holiday chalets will only be permitted provided that the proposal would not harm the landscape and be adequately screened and has good access to the main road network; Policy EN6 requires the protection of trees and hedgerows, Policy EN12 requires that the distinct character and appearance of Landscape Character Areas should be maintained, Policy EN14 requires that proposals affecting Conservation Areas should preserve or enhance their character and appearance, Policy EN25 requires the protection of the water environment, Policy EN29 requires that development should not cause additional flooding concerns and Policy EN34 requires that new lighting should not impact on the night sky, road safety or residential amenity.

ASSESSMENT

The site lies outside the settlement limits of Kingston St Mary. However, Policy S7 supports the principle of this location where environmental quality is maintained/enhanced and the proposal accords with a specific Development Plan Policy, i.e. in this case Policy EC24 (holiday chalets). The site is well screened by mature trees on all boundaries and there is an abundance of other trees within the site that are proposed to be retained. A landscaping condition is proposed to further bolster the screening of the development and a condition is also proposed for the developer to show precisely which trees are to be retained within the site. In terms of screening

therefore the proposal accords with Policies S1, S2, S7, EN6, EN12 and EC24 and therefore the visual amenity and Landscape Character Area of the area would not be detrimentally affected. The site is not located within the Quantocks AONB or Conservation Area, however views to and from the site would not adversely affect the character and appearance of the AONB and Conservation Area. The site is also located a significant distance away from the AONB and in visual terms, the development would be absorbed into the built up area of Kingston St Mary when viewed from the Quantock Hills. Furthermore the proposal involves the removal of several large and unsightly buildings with smaller, dispersed and better screened buildings. The proposal would result in a loss in total building footprint and a drop in building height as well as the use of materials that are more sympathetic to the area.

The chalets are also located a sufficient distance away from neighbouring properties not to cause any overlooking or overbearing effects and therefore the residential amenity of the area would not be detrimentally affected. It is also considered that the proposal would result in a drop in noise levels from those existing on this working nursery site. At present forklifts, HGV's and other goods vehicles operate from 6.30 a.m. onwards which would cease as a result of the proposal.

In order to satisfy the remaining criteria of policy EC24 the development should have good access to the main road network. The existing access to the site is located some 100m west of the Mill Cross junction with a main road that leads to Taunton and the Quantock Hills. This short distance to the highway network would therefore appear to satisfy the remaining criteria of Policy EC24.

Various representations have been received with regard to highway safety at Parsonage Lane and the junction at Mill Cross with Kingston Road. Whilst these comments are appreciated and understood, in the opinion of the Highway Authority, the proposals do not substantially increase traffic flows when compared to the existing usage of the site, and therefore it would be unreasonable to recommend refusal on highway safety grounds. The Highway Authority expect a traffic flow of between 52 to 78 trips a day based on 4 to 6 movements per cabin. Combining the additional 20 to 30 movements for the additional 5 cabins already approved, a total of 72 to 98 movements can be expected at full capacity. This traffic flow would replace the 150 movements a day currently generated by the existing uses at the site. Considering the drop in traffic attracted to the site it is not considered expedient to require the applicant to contribute to highway improvements or contributions to footpaths in the Kingston Area. Furthermore the nature of the traffic movements would have a reduced impact from larger vehicles as deliveries from HGV's, 10, 7.5 and 3.5 ton vehicles would cease.

The cessation of the nursery and landscape operations overcomes the Highway Authorities previous statement to the previous application (20/2005/005) that the highway network would not support more than 5 units; due to a net decrease in traffic movements.

The figure of 150 movements has been refuted by several representations. This figure is taken from the traffic movements as logged for the earlier application for the 5 cabins based on a worse case scenario. Regardless of the accuracy of the 150 movements, the proposed use would generate a level of traffic considered acceptable by the

Highway Authority. The proposal is therefore not considered to prejudice highway safety.

It is generally accepted that tourism creates its own traffic within these countryside locations where public transport may be limited. This form of development is principally considered acceptable in this countryside location where development may be more reliant on the use of the car due to its promotion of the rural economy and accordance with policy EC24. Furthermore this form of development is considered to accord with the Community Tourism section of the TDBC Tourism Strategy, one of the main aims of which is to maximise the economic opportunities and benefits of tourism. Based on the latter, Policy EC24 does not require that a business plan is submitted with proposals for self catering accommodation, given the need in the area.

Concern has also been raised that this proposal may be the start of additional proposals for leisure facilities, office shop, laundry room, club house, swimming pool etc. The possibility of any future development of the site should not however form part of any consideration when determining this application that should be treated on its own merits.

Concern has also been raised that the proposal will lead to housing development. Any change of use of the holiday chalets would require the benefit of Planning Permission that would be resisted in this location due to the conflict with planning policy with regard to housing in this location. The latter would also apply to any future application for individual housing applications, however again this form of speculation should not form part of the determination of this proposal. Policy KM2, housing outside the settlement limits of Kingston St Mary is not therefore relevant to the proposal. A standard condition is proposed to restrict the occupation of the chalets to bona fide holidaymakers for individual periods not exceeding 4 weeks in any period of 12 weeks. The chalets could therefore not be rented out for residential purposes. A condition is also proposed requiring the removal of the cabins if they become redundant.

The proposal does not involve any external lighting and a note to the applicant is proposed advising that planning permission for any floodlighting or external illumination is required and is unlikely to be supported if it would result in any detrimental affect. The site currently has high level security lighting the level of which will be reduced by the proposal.

A comprehensive Flood Risk Assessment has been submitted by the applicants and the Environment Agency have confirmed that they have no flood defence related objections to the proposal. Likewise the drainage officer has raised no objections and the Highway Authority have also confirmed that the highway outside the entrance to the nurseries in Parsonage Lane would not be considered area of flood risk.

The proposal is considered to fully comply with the relevant planning policies and therefore approval is recommended.

RECOMMENDATION

Permission be GRANTED subject to conditions of time limit, materials, accordance with Flood Risk Assessment, landscaping, trees to be retained, holiday let only, removal after 24 months if use ceases, visibility, services underground, details of western stream bank levels and the emergency spillway, removal of PD rights for extensions, gates, walls, fences, and outbuildings. Notes re Disabled Persons Act, lighting, energy and water conservation, health and safety and connection to Wessex Water infrastructure.

REASON(S) FOR RECOMMENDATION:- The site is adequately screened and the proposal is not considered to be harmful to the landscape and has good access to the highway network, the visual and residential amenity of the area would not be detrimentally affected and the character and appearance of the adjacent Conservation Area would be maintained/enhanced and therefore is compliant with Taunton Deane Local Plan Policies S1, S2, S7, EC24, EN6, EN12, EN14, EN25, EN29 and EN34.

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:

25/2005/021

MISS M DUNFORD

**ERECTION OF SINGLE STOREY EXTENSION TO REAR, 2 STEMBRIDGE WAY,
NORTON FITZWARREN**

19261/26068

FULL PERMISSION

PROPOSAL

The proposal comprises the erection of a single storey extension measuring 3.2 m x 5 m x 4 m to the highest point, on the rear elevation of the dwelling. The proposal also encloses a small corridor between the dwelling and detached garage. Materials to match existing.

The applicant is a member of staff.

CONSULTATIONS AND REPRESENTATIONS

PARISH COUNCIL no comments.

POLICY CONTEXT

Taunton Deane Local Plan Policies S1, S2 and H17 seek, inter alia, to safeguard visual and residential amenity.

ASSESSMENT

The proposed extension is to the rear of the property, partially screened by existing boundary fence. As the projection of the extension is only 3.2 m, it is considered acceptable that any impact on the neighbouring property would be minimal. The extension meets the appropriate criteria of Local Plan Policy and the Taunton Deane Design Guide. The proposal will not harm the visual or residential amenity of the area, and is therefore considered acceptable.

RECOMMENDATION

Permission be GRANTED subject to conditions of time limit and materials. Notes re compliance, building over sewer.

REASON(S) FOR RECOMMENDATION:- The proposed development would not adversely affect residential or visual amenity and accordingly does not conflict with Taunton Deane Local Plan Policies S1, S2 or H17.

