



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 23RD NOVEMBER 2005 AT 17:00.

(RESERVE DATE : THURSDAY 24TH NOVEMBER 2005 AT 17:00)

AGENDA

1. Apologies
2. Minutes of the meeting of the Committee held on 2 November 2005 (attached).
3. Public Question Time
4. CREECH ST MICHAEL - 14/2005/039
ERECTION OF A BUNGALOW AT 3 FRANCIS CLOSE, CREECH HEATHFIELD AS AMENDED BY APPLICANTS LETTER DATED 9TH NOVEMBER, 2005 AND PLAN NOS. 01B, 02B, 03B, 04B, AND 05A
5. FITZHEAD - 17/2005/006
ERECTION OF CONSERVATORY AT SWIFTS BARN, MANOR FARM, FITZHEAD AS AMPLIFIED BY APPLICANTS LETTER RECEIVED 4TH NOVEMBER, 2005
6. KINGSTON ST. MARY - 20/2005/022
ERECTION OF 13 LOG CABINS FOR HOLIDAY LET AT LAND AT MILLFIELD NURSERY, PARSONAGE LANE, KINGSTON ST MARY (REVISED DESIGN TO 20/2005/012).
7. NORTON FITZWARREN - 25/2005/033
FORMATION OF ACCESS AND DRIVEWAY TO 2 AND 3 BURNHILL TERRACE, NORTON FIZWARREN, TAUNTON
8. TAUNTON - 38/2005/347
ERECTION OF DWELLING ON LAND OFF GREENWAY ROAD, TAUNTON (RENEWAL 38/1998/423) AS AMENDED BY AGENTS E-MAIL 14TH OCTOBER, 2005 AND SKETCH PLAN NO. R0133/PC/05
9. TAUNTON - 38/2005/404
DEMOLITION OF PART OF EXISTING BUILDINGS, ERECTION OF TWO STOREY AND SINGLE STOREY EXTENSIONS AND CHANGE OF USE AND CONVERSION FROM SHOP AND LIVING ACCOMMODATION TO 4 FLATS AT 44 & 46 STAPLEGROVE ROAD, TAUNTON AS AMENDED BY AGENTS LETTER DATED 2ND NOVEMBER, 2005
10. TAUNTON - 38/2005/407

ERECTION OF OFFICE BUILDING WITH PARKING AND RECEPTION FOR USE AS REGIONAL FIRE CONTROL CENTRE AND FORMATION OF NEW BUNDING TO SURFACE WATER RETENTION PONDS AT BLACKBROOK BUSINESS PARK, TAUNTON AS AMENDED BY AGENTS LETTER DATED 19TH OCTOBER 2005 AND PLANS 46413/1EXW/COOL/P1 WITH LANDSCAPE DRAWING SP.1156.12 AND SP.1189.1A.

11. TAUNTON - 38/2005/417
ERECTION OF OFFICE BUILDING AND FORMATION OF ACCESS AND CAR PARK ON LAND TO THE SOUTH WEST AT JUNCTION 25 OF THE M5, BLACKBROOK BUSINESS PARK, TAUNTON AS AMENDED BY LETTER DATED 9TH NOVEMBER, 2005 AND PLANS 0508/A, 0508/04E AND 08B
12. TAUNTON - 38/2005/426
ERECTION OF 8 NO. 1 BEDROOM FLATS WITH DEMOLITION OF 3 GARAGES, LAND TO REAR OF 51 - 53 CHEDDON ROAD, TAUNTON
13. TAUNTON - 38/2005/448
CHANGE OF USE FROM C1 (GUEST HOUSE) TO C2 (RESIDENTIAL INSTITUTION) AT ORCHARD HOUSE, MIDDLEWAY, TAUNTON
14. WELLINGTON (WITHOUT) - 44/2005/018
ERECTION OF SINGLE STOREY EXTENSION, SNOWS COTTAGE, HIGHER WRANGWAY, WELLINGTON.
15. WEST MONKTON - 48/2005/051
ERECTION OF BUNGALOW ON LAND TO THE EAST OF SIDBROOK FARM, 83 GREENWAY, MONKTON HEATHFIELD.
16. 13/2005/006 AND E257/13/2005 - ERECTION OF A CONSERVATORY AT TOULTON BOTHY, COTHELSTONE, BISHOPS LYDEARD. Enforcement item
17. E254/38/2005 - PROVISION OF THREE SATELLITE DISHES AT 18 PARK STREET, TAUNTON. Enforcement item