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

CONTACT OFFICER: 356463 MR D ADDICOTT

NOTES:

36/2005/015

FALCON RURAL HOUSING

ERECTION OF 7 DWELLINGS TO MEET LOCAL HOUSING NEEDS ON LAND AT POLKESFIELD, STOKE ST GREGORY

35003/27344

FULL PERMISSION

PROPOSAL

The application site consists of approximately a third of a hectare of field to the north west of the existing development at Polkesfield, Stoke St Gregory. A housing needs survey was carried out in 2004 and again in April 2005. It is considered that 7 units proposed will create a sustainable development to meet housing needs in the short, medium and possibly long term. An area is being set aside for possible further local needs housing should the need be proven in the future. The housing will include 1 x 3 bed roomed house, 2 x 2 bed roomed houses and 1 x 2 bed roomed bungalow for rent and 2 x 3 bed roomed house and 1 x 2 bed roomed house for low cost ownership. The site lies adjacent to existing residential development and is considered a suitable 'exception site'. The dwellings are proposed in the form of two terraces and the construction will be timber framed with timber cladding and roof shingles to blend in with the area.

CONSULTATIONS AND REPRESENTATIONS

COUNTY ARCHAEOLOGIST there are limited or no archaeological implications to this proposal and we therefore have no objections on archaeological grounds. RIGHTS OF WAY TEAM the public footpaths must remain open and easy to use at all times during development. The routes of the paths must not be altered, temporarily or permanently, without going through the proper procedures. Any changes to the surface of the paths must be authorised by the County Council Rights of Way Group. Any new drainage must not affect the footpaths and no additional furniture/barriers should be installed on the paths. WESSEX WATER the development is located within a sewered area with foul and surface water sewers available. It will be necessary if required to agree points of connection onto our systems. This can be agreed at the detailed design stage. There are water mains in the vicinity and this can be agreed at the detailed design stage.

LANDSCAPE OFFICER subject to detailed landscape proposals it should be possible to integrate the proposals into the local landscape. NATURE CONSERVATION OFFICER I advise that SERC are consulted. Badgers are known to inhabit the area. The terrain and sward gives opportunities for reptiles such as slow worms. The submitted report indicates that there are no protected species on site. However the site is very good for insects and I support the recommendation for proposals to plant native species shrubs/trees and to maintain existing hedgerows. Also it would be good to think that the remaining open space could have a boundary strip managed for insects and small mammals. FORWARD PLANNING OFFICER the site lies beyond the settlement limit of

Stoke St Gregory as defined in the adopted Local Plan. However policy H11 provides for 'exception sites' beyond village settlement limits if an identified need for affordable housing has been established. In this instance the Housing Manager confirms that this is the case and the proposal is therefore supported in policy terms. Policy C4 requires sites of six or more dwellings to make provision for recreational facilities. I note that the adjoining open space is being offered as the contribution (to be managed by the Parish Council?) although plans indicate it may be considered as a future affordable housing site. If this is the case a condition should be attached whereby if the open space is developed at a later stage, recreational contributions are sought for both that proposal and retrospectively for the 7 houses under the current application. HOUSING OFFICER the Housing Service is very keen to support this planning application which is for shared ownership and rented houses on a rural exception site. There is a proven need for these homes which is evident from the Housing Need Survey recently carried out.

PARISH COUNCIL the Parish are co-applicants and it may be improper for them to comment. However they are strongly in favour of this application. A need for low cost housing emerged when the Parish Appraisal was carried out in 2003. Two open days have been strongly supported by the village; many people came to look at the designs and plans. The great majority of those who attended the open days are in favour of the scheme.

POLICY CONTEXT

RPG10 Regional Planning Guidance for the South West.

Somerset and Exmoor National Park Joint Structure Plan Review Policies STR1 Sustainable Development, STR6 Development Outside Towns, Rural Centres and Villages, POLICY 1 Nature Conservation, POLICY 35 Affordable Housing, POLICY 48 Access and Parking.

Taunton Deane Local Plan Policies S1 General Requirements, S2 Design, S7 Outside Settlements, H11 Rural Local Needs Housing, M4 Residential Parking Requirements, C4 Standards for Play and Open Space Provision, EN5 Protected Species.

ASSESSMENT

The proposal is to erect 6 two storey dwellings and a bungalow for people in local housing need at a Greenfield site adjacent to the existing residential development at Polkesfield, Stoke St Gregory. The site would be accessed via an existing cul de sac serving the existing Polkesfield housing. The main considerations with the proposal are whether the housing meets policy requirements, whether the design is appropriate and whether there are any adverse impact in terms of ecology, protected species and open space.

The policy H11 of the Local Plan allows for small affordable schemes which meet local community needs on exception sites. The needs survey carried out by the Housing

Association has identified a local need which meets the policy and the site is considered to be the best available and not to harm the character and landscape setting of the settlement. The need to secure the provision of the dwellings in perpetuity is addressed through a Section 106 agreement.

The site is accessed off the existing estate road and the layout takes the form of two terraces at right angles to one another off the access with parking for each dwelling set in front off the highway. This layout is one that reflects the best use of space and reflects the adjoining housing development. The materials to be used are a sustainable timber cladding with a dark coloured shingle roof and solar panels incorporated on the roof to assist in the heating system and the aim of carbon free development. These materials are considered to be in keeping with the general character of the area, although different from the adjacent brick and concrete tile of the Polkesfield housing. The sustainable emphasis of the scheme is something that should be encouraged and the scheme as designed is considered as acceptable.

The ecological survey carried out indicates that the site is a well established grassland area that is in an unmanaged state and there are no species of special note. No protected species were found on the site and the report concludes that its development would not cause any great impact on the flora and fauna of the surrounding area. A new hedge planting scheme is proposed to define the boundary of the site. The scheme involves the provision of 7 units and as such the site falls to be considered as needing to provide open space. This is catered for within the layout by providing space leased to the Parish Council. As this development is for local people in need it is considered appropriate that the Parish Council are responsible for any open space provision in the area.

In summary the development is considered to provide local needs housing in line with policies of the development plan, it is of an adequate design incorporating sustainable elements and there are no adverse impacts in terms of ecology or open space.

RECOMMENDATION

Subject to a Section 106 Agreement to secure the affordable housing provision in perpetuity by 12th September 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, windows and doors, landscaping, boundary treatment, parking, access road details, details of hard surfacing, play equipment details, no extensions, no garaging, no fencing, colour of the cladding and services underground. Notes re ensuring footpaths remain open and easy to use at all times during the development, a point of connection is agreed with Wessex Water prior to commencement.

REASON(S) FOR RECOMMENDATION:- The proposal provides local needs housing in line with Taunton Deane Local Plan Policy H11 and there are no material circumstances to indicate otherwise.

If no Section 106 Agreement is completed authorisation be given to REFUSE for reason of not ensuring housing in perpetuity in line with Taunton Deane Local Plan Policy H11(C).

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:

36/2005/016

STOKE ST GREGORY PARISH COUNCIL

ERECTION OF VILLAGE HALL, DARK LANE, STOKE ST GREGORY.

34828/27337

FULL PERMISSION

PROPOSAL

The proposal comprises the erection of a new village hall on land off Dark Lane and to the east of Church Close. The site is located outside of the settlement limit as identified within the Taunton Deane Local Plan. The proposed building includes the following facilities:- main hall, stage, toilets, meeting room, kitchen, and stores. The building would be single storey, rectangular and with a footprint of some 16 m x 24 m. A total of 25 car parking spaces are proposed, served by a new vehicular access off Dark Lane and the external materials would be red brick, cedar wood weatherboarding and slate coloured roof shingles.

Planning permission was granted in December 2000, reference 36/2000/017, for a differently designed village hall, with similar ground area, on the same site.

CONSULTATIONS AND REPRESENTATIONS

COUNTY ARCHAEOLOGIST there are limited or no archaeological implications, and therefore no objection. RIGHTS OF WAY TEAM no observations. WESSEX WATER recommends conditions.

PARISH COUNCIL the Council hopes that this application can be processed as quickly as possible as the old hall will soon be sold.

POLICY CONTEXT

Policy S7 of the Taunton Deane Local Plan seeks to resist developments outside defined settlement limits, and Policies S1 and S2 seek to safeguard, inter alia, visual and residential amenity and road safety.

ASSESSMENT

The principle for the development has already been established by permission 36/2000/017, and the proposed design is similar in scale and bulk. Accordingly, the proposal is considered acceptable.

RECOMMENDATION

Permission be GRANTED subject to conditions of time limit, materials, landscaping, details of boundary walls/banks/fences/hedges, parking to be kept clear of obstruction, details of parking surface to be approved and drainage details.

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

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

CONTACT OFFICER: 356465 MR J GRANT

NOTES:

37/2005/010

MRS F BALE

REMOVAL OF CONDITION 05 OF PLANNING PERMISSION 37/95/001 TO ALLOW FOR RESIDENTIAL USE AND ERECTION OF 2M HIGH FENCE/WALL AT BARN ADJOINING ORCHARD BARN, BROUGHTON LANE, SHOREDITCH.

24400/22150

REMOVAL OF ONEROUS CONDITIONS

PROPOSAL

The building was converted to a holiday let in 1996. The occupation rate of the building has continued to decline in the last three financial years and has encountered a loss during that period. South West Tourism indicate that letting for 22 weeks a year should be met to be viable and nothing like that has been achieved at the building.

The proposal also involves the erection of a 2 m high fence or wall at a point mid way between the holiday unit and Orchard Barn. This is intended to eradicate problems of overlooking at ground floor level. The first floor windows of the holiday let have sills virtually at floor level so looking out is difficult and there can be no window to window problem.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY I would advise that the comments and recommended conditions made in respect of 37/1995/001 apply equally to the present application.

TOURISM OFFICER no observations to make. ECONOMIC DEVELOPMENT OFFICER support this application. In normal circumstances the loss of a commercial/employment site would be opposed. However in this case it seems that the business is no longer viable. Even though the business appears to have been marketed properly it has experienced a decline in bookings for 3 years; the result leading to actual losses in the last year. The business appears to be a victim of oversupply in a declining lettings market.

PARISH COUNCIL support the proposal.

1 LETTER OF SUPPORT from neighbour as would prefer continuity a residential let would bring.

POLICY CONTEXT

RPG10 Regional Planning Guidance for the South West

Somerset and Exmoor National Park Joint Structure Plan Review Policies STR1 Sustainable Development, STR6 Development Outside Towns, Rural Centres and Villages, POLICY 23 Tourism Development in the Countryside, POLICY 48 Access and Parking

Taunton Deane Local Plan Policies S1 General Requirements, S2 Design, S7 Development Outside Settlements, H7 Conversion of Rural Buildings, EC6 Conversion of Rural Buildings, M4 Residential Parking Requirements

ASSESSMENT

The proposal is to remove a holiday let condition from a barn originally granted permission in 1995. The original application was applied for as a holiday let and in granting permission a condition was imposed limiting it to that use because of the relationship with the barn approved for permanent residential use the other side of the courtyard. A condition was also imposed to remove rights for fencing or walling. The current proposal seeks to erect a boundary wall or fence down the middle of the courtyard and provide a permanent residential unit in the holiday let.

It is claimed by the applicant that the holiday let use here is no longer viable and it has been making recent losses. This would appear to be the case from the submitted evidence. Whilst that would be a reason to remove the condition that would not automatically make the alternative use as a separate dwelling acceptable.

The reason the original condition was imposed still applies in that the relationship between the barn conversion and holiday unit has not changed. The holiday unit is a two story building some 13 m away across a courtyard from the converted barn. The intention is to provide a boundary down the middle of the courtyard to address the impact on amenity and privacy of the proximity of the two units. A condition was also imposed on the 1995 approval removing rights for walls and fences to protect the visual amenity of the area. The provision of a boundary down the middle of the courtyard as indicated would detract from the character and appearance of this area. The access to the holiday unit is through the garden of the dwelling with parking at the rear between the buildings. There is a degree of overlooking of this rear courtyard area from both sides and this is not considered suitable on a permanent basis that is being applied for.

There has been one letter of support and the Parish also support the proposal. However the proposed wall/fence is considered to harm the appearance and character of the property contrary to Policies S1(D) and S2(A) of the Local Plan. The development lies outside any settlement limits and does not maintain the character of the area and so is considered contrary to Policy S7 and these issues are considered sufficient to resist the proposal.

RECOMMENDATION

Permission be REFUSED for reason of loss of openness of the courtyard and a poor relationship between the existing and proposed dwellings detrimental to their amenity due to the proximity of the building, windows and the access contrary to Taunton Deane Local Plan Policies S1(D), S2(A), S7.

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:

38/2005/265

MR & MRS HUNT

ERECTION OF DWELLING TO REAR OF 26 STOKE ROAD, TAUNTON

23911/23303

OUTLINE APPLICATION

PROPOSAL

The proposal is for the erection of a dwelling in the rear garden of the property. The garden is 50 m in length and the new dwelling, parking and garden would be situated on the southern end of the garden fronting onto Harp Chase.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY no objection subject to conditions. Harp Chase is a cul-de-sac with minimal traffic. The traffic speeds are likely to be low with most traffic generation being created by the residential home. Orchard Court. COUNTY ARCHAEOLOGIST no objections. WESSEX WATER the site is within a mains water, foul and surface water sewered area.

LANDSCAPE OFFICER subject to replanting at the front of the site it should be possible to integrate the dwelling into the local street scene. DRAINAGE OFFICER no objections.

4 LETTERS OF OBJECTION have been received raising the following issues:- the road was designed for development on one side only and is not wide enough for development on both sides of the road; there is on street parking as most of the existing dwellings only have 1 parking space; service vehicles and ambulances going to the nursing home need a clear road to allow them to get through, any new dwelling should have a minimum of 2 parking spaces, the proposed dwelling would overlook the private gardens of neighbouring dwellings causing overlooking; if allowed this would create a precedent for additional dwellings in the adjacent rear gardens which would lead to further overlooking and traffic problems; additional dwellings may devalue existing properties; there are TPO trees at the rear of Stoke Road, adjacent Harp Chase and this proposal should not be allowed to affect them; the proposal will result in increased traffic using Harp Chase which will increase noise and disturbance for existing residents and this would be detrimental to amenity.

POLICY CONTEXT

Somerset and Exmoor National Park Joint Structure Plan Review the following policies are considered relevant Policy 49 (Transport requirements for new development) Taunton Deane Local the following policies are considered especially relevant:- S1

(General Requirements); S2 (Design); H2 (Housing within Classified Settlements) and M4 (Residential Parking Provision).

ASSESSMENT

The site is located in a residential area of Taunton where the principle of new development is acceptable. The site would maintain in excess of 22 m (normal window to window distance) to the rear of properties in Stoke Road and this is considered acceptable. To the front (south) of the site lies Harp Chase with residential properties opposite. The existing dwellings are situated so that it should be possible to avoid a direct window - window relationship. Between the application site and Harp Chase there is a 1 m strip of land that is in separate ownership. This piece of land would be required to provide the necessary pedestrian/vehicular access to the site and notice has been served on the owner. Policy M4 requires the provision of car parking for this site and, bearing in mind the car parking provision for the existing dwellings, the existing on street parking problems and the need for clear access to the nursing home, I consider that 2 on site parking spaces should be provided for the proposal. Proposal considered acceptable subject to conditions.

RECOMMENDATION

Permission be GRANTED subject to conditions re outline, time limit, reserved matters, materials, landscaping, boundary treatment, visibility, parking, turning, hardsurfacing, access width, access formation, entrance gates and note fencing at front. Note re contact Wessex Water.

REASON(S) FOR RECOMMENDATION:- The proposed dwelling is considered to be in accordance with Taunton Deane Local Plan Policy H2.

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

CONTACT OFFICER: 356467 MRS J MOORE

NOTES:

38/2005/295

CERDIC BUILDING & DEVELOPMENT CO LTD

ERECTION OF SINGLE STOREY DWELLING ON LAND TO REAR OF 36-40 WELLINGTON ROAD, TAUNTON AS AMENDED BY AGENTS LETTER DATED 17TH AUGUST, 2005

21977/24553

FULL PERMISSION

PROPOSAL

The proposal comprises the erection of a detached bungalow on land to the rear of 36 - 40 Wellington Road. The site currently comprises unkept garden with dilapidated garages. Nos. 36 - 42 Wellington Road are Grade II listed buildings.