G P DYKE
Member Services Manager

The Deane House
Belvedere Road
TAUNTON
Somerset

TA1 1HE

16 November 2005

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

Planning Committee Members:-

Councillor Mrs Marie Hill (Chairman)
Councillor Mrs Marcia 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 – 2 November 2005

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

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

No press were present at the meeting.

(The meeting commenced at 5.00 pm.)

136. Apologies

Councillors Miss Cavill and Lisgo.

137. Minutes

The minutes of the meeting, held on 12 October 2005, were taken as read
and were signed.

138. 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:-

08/2005/021LB

Alterations including the provision of a higher new roof and conversion of
barn to dwelling at the Wagon House, Tudor Park, Maidenbrook, Cheddon
Fitzpaine.

Conditions

- (a) C002A – time limit – listed building;
- (b) C103A – materials – listed building;
- (c) Prior to the works for which consent is hereby granted are
commenced, specific details of the means by which the roof,
including the roof structure, is to be raised shall be submitted to, and

approved in writing by, the local planning authority and thereafter implemented strictly in accordance with the approved details;

- (d) C112 – details of guttering, down pipes and disposal of rainwater;
- (e) The finished treatment for external joinery shall first be approved in writing by the local planning authority;
- (f) Prior to commissioning, specific details of the means by which recovered roofs and enclosed baths/WC's/en-suites are to be vented shall be submitted to, and approved in writing by, the Local Planning Authority;
- (g) Prior to commissioning, specific details of new windows, doors (internal and external), architraves, skirtings, staircases and timber boarding shall be submitted to, and approved in writing by, the Local Planning Authority;
- (h) Rooflights shall be flush fitting;
- (i) The windows and doors hereby permitted shall be recessed a minimum of 90mm in the wall;
- (j) C601 – schedule of works to ensure safety and stability of structure;
- (k) Prior to the works for which consent is hereby granted are commenced, a schedule of repairs for the existing buildings shall be submitted to, and approved in writing by, the Local Planning Authority;
- (l) C677 – listed building – repairs – approach – workmanship;
- (m) C416 – details of size, position and materials of meter boxes.

Reason for granting listed building consent:-

The proposed conversion was not considered to be detrimental to the character of the listed building and was considered to be in accordance with Taunton Deane Local Plan Policy EN17.

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

The Committee was of the view that the proposed works would not be detrimental to the character or setting of the listed building.

08/2005/022

Erection of a new higher roof and conversion of barn to dwelling at the Wagon Barn, Tudor Park, Maidenbrook, Cheddon Fitzpaine.

Conditions

- (a) C001A – time limit;
- (b) C101 – materials;
- (c) Prior to the commencement of works on site, 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;
- (d) C601 – schedule of works to ensure safety and stability of structure;
- (e) Before any part of the permitted development is commenced, details of a new hedge along the boundaries of the site (except at the point of access) shall be submitted to, and approved in writing by, the Local

Planning Authority. Such a scheme shall be carried out within the first available planting season from the date of commencement of the development;

- (f) C241 – landscaping;
- (g) C927 – remediation investigation/certificate;
- (h) The areas allocated for parking on the submitted plan shall be properly constructed, consolidated, surfaced, drained and marked out before the use commences or the building(s) are occupied and shall not be used other than for the parking of vehicles in connection with the development hereby permitted;
- (i) Prior to the commencement of works on site, a wildlife survey of the barn shall be undertaken and the results submitted to, and approved in writing by, the Local Planning Authority. Any resultant recommendations for mitigation works or the provision of new facilities on site shall be submitted to, and agreed in writing by, the Local Planning Authority and fully implemented on site as advised or prior to occupation, whichever is the sooner, and thereafter maintained in accordance with the details;
- (j) P001A – no extensions;
- (k) P003 – no ancillary buildings;
- (l) P005 - no garages;
- (m) P006 – no fencing.