A listed building application 38/2005/296LB accompanies the planning application.

The agent has agreed to replace proposed 1.8 m high fencing with 1.8 m high brick wall.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY recommends condition re parking/turning. ENVIRONMENT AGENCY recommends conditions re levels. WESSEX WATER recommends note.

CONSERVATION OFFICER no objection to principle. Fencing needs to be replaced by brick wall.

3 LETTERS OF OBJECTION have been received raising the following issues:- there would be loss of garages, loss of sunshine, loss of garden space, loss of trees; and there would be no room to hang out washing.

1 LETTER OF CONCERN regarding water run off, requesting that two trees be retained and consideration be given to additional landscaping and that fencing marries in with existing.

POLICY CONTEXT

Policy H2 of the Taunton Deane Local Plan accepts housing development within settlement limits, provided, inter alia, good design proposed, and residential amenity not affected. Policies S1 and S2 also seek to safeguard, inter alia, visual and residential amenity. Policy EN16 seeks to safeguard the setting of listed buildings.

ASSESSMENT

The design is almost identical to bungalows which have been built to the rear, and it is not considered that neither visual/residential amenity or the setting of the listed buildings

would be adversely affected. In addition, the trees that would be felled have no particular amenity value.

RECOMMENDATION

Permission be GRANTED subject to conditions of time, materials, landscaping, drainage, parking and flood levels.

REASON(S) FOR RECOMMENDATION:- The proposed development would not adversely affect visual or residential amenity, or road safety, or the setting of adjacent listed building. Accordingly the proposal does not conflict with Taunton Deane Local Plan Policies H2, S1, S2 or EN14.

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

CONTACT OFFICER: 356465 MR J GRANT

NOTES:

38/2005/296LB

CERDIC BUILDING & DEVELOPMENT CO LTD

**DEMOLITION OF PART OF BOUNDARY WALL AND TWO GARAGES, AND
ERECTION OF NEW FENCING TO ALLOW FOR ERECTION OF DWELLING TO
REAR OF 36-40 WELLINGTON ROAD, TAUNTON AS AMENDED BY AGENTS
LETTER DATED 17TH AUGUST, 2005**

21977/24553

LISTED BUILDING CONSENT-WORKS

PROPOSAL

This listed building proposal accompanies planning application 38/2005/295 which is also reported on this Committee Agenda. The listed building application comprises the demolition of part of a side boundary wall and 2 No. garages and the erection of a new brick boundary wall. This is to allow for the erection of a bungalow.

The site is to the rear of Nos. 36 - 40 Wellington Road, all of which are Grade II listed buildings.

CONSULTATIONS AND REPRESENTATIONS

CONSERVATION OFFICER no objection to principle. Fencing needs to be replaced by brick wall.

4 LETTERS OF OBJECTION have been received which whilst not specifically objecting to the impact on the character and appearance of listed buildings, nevertheless refer to loss of garages and to fencing.

POLICY CONTEXT

Policies EN16 and EN17 of the Taunton Deane Local Plan seek to safeguard the character and appearance of listed buildings, and Policy EN18 seeks to resist the demolition of listed buildings.

ASSESSMENT

The 2 garages and boundary wall to be demolished are of no significance architecturally or historically, and the proposed brick boundary wall is considered acceptable.

RECOMMENDATION

Permission be GRANTED subject to conditions of time and materials.

REASON(S) FOR RECOMMENDATION:- The garages and boundary wall are of no significance architecturally or historically, and the new boundary wall would not adversely affect the character or appearance of the listed building. Accordingly, the

proposal does not conflict with Taunton Deane Local Plan Policies EN16, EN17 or EN18.

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

CONTACT OFFICER: 356465 MR J GRANT

NOTES:

38/2005/299

GADD HOMES LTD

CONVERSION OF FORMER PUBLIC HOUSE AND CREATION OF BUILDING ON LAND ADJOINING TO FORM 4 CLASS A1 (RETAIL) UNITS, 4 CLASS A2 (FINANCIAL AND PROFESSIONAL SERVICES) UNITS, 2 CLASS A3 (RESTAURANT) UNITS AND 14 RESIDENTIAL APARTMENTS TOGETHER WITH ACCESS AND PARKING, FORMER FOUR ALLS PUBLIC HOUSE AND CASTLE MOAT CHAMBERS, CORPORATION STREET AND BATH PLACE, TAUNTON AS AMENDED BY DRAWING 0451/12BB ATTACHED TO AGENTS LETTER DATED 4TH AUGUST, 2005 AND TRANSPORT ASSESSMENT RECEIVED UNDER COVER OF PETER EVANS PARTNERSHIP LETTER DATED 8TH AUGUST, 2005

22542/24456

FULL PERMISSION

PROPOSAL

An initial proposal to demolish the former Four Alls Public House and replace it with a modern five storey building accommodating 21 flats and two office suites was withdrawn in March 2004 following a recommendation of refusal. A second application retaining the Four Alls frontage with a large extension to the rear of a more traditional design was refused in September 2004 on the grounds of its scale in relation to existing buildings in Bath Place and highway safety. A third proposal reverted to a more modern design whilst retaining part of the Four Alls. This comprised 17 flats, and both A2 (financial and professional services) and A3 (restaurant) uses. The building proposed was primarily four storeys in height with part fifth storey accommodation in the roof space. The application was considered by this Committee on 18th May, 2005 and refused for the following reason:- "the proposed building by reason of its scale, form, bulk and general design will be overdominant in the street scene at variance with the established character of the area contrary to Taunton Deane Local Plan Policies S1(D), S2 and EN14." Appeals have been lodged against both refusals, although it is understood that the appeals will be withdrawn should permission be granted in respect of the current application.

The current application is fundamentally different from the earlier proposals in that it not only represents a comprehensive redevelopment incorporating Castle Moat Chambers, but it also retains the former Four Alls building in its entirety, which is to be used primarily as a restaurant. The remainder of the ground floor is to be a mix of office and retail space with parking for 18 vehicles from a single access onto Corporation Street. It also incorporates an arcade which will provide a pedestrian access from Corporation Street to Bath Place at the eastern end of the site. The upper three storeys (the top floor being recessed) comprises a total of 14 flats.

The application form shows a self-coloured rendered building with feature timber panels, although the applicants have indicated that they would be happy to discuss materials further should this be necessary.

CONSULTATIONS AND REPRESENTATIONS

COUNTY ARCHAEOLOGIST the applicants have submitted an archaeological Desk Top Assessment in support of this application which details the potential for remains on this site. Normally, I would advise that evaluation take place prior to determination but in this case (due to the restrictions inherent in the site) I do not believe that trial trenching would produce viable results. Therefore, I advise that any archaeological issues be dealt with during the construction phase. For this reason I recommend that the developer be required to ensure proper investigation and recording of archaeologically those areas that are to be disturbed by the development. This should be secured by the use of model condition 55 attached to any permission granted. "No development hereby approved shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority." I am happy to provide a specification for this work and a list of suitable archaeologists to undertake it..

CHIEF FIRE OFFICER (1) Means of escape in case of fire should comply with Approved Document B1, of the Building Regulations 2000. Detailed recommendations concerning other fire safety matters will be made at Building Regulations stage. (2) Access for fire appliances should comply with Approved Document B5 of the Building Regulations 2000. (3) All new water mains installed within the development should be of sufficient size to permit the installation of fire hydrants conforming to British Standards.

WESSEX WATER the development is located within a foul sewered area. It will be necessary for the developer to agree a point of connection onto the system for the satisfactory disposal of foul flows generated by the proposal. This can be agreed at the detailed design stage. The developer has proposed to dispose of surface water to 'existing mains.' As there are no existing public/separate surface water sewers in the vicinity of the site, it is advised that the developer investigate alternative methods for the satisfactory disposal of surface water from the site (e.g. soakaways). Surface water should not be discharged to the foul sewer. Your Council should be satisfied with any suitable arrangement for the disposal of surface water. According to our records, there is a public water main and combined sewer crossing the site. Please find enclosed a copy of our sewer records indicating the approximate position of the apparatus. Wessex Water normally requires a minimum, three-metre, easement width on either side of its apparatus, for the purpose of maintenance and repair. Diversion or protection works may need to be agreed. It is further recommended that a condition or informative is placed on any consent to require the developer to protect the integrity of Wessex systems and agree prior to the commencement of works on site, any arrangements for the protection of infrastructure crossing the site. The developer must agree in writing prior to the commencement of works on site, any arrangements for the protection of our infrastructure crossing the site. With respect to water supply, there are water mains within the vicinity of the proposal. Again, connection can be agreed at the design stage. It is recommended that the developer should agree with Wessex Water, prior to the commencement of any works on site, a connection onto Wessex Water infrastructure.

AVON & SOMERSET POLICE I have met with Steve Major of Gadds to discuss this project. It would appear that he has given due regard to the issues that I would consider. Therefore I have no adverse comment to make.

ENGLISH HERITAGE we have considered the application and do not wish to make any representations on this occasion. We recommend that this case

should be determined in accordance with government guidance, development plan policies and with the benefit of conservation advice locally. CABE we are consulted about more schemes than we have the resources to deal with and, unfortunately, we will not be able to comment on this scheme. Please note that this literally means 'no comment' and should be interpreted as tacit endorsement of the scheme. CIVIC SOCIETY we find much to welcome in this new proposal from Gadd Homes Ltd., namely:- the development of the whole site so that there cannot be any danger of discontinuity between two or more phases of development; The avoidance of a need for two vehicular entrances to Corporation Street (hopefully this plan eliminates any need for vehicle access along Bath Place); The lower and simpler skyline; The provision of a pedestrian arcade at the eastern end of the site from Bath Place to Corporation St.; The simpler facade to Corporation St. Many people will be very pleased at the retention and refurbishment of the original Four Alls building. It is certainly preferable to the semi-retention envisaged by the previous application (38/2005/099). We do have some concerns over the external appearance of the third floor and the Corporation St. facade (ground to second floor). Firstly, the lines of the facade are predominantly horizontal - all the window or window/paneling spaces are longer than they are high. True, the vertical proportions of the smaller windows, and window sections, are more than the horizontal, but the overall impression is horizontal. By comparison, the windows of Hunts Court and the Four Alls are higher than they are wide. Hunts Court reinforces the vertical theme with the pilasters rising from the top of the rustication. This makes for an uncomfortable contrast. While most of the openings in the facade are uniform (the exception being the central doorway) and the first and second floor openings mirror the width of the ground floor openings, the irregularities on the third floor at either end of the building break the pattern. Ideally, we feel that a greater (and uniform) sub-division of the windows/paneling spaces of the first and second floors, giving a vertical rather than horizontal impression, within the width constraint of the ground floor window, together with some echo of the pilasters down to the eight wider plinths, would result in a facade that is even more harmonious and more interesting. That brings us to our second comment: while the facade is better for being less fussy and complex, perhaps that has been taken too far so that it is now rather bland. As regards materials and finishes we understand [from correspondence between a Society member and Mr Major of Gadd's] that there is some thought that a full or partial terracotta panel cladding might replace the some or all of the materials proposed. We are not clear how this might be arranged. However, on the proposal before us: We strongly feel that the timber paneling as proposed is not at all appropriate. We would welcome a finish (common to both render and infill panel areas) that is a bit warmer than the white shown on the drawings: again, this would be in better harmony with Hunts Court. The third floor is shown with Powder Coated Cladding panels in quite a strong blue colour on the plans. This will be particularly visible from Park St., as the entire western end of the third floor (apart from the stair/lift turret) is panelled. We would urge that the colour be constrained and that anything strident be avoided. We have also seen a comment from Mr Major that they are "looking to strengthen the arcade between Bath Place and Corporation St". We would welcome that, especially improved top-lighting and natural ventilation, as the drawings seem to indicate a rather narrow set of top-lights. Long enclosed passages run a risk of being treated like road under-passes - spaces to be avoided by the nervous and easily vandalised. We continue to believe that the whole site should be included within the Bath Place Conservation Area.

ENVIRONMENTAL HEALTH OFFICER noise emissions from the site during the construction phase should be limited to the following hours if nuisance is likely at neighbouring premises: Monday - Friday 0800 - 1800, Saturdays 0800 - 1300 .All other times, including Public Holidays No noisy working. Equipment shall be installed that will effectively suppress and disperse fumes and/or smell produced by cooking and food preparation as impacting upon neighbouring premises. The equipment shall be effectively operated for as long as the use continues. The equipment shall be installed and be in full working order prior to the commencement of use. The extraction equipment shall be regularly maintained to ensure its continued satisfactory operation. The external ducting should be so designed that the flue discharges not less than 1 meter above the roof eaves level. Reason: To ensure that unsatisfactory cooking odours outside the premises are minimized in the interests of the amenity of occupiers of nearby properties. Prior to occupation of dwellings to which this permission relates, the developer should ensure that residential flats should not be exposed to internal noise levels of 40 dB(A) LAeq 16 hour in all rooms during the day (07:00 - 23:00) and 30 dB(A) LAeq 8 hour during the night. In addition a 45 decibel LAmx applies in all bedrooms during the night.

LEISURE DEVELOPMENT OFFICER the proposed development does not make provision for childrens play or sport although it will generate additional needs. I would therefore request a contribution of £2,562 per each of the dwellings for sport and play in the local area. A total off site contribution of £35,868 in line with local plan policy.

TAUNTON TOWN CENTRE COMPANY LTD Ms D Hartnell, your Conservation Officer presented these plans to a meeting of Taunton Town Centre Partnership last week. They were received favourably as an improvement on the previous submission but there were comments that a more innovative design at the gateway to the town would have been more interesting, and the partners hope that this opportunity may be considered at other key entry points to Taunton. We would also repeat our request that vehicular access to Bath Place from the Southern end should be extinguished if possible, and the entry to Bath Place at this point should be landscaped in a way that complements the Dragon Book shop (Mos Food).

A letter has been received on behalf of the Friends Meeting House stating that they have no objection providing that their right of access for vehicles along Bath Place is not compromised.

POLICY CONTEXT

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

Taunton Deane Local Plan Policies S1 Proposals for development, taking account of any mitigation measures proposed, will be required to meet the following criteria, in addition to any other Development Plan policies which apply in a particular case: (A) additional road traffic arising, taking account of any road improvements involved, would not lead to overloading of access roads, road safety problems or environmental degradation by fumes, noise, vibrations or visual impact; (B) the accessibility of the development by public transport, cycling and pedestrian networks would be consistent with its likely trip generation and minimising the need to use the car; (C) the proposal will not lead to harm to protected wildlife species or their habitats; (D) the appearance and character of any affected landscape, settlement, building or street scene would not be harmed as a result of the development; (E) potential air pollution, water pollution, noise, dust, glare, heat, vibration and other forms of pollution or nuisance which could arise as a result of the development will not harm public health or safety, the amenity of individual dwellings or residential areas or other elements of the local or wider environment; (F) the health, safety or amenity of any occupants or users of the development will not be harmed by any pollution or nuisance arising from an existing or committed use; (G) the safety of any occupants or users will not be at risk from ground instability; and (H) the site will be served by utility services necessary for the development proposed. S2 Development must be of a good design. Its scale, density, height, massing, form, layout, landscaping, colour, materials and access arrangements will be assessed to ensure that the proposal will, where reasonable and feasible: (A) reinforce the local character and distinctiveness of the area, including the landscape setting of the site and any settlement, street scene and building involved; (B) incorporate existing site features of environmental importance; (C) reinforce nature conservation interest; (D) minimise the creation of waste in construction and incorporate recycled and waste materials; (E) include measures to reduce crime; (F) minimise adverse impact on the environment, and existing land uses likely to be affected; (G) include facilities to encourage recycling; (H) make full and effective use of the site; (I) subject to negotiation with developers, incorporate public art; and (J) include measures to promote energy efficiency. H1 The development of sites allocated for housing will be in accordance with the phasing strategy of this policy, which seeks to ensure that priority is given to the development of previously developed brownfield sites and maintaining a sufficient supply of land for residential development. Sites identified in Phase 2 are not anticipated to commence development until after April 2006, although planning permission may be granted prior to this date subject to conditions regarding infrastructure provision and necessary lead times. The performance of the phasing strategy will be monitored, reviewed and rolled forward on an annual basis. Where sites are coming forward at a rate different to that anticipated in this policy and, having regard to the considerations set out below, it is found to be necessary to adjust the strategy, this will be implemented through a supplementary planning document. (A) The need to achieve sustainable development. (B) The need to enable the necessary annual housebuilding rate. (C) The contribution from non-allocated sites. (D) The receipt of market intelligence. (E) Other material considerations. H3 Within the Taunton Central Area, the use or conversion of vacant non-residential buildings or parts of buildings to residential units will be permitted provided that: (A) the new dwellings will not be detrimentally affected by an existing or proposed unneighbourly use; (B) the appearance and character of the building or street scene would not be harmed; (C) the historic and archaeological heritage of the area would not be harmed; and (D) the proposal would not conflict with policies to protect the integrity of the shopping frontages. Requirements of policies S1 and H2 not covered in (A) to (D) above will not