(Notes to applicant:- (1) In regard to condition (b), applicant was advised that the Planning Committee would prefer the open ends to be fully glazed to keep the impression of the open ended barn; (2) In regard to condition (f), applicant was advised that the Planning Committee was strongly in favour of a hedge boundary around the site and against any erection of fence or wall boundaries in the future; (3) N048A – remediation strategy; (4) Applicant was advised that this barn is part of a listed building complex and prior consent is required for most development works/alterations. You are further advised to contact the Conservation Officer prior to any works being carried out.)

Reason for granting planning permission:-

The proposed conversion was not considered to be detrimental to the character of the listed building and was considered to be in accordance with Taunton Deane Local Plan Policy EN17.

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

The Committee was of the view that the proposed works would not be detrimental to the character or setting of the listed building.

37/2005/011

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

Conditions

- (a) C001A – time limit;
- (b) C101 – materials;
- (c) The proposal shall be limited to the storage of vehicles within the new building only unless otherwise agreed in writing by the Local Planning Authority.

Reason for granting planning permission:-

The proposed development was a means of employment provision and diversification that would not have an adverse impact on the visual amenity of this rural location and was not contrary to Taunton Deane Local Plan Policy EC2.

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

The Committee felt that despite storage buildings not normally being allowed beyond settlement limits, given the current permission on the site for outside storage, it was preferable for such storage to be within a building.

38/2005/364

Formation of neighbourhood play area, enclosed multi-use games area, alterations to site entrance, removal of existing play areas and reinstatement as wildlife and community gardens at Victoria Park, Victoria Gate, Taunton.

Conditions

- (a) C001A – time limit;
- (b) Details of the planting of the existing play areas to be removed shall be agreed within one month of the multi-use games area being brought into use, unless otherwise agreed in writing by the Local Planning Authority.

Reason for granting planning permission:-

The proposed development was considered to not adversely affect the amenity of the area and complied with Taunton Deane Local Plan Policy S1.

44/2005/016

Erection of agricultural livestock/hay barn at land to the north of Little Silver Lane, opposite Little Silver Cottage, Little Silver Lane, Wellington.

Conditions

- (a) C001 – time limit;
- (b) C102A – materials;
- (c) The development hereby approved shall only be used for agricultural and equestrian purposes reasonably necessary on the holding to which it relates. On it becoming redundant for such purposes, it shall

be demolished and all resultant materials removed from the site within three years of redundancy.

Reason for granting planning permission:-

The proposed development would not adversely affect the residential and visual amenity of the area and accordingly did not conflict with Taunton Deane Local Plan Policies S1 and S2.

48/2005/045

Demolition of 14 and 21 Richards Crescent and erection of 6 flats, 3 bungalows and formation of 18 parking spaces at Richards Crescent, Monkton Heathfield.

Conditions

- (a) C001 – time limit;
- (b) C101 – materials;
- (c) C201 – landscaping;
- (d) C208A – protection of trees to be retained;
- (e) C324 – parking;
- (f) C331 – provision of cycle parking;
- (g) P001A – no extensions;
- (h) P007 – no fencing in front of dwellings;
- (i) Surface water shall not be discharged to the foul sewer;
- (j) C215 – walls and fences;
- (k) Before occupation of any dwellings hereby permitted, a consolidated and surfaced turning space for vehicles shall be provided for site A and site B in accordance with details which shall be submitted to, and approved in writing by, the Local Planning Authority. Such turning spaces shall be kept clear of obstruction at all times.