apply to these proposals. EN14 Development within or affecting a conservation area will only be permitted where it would preserve or enhance the appearance or character of the conservation area. EN15 There is a strong presumption against the demolition of buildings which make a positive contribution to the character or appearance of a conservation area. Proposals involving the demolition of other buildings within or affecting a conservation area will not be permitted unless acceptable proposals for any redevelopment or new use for the site have been approved. This requirement will also apply in the very rare circumstances where proposals involving demolition of buildings which make a positive contribution are allowed. C4 In the event of the increased demand for open space not being met by existing facilities, developers of new housing, on sites of six or more dwellings, will provide landscaped and appropriately equipped recreational open space in accordance with the following standards: (A) children's play space: 20 square metres per family dwelling to comprise casual play space and LEAPS and NEAPS to the required standard, as appropriate. This standard excludes space required for noise buffer zones; (B) adequately constructed and equipped public playing fields: 45 square metres per dwelling. This standard excludes space required for noise buffer zones; (C) formal parks, gardens and linear open spaces as required by particular Local Plan allocations; (D) in the case of small groups of housing where the site is too small for provision of playing fields or children's play space on-site, or where it is physically unsuitable, off-site provision will be sought; and (E) developers will be required to arrange for maintenance of the recreational open space.

ASSESSMENT

A proposal for comprehensive redevelopment of this most important site is to be welcomed. The former Four Alls building makes an important contribution to the character of the area. Therefore its retention in its entirety is also an important positive factor in favour of this scheme. The scale and proportions of the building now proposed will sit much more comfortably within the Corporation Street frontage than any of the buildings proposed in earlier schemes.

As previously, we have sought architectural advice from Terence O'Rourke (who have been responsible for the urban design codes for the Taunton Vision). Whilst welcoming the scheme in principle, they share some to the detailed concerns of the Civic Society,

particularly in terms of the lack of vertical emphasis. A meeting has therefore taken place where Andy Ward of Terence O'Rourke suggested some amendments to the detailed elevational treatment. It is understood that these were accepted by the applicant and revised elevation drawings are awaited.

The Conservation Officer now has no objection in principle, although her detailed comments are awaited.

The provision of pedestrian access at the eastern end of the site is another positive feature of this proposal. Whilst this scheme will result in removal of the majority of vehicles from Bath Place a right of access remains to the Friends Meeting House which is not within the applicants control. There have also previously been requests to provide a cycle lane along Corporation Street. However, this is not possible if the Four Alls building is to remain due the existing narrow width of pavement in this location.

Overall subject to the amendments referred to, this is considered to be an excellent proposal.

RECOMMENDATION

Subject to the submission of revised drawings taking into account issues raised by the Council's Architectural Advisor, submission of flood risk assessment, the comments of the County Highway Authority, Drainage Officer and the Conservation Officer and completion of a Section 106 Agreement in relation to sport and recreation contributions by 30th September, 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, car parking, cycle parking, meter boxes, aerials, odour, noise, archaeology, tree protection, arcade surfacing. Notes re noise during construction, Wessex Water systems and infrastructure, fire safety requirements, compliance, S106 agreement, Part M and CDM Regs .

REASON(S) FOR RECOMMENDATION:- The mix of uses proposed is considered appropriate for this town centre location in accordance with Taunton Deane Local Plan Policies H1, H3 and S3. The proposed design will respect the character and form of both Corporation Street and the Bath Place Conservation Area to the rear. The proposal therefore complies with the requirements of Taunton Deane Local Plan Policies S2 and EN14.

Should the Section 106 agreement not be completed by 30th September, 2005 the Development Control Manager be authorised to REFUSE permission for the following reason of inadequate provision has been made for the provision of sport and recreation facilities in accordance with 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: 356464 MR T BURTON

NOTES:

38/2005/322

KNIGHTSTONE HOUSING GROUP

DEMOLITION OF EXISTING HOUSE AND REPLACEMENT WITH BUILDING COMPRISING 10 UNITS FOR PEOPLE WITH SPECIAL CORE NEEDS, 12 MOORLAND CLOSE, TAUNTON AS AMENDED BY LETTER DATED 26TH AUGUST, 2005 WITH ATTACHED PLAN NOS. 2904/6A, 5A AND 3C

24503/25139

FULL PERMISSION

PROPOSAL

The proposal comprises the demolition of the Old Police House in Moorland Close, which is currently in use as a home for people in need of special care, and its replacement with a purpose built building serving a similar function on behalf of the Social Services Department of the County Council.

The residents would benefit from larger and more self-contained living facilities, and 10 units are proposed compared with 7 units at present. Each unit would have lounge/kitchen, bedroom and bathroom and there would be additional communal facilities.

The building would be two storey with vehicular access serving 4 No. parking spaces off Moorland Close.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY recommends conditions on parking, turning and visibility splay. WESSEX WATER recommends notes.

LANDSCAPE OFFICER there are no landscape features of significant amenity and therefore subject to a suitable landscape scheme it should be possible to integrate the proposals into the local urban environment. BUILDING CONTROL OFFICER there would appear to be no lift, and Part M of the Regs would require one. No access statement seems to have been provided that would indicate access details, parking space, colour scheme, lighting. DRAINAGE OFFICER no observations.

1 LETTER OF OBJECTION has been received raising the following issues:- the development would jeopardise the sale of their house; building work would affect their sleep; privacy would be affected; residential amenity would be affected; and parking would be difficult.

POLICY CONTEXT

Policy H4 of the Taunton Deane Local Plan accepts the construction of new buildings to form self-contained accommodation provided they conform with Policy H2. Policy H2 accepts housing development within settlement limits provided, inter alia, a coherent approach to the overall design is adopted, and visual and residential amenity is catered

for. Policies S1 and S2 of the Taunton Deane Local Plan seek to safeguard, inter alia, visual and residential amenity and road safety.

ASSESSMENT

With regard to Part M of the Building Regulations in respect of the lift, the agent advises that the scheme has been designed specifically to allow for disabled people to be accommodated at ground floor, thereby complying with Part M and negating the need for a lift. This issues can nevertheless be addressed at Building Regulation stage.

In respect of the objectors concern over the sale of their house, building work affecting their sleep, and cars blocking their driveway, there are not planning issues. With regard to their concern over residential amenity, there would be no loss of either light or privacy.

In respect of design and impact on visual amenity, the proposed development is considered acceptable.

RECOMMENDATION

Permission be GRANTED subject to conditions of time, materials, landscaping, drainage, bathroom windows to be obscure glazed, parking, turning and visibility splay.

REASON(S) FOR RECOMMENDATION:- The proposed development would not adversely affect visual or residential amenity, or road safety, and therefore does not conflict with Taunton Deane Local Plan Policies S1, S2, H2 or H4.

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

CONTACT OFFICER: 356465 MR J GRANT

NOTES:

38/2005/323

FLOWER & HAYES DEVELOPMENT

DEMOLITION OF BUILDING AND ERECTION OF 13 FLATS OF ONE AND TWO BEDROOM AT 46 ST JAMES STREET, TAUNTON AS AMENDED BY LETTER DATED 26TH AUGUST, 2005 AND PLAN NOS. 1499/02 REV A AND 03 REV A

22827/24779

FULL PERMISSION

PROPOSAL

The site consists of a modern flat roofed two storey building, last used as a furniture showroom. The site lies within the conservation area and is bounded by a similar building to the east, St James Court to the west and Quadrant Court to the south. Approval was granted for 14 apartments in 2002 and the current application for 13 units is for a similar design to the approved scheme in a sustainable location using sustainable materials.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY no objection in principle to this application. The site is close to adequate services and facilities and is within Taunton's development limits. In detail the access at Quadrant Court is substandard and the visibility to the left is minimal and cannot be improved. The plans suggest parking for only 3 vehicles for 13 flats. I would suggest no parking for is provided for the development as it is in a central location and this is not an essential requirement. I would recommend refusal if vehicle parking is to be provided. COUNTY ARCHAEOLOGIST the site lies in an area of high potential as defined in the Local Plan. It is sited adjacent to the medieval town ditch and on the original route from the town to the medieval Augustinian Priory. Also Roman artifacts have been discovered on site. I recommend that the applicant be required to provide archaeological monitoring of the development and a report made on any discoveries. This should be secured by means of model condition 55 attached to any permission granted. I am happy to provide a specification for the work and a list of suitable archaeologists to undertake it. WESSEX WATER the development is located in a sewered area with foul and surface water sewers available. Surface water flows should not be connected to the foul sewer. It will be necessary to agree a point of connection for the satisfactory disposal of foul and surface water flows generated by the proposal. With regard to water supply there are mains in the vicinity and again connection can be agreed at the design stage.

LANDSCAPE OFFICER subject to the retention of the two birch trees on the street frontage it should be possible to integrate the proposals into the local environment. ENVIRONMENTAL HEALTH OFFICER note re noise emissions from the site during construction should be limited to the following hours Mon-Fri 0800-1800, Saturdays 0800-1300. All other times, including public holidays - no noisy working. DRAINAGE OFFICER no observations to make. LEISURE DEVELOPMENT MANAGER the proposed development does not make provision for children's play or active recreation/sport, although it will generate additional needs. I would therefore request a

contribution of £777 per each of the 6 x 1 bed flats and £2562 per each of the 7 x 2 bed flats for sport and play in the local area. A total off site contribution of £22,596.

1 LETTER OF OBJECTION raising the following issues:- disruption and noise caused by demolition and building work; the use of the narrow drive as vehicular access to the proposed flats which is not suitable for regular use.

1 LETTER from adjoining owner raising the following concerns:- quality of life for tenants; concern over loss of wall and screening; need to introduce variation in the brick or render; all windows should be obscure glazed on elevation B; lowest window should be removed as is obtrusive and cause loss of privacy; building height will cause loss of view which is disappointing; two storey would be preferable; any asbestos should be properly dealt with; precautions should be taken to minimise dust; if permission is granted restrictions on working hours should be imposed re no weekend working, work between 8 a.m. and 5 p.m. only and no radios played on site.

1 LETTER OF OBJECTION signed by 32 residents of St James Court raising the following issues:- the height of the development on this site would be out of proportion, it would be higher than the adjacent flats, it would restrict light, the existing wall should be retained, a bland brick wall would tower over the boundary and change the atmosphere, want to retain rural setting rather than enclosed feeling a large brick wall would give.

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 13 Locally Important Archaeological Remains, POLICY 33 Provision for Housing.

Taunton Deane Local Plan Policies S1 General Requirements, S2 Design, H2 Housing within Settlements, M4 Parking Requirements, C4 Open Space Requirements, EN14 Conservation Areas, EN23 Areas of High Archaeological Potential.

ASSESSMENT

The proposal is to erect 13 flats on the site of the former furniture showroom with pedestrian access from St James Street and limited vehicular access for up to 3 parking

spaces via the service access off Middle Street. Previous permission for 14 flats was granted in 2002 with a 3 storey building on the frontage reducing to two storey at the rear. The issues to consider are the impact on neighbours and the impact on the character of the Conservation Area.

The proposal is to erect a three storey building on the site frontage as before with a reduction in height to two storeys at the rear. The revised plan reduces the height down from the initial scheme to reflect the height of that previously approved. A number of neighbour objections have been received as before, however the impact of the submitted scheme is not considered to be worse than that previously approved. If anything the current scheme will have less of an impact as it has less windows in the side elevation to St James Court and these are to be obscure glazed as per the previous approval. Consequently in terms of policy H2 of the Local Plan the scheme is considered acceptable one and has less overlooking impact.

The design of the flats is similar in character to the previous approval and is an improvement over the existing buildings on site. The scheme is therefore considered to result in an improvement in terms of the character of the conservation area. Pedestrian access is proposed at the front and rear and the existing rear service access is also proposed for the access to serve 3 parking spaces. Given the level of traffic this will involve it is not considered reasonable to object to this. Cycle parking provision is also intended.

The site lies within an area of high archaeological potential and the application has been assessed by the County Archaeologist and a condition is recommended to address this issue. The Local Plan also makes provision for recreation and play space and as this is not available to be provided on site a contribution to off site provision has been identified. This is to be the subject of a Section 106 Agreement.

In summary the proposal is considered to accord with the policies of the development plan and to be similar in scale and design with the previous approval and is therefore recommended for approval.

RECOMMENDATION

Subject to no further objections raising new issues by 13th September, 2005 and subject to a Section 106 Agreement concerning recreation and play space provision 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, sample panel, hardsurfacing, rainwater goods, landscaping, obscure fixed glazing facing St James Court, archaeological programme of works, timber windows and doors, window reveal, cycle parking, bin storage, no surface water discharge to foul sewer. Notes re Conservation Area Consent.

REASON(S) FOR RECOMMENDATION:- The proposed development is considered to be in an appropriate sustainable location and subject to conditions to comply with Taunton Deane Local Plan Policies S1, S2, H2, M4, C4, EN14, and EN23.

If the Section 106 Agreement is not completed by 13th October, 2005 the Development Control Manager in consultation with the Chair/Vice Chair be authorised to REFUSE permission for reason of 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:

49/2005/043

MR & MRS GREEN

ERECTION OF EXTENSION TO FACTORY, REAR OF THE FORMER WILSCOMBE MELAMINE BUILDING, FORD ROAD, WIVELISCOMBE (RENEWAL)

08420/26980

FULL PERMISSION

PROPOSAL

This application comprises renewal of a planning application given consent in September 2000 (also a renewal) involving the erection of an extension to an existing industrial unit providing 550 sq m storage area. The extension measures 30 m x 19 m x 7.3 m to the ridge. Materials will be red brick, render and a profile sheeting roof to match the existing. Distance to the rear boundary with residential properties is a minimum of 17 m.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY observations as before i.e. question of whether additional traffic generated to Ford Road and if adequate parking/turning on site. Although large, extension includes storage and no anticipated additional traffic. No highway objection provided adequate parking/turning/servicing on site. WESSEX WATER development is located within a sewered area, with both foul and surface water available.

ENVIRONMENTAL HEALTH details of an Abatement Notice served with reference to noise from machinery in 1995. Due to age of notice it would be difficult for us to enforce such a notice now. Complaints about noise received in 2001, but following monitoring have not proven nuisance. There are no current complaints about the property and as such I will not be recommending a noise condition. DRAINAGE OFFICER no comments received.

PARISH COUNCIL objects due to concerns regarding noise and proximity to Cooper's Heights.

6 LETTERS OF OBJECTION have been received raising the following issues:- the factory has been the subject of noise pollution on two previous occasions from Taunton Deane Borough Council; close proximity will only increase problems; application should be rejected; noise levels are increasing, doors left open, lorries manoeuvre and leave engines running; realistic to expect regulations being proposed if application succeeds; concern regarding lack of public notice of the application.

POLICY CONTEXT

Policies S1 (general requirements) and S2 (design) of the Taunton Deane Local Plan are relevant to this application. The proposal is considered not to harm the residential or visual amenity of the area, and is in accordance with these policies. Policy EC1 Business, industrial and warehousing development will be permitted within the defined limits of settlements, provided that; (A) large-scale office developments will only be permitted within the settlement limits of Taunton or Wellington; (B) in the case of industrial or warehousing proposals where freight movements are likely to be high, a freight link to the rail network or safe access to the national or county road network is provided; and (C) within Areas of Outstanding Natural Beauty only small-scale, unobtrusive developments will be permitted.

ASSESSMENT

There has been no change in circumstances since the granting of the previous application in 2000 and hence the application is considered acceptable subject to a condition limiting noise in addition to the conditions previously imposed.

RECOMMENDATION

Permission be GRANTED subject to conditions of time limit, materials, parking plans required, no outside storage other than defined areas, service yard for loading/unloading/manoeuvring only unless otherwise agreed, noise emissions must not exceed 41db Monday - Friday 0800-1800 hours, Saturday 0800-1300 hours, at other times must not exceed background noise levels by more than 3db, surface water. Notes re include definition of background noise levels, best practice, and compliance.

REASON(S) FOR RECOMMENDATION:-

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

CONTACT OFFICER: 356463 MR D ADDICOTT

NOTES:

49/2005/047

MR & MRS N FIRTH

CONVERSION OF SPACE OVER GARAGE AND STORE TO FORM LIVING ACCOMMODATION AT 28 WEST STREET, WIVELISCOMBE AS AMENDED BY LETTER AND PLAN NO.8902A RECEIVED 8TH AUGUST, 2005

07956/27845

FULL PERMISSION

PROPOSAL

The property is situated on the corner of West Street and Jews Lane in Wiveliscombe. The building, the subject of the application, is an outbuilding currently used as ancillary storage/garage workshop to No. 28. Jews Lane rises away from West Street, thus the outbuilding is at a slightly higher level than the main house. No. 26 West Street is to the east of No. 28, and windows in the existing houses face each other. No. 3 Richard Beadon Close is to the north of the site, this is a bungalow, sited on higher ground, such that only the upper level of the outbuilding comes above the garden. A high conifer hedge screens the north-western elevation from No 3. The outbuilding is stone/painted stone with corrugated roofing sheets, with a lower part to the east. It is intended to take the roof off the lower part, and erect fencing on top of the existing wall to a height 2 m to form an enclosed terrace area. It is also intended to install two rooflights adjacent to the ridge, and re-roof in slate to match the house. The window facing Jews Lane would be increased in size.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY providing the accommodation is used ancillary to the main dwelling, no objections. RIGHTS OF WAY OFFICER no observations to make.

CONSERVATION OFFICER no objection, details of glazed gable should be conditioned for future approval.

PARISH COUNCIL objections on basis that the impact would be caused to surrounding neighbouring properties which would be seriously overlooked from the roof terrace. The property is in close proximity to other residential dwellings.

ONE LETTER OF OBJECTION has been received raising the following issues:- the balcony area would be very close to Nos. 24 and 26, the development is so close as to be overpowering and an encroachment into the little space between properties, the balcony would be about 12 ft from a bathroom window.

POLICY CONTEXT

Taunton Deane Local Plan Policies S1 General requirements relating to highway safety, accessibility, health and safety of users of the development, character of the landscape

and building not to be harmed, S2 good design to reinforce the character, H18 ancillary accommodation, the conversion of an appropriate building within the curtilage of a dwelling for ancillary accommodation will be permitted. The site is within Wiveliscombe Conservation Area, EN14 Conservation Areas, development should preserve or enhance the appearance or character of the Conservation Area.

ASSESSMENT

The outbuilding is existing, thus Policy H18 allows for the conversion of such buildings to ancillary accommodation. The plans have been amended to overcome any potential overlooking, as the enclosure would be 2 m above the floor level and the rooflights would be adjacent to the roof. The proposal is considered to be acceptable.

RECOMMENDATION

Permission be GRANTED subject to conditions of time, retention of fencing/means of enclosure to 2 m in height, only those windows shown, details of front window, single family house.

REASON(S) FOR RECOMMENDATION:- The proposal accords with Taunton Deane Local Plan Policies H18 and EN14 without detriment to the character of the Conservation Area or the amenities of the neighbouring properties.

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:

PLANNING COMMITTEE – 7 SEPTEMBER, 2005

Report of the Development Control Manager

ENFORCEMENT ITEM

Parish: Hatch Beauchamp

1. **File/Complaint Number** E392/19/2003
2. **Location of Site** Old Post Cottage, Village Road, Hatch Beauchamp, Taunton, TA3 6SG
3. **Names of Owners** Mr & Mrs N Thomas
4. **Names of Occupiers** Mr & Mrs Thomas
5. **Nature of Contravention**

Erection of a canopy to front of building

6. **Planning History**

The canopy was erected following a change of use and refurbishment of the property into a dwelling. The provision of the canopy required planning permission as it projects forward of the face of the building.

A retrospective application was submitted on 11 November, 2003 and subsequently refused under delegated powers on 3 February, 2004. Further negotiations took place between the Conservation Officer and the owner and it was thought that the canopy would be removed, however this has clearly not happened.

7. **Reasons for taking Action**

The canopy is an alien feature, at variance with the character of the building, street scene and Conservation Area of Hatch Beauchamp and as such is contrary to Somerset and Exmoor National Park Joint Structure Plan Review Policy 9 and Taunton Deane Local Plan Policy EN14 and advice in PPG15.

8. **Recommendation**

The Solicitor to the Council be authorised to serve an Enforcement Notice and take Prosecution action subject to satisfactory evidence being obtained that the notice has not been complied with.

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

CONTACT OFFICER: Mr J A W Hardy Tel: 356479

PLANNING COMMITTEE – 7 SEPTEMBER, 2005

Report of the Development Control Manager

ENFORCEMENT ITEM

Parish: Taunton

- | | | |
|----|------------------------------|--------------------------------|
| 1. | File/Complaint Number | E32/38/2005 |
| 2. | Location of Site | 38 Tyne Park, Taunton, TA1 2RP |
| 3. | Names of Owners | Mr & Mrs I Dutton |
| 4. | Names of Occupiers | Mr & Mrs I Dutton |

5. **Nature of Contravention**

Erection of fence.

6. **Planning History**

The fence was brought to the Council's attention in January this year. Tyne Park is predominantly an open plan estate and to reinforce this policy permitted development rights have been removed in respect of gates, walls and fences. Following the granting of planning permission for a conservatory and porch in September 2004 the owners removed the hedge that surrounded the property and erected a 1.8 m high fence in its place. The fence is placed on the back edge of the pavement adjacent to the highway and is in contravention of Part 2 Minor Operations Class A of the Town and Country Planning (General Permitted Development) Order 1995.

7. **Reasons for taking Action**

It is considered that the fence is likely to create a precedent and due to its height and visual impact on the road frontage, is considered to detract from the visual amenity of the open plan street scene. It is therefore contrary to Policies S1 and S2 of the Revised Taunton Deane Local Plan

8. **Recommendation**

The Solicitor to the Council be authorised to take enforcement action and prosecution proceedings subject to satisfactory evidence being obtained should the notice not be complied with.

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

CONTACT OFFICER: Mr J A W Hardy Tel: 356479

PLANNING COMMITTEE – 7 SEPTEMBER, 2005

Report of the Development Control Manager

ENFORCEMENT ITEM

Parish: West Hatch

1. **File/Complaint Number** E66/47/2005
2. **Location of Site** Abbeywood, West Hatch, Taunton, TA3 5RL
3. **Names of Owners** Mr A Clements
4. **Names of Occupiers** Mr A Clements
5. **Nature of Contravention**

Erection of 6 ft wall adjacent to the highway.

6. **Planning History**

The wall was constructed in February this year to a height of approximately 1.8 m. It is of concrete block and render construction and situated 200 mm back from the edge of the highway. The owner was contacted and advised that planning permission was required as the wall was over 1m high adjacent to the highway. He confirmed that he would not submit an application but would reduce the wall down to 1m. County Highways were contacted who were concerned about the lack of visibility the wall has caused and recommended that it should be removed or set back from the edge of the carriageway. In July contractors reduced the height of the wall, which now measures 950 mm at the lowest point and 1.10 m at the highest.

7. **Reasons for not taking Action**

Although technically part of the wall is still over 1m in height the amount is only 100 mm (4 ft) at the highest part and is considered to be acceptable.

8. **Recommendation**

As planning permission would not be required if the wall was 1m high it is considered that the additional height is insignificant and an improvement on the original 1.8 m high wall. Therefore it is recommended that no further action be taken.

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