(Notes to applicant:- (1) Applicant was advised that site boundaries to the rear should be planted with native species hedgerows outside any fencing; (2) Applicant was advised of the need to protect the integrity of Wessex Waters systems and agree this as well as points of connection to their satisfaction prior to work commencing; (3) N112 – energy conservation.)

Reason for granting planning permission:-

The proposal provided a redevelopment of land within the settlement limits in compliance with Taunton Deane Local Plan Policies S1, S2 and H2 and material considerations did not indicate otherwise.

- (2) 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:-

08/2005/014

Erection of a dwelling on land to the west of Maidenbrook Farmhouse, Cheddon Fitzpaine.

Reasons

- (a) The proposed dwelling would be located within the former garden area of the statutorily listed grade II farmhouse and it is considered that would have a detrimental impact on the setting and character of the farmhouse contrary to the requirements of the Somerset and Exmoor National Park Joint Structure Plan Review Policy 9, Taunton Deane Local Plan Policy EN16 and advice contained within Planning Policy Guidance Note No 15;
- (b) The dwelling would require the provision of a new access immediately to the north of the statutorily listed grade II farmhouse. This access would be within 5m of the listed building and its provision and its use would be detrimental to the character and setting of the listed building contrary to the requirements of the Somerset and Exmoor National Park Joint Structure Review Policy 9, Taunton Deane Local Plan Policy EN16 and advice contained within Planning Policy Guidance Note No 15.

Also RESOLVED that enforcement action be taken to secure the removal of unauthorised fences that had been erected on the site.

08/2005/015

Formation of access road for residential development, to the north of Maidenbrook Farmhouse, Cheddon Fitzpaine.

Reason

The proposed access would have a detrimental impact on the setting of the building. In addition, its provision would result in pressure to further de-base the setting, by the inherent wish to erect a physical boundary to protect the amenities of the farmhouse to the north, contrary to the requirements of Somerset and Exmoor National Park Joint Structure Plan Review Policy 9 and Taunton Deane Local Plan Policy EN16.

14/2005/036

Erection of dwelling to rear of 1 Paddock Close, Creech St Michael.

Reasons

- (a) The proposed dwelling will be in close proximity to the boundaries of the site and to other adjacent properties and this would detract from the amenities of the occupants of both the existing and proposed dwellings. The proposal constitutes a contrived and cramped form of development on a restricted site and would be contrary to Taunton Deane Local Plan Policies S1, S2 and H2;
- (b) An additional dwelling on this restricted site would detract from the pleasant spacious character of the street scene and from the estate in general and would be contrary to Taunton Deane Local Plan Policies S1, S2 and H2.

24/2005/034

Retention of mobile home and change of use of land to residential at Knapp Lane, North Curry.

Reasons

- (a) The site is in open countryside where it is the policy of the Local Planning Authority to resist new housing development unless it is demonstrated that the proposal serves a genuine agricultural or other appropriate need. In the opinion of the Local Planning Authority, the proposal does not constitute a genuine agricultural or other appropriate need and would therefore be contrary to Somerset and Exmoor National Park Joint Structure Plan Review Policy STR6 and Taunton Deane Local Plan Policy S7;
- (b) The site lies in an unsuitable location in open countryside beyond the recognised limits of North Curry and would be contrary to the requirements of Somerset and Exmoor National Park Joint Structure Plan Review Policy STR1;
- (c) The roads to the site are narrow and the access is substandard due to its acute angle and restricted visibility and it is therefore considered that the proposal would be contrary to highway safety and the requirements of Somerset and Exmoor National Park Joint Structure Plan Review Policy 49;
- (d) The proposed residential caravan would be out of keeping with, and detrimental to, the character and appearance of the surrounding North Curry Ridge Landscape Character Area contrary to the requirements of Taunton Deane Local Plan Policy EN12.

36/2005/017

Retrospective application for the change of use, conversion and alteration to building to form holiday accommodation together with erection of wind turbine at Higher House Farm, Helland Lane, Stoke St Gregory (alternative scheme to approval 36/2003/026).

Reason

The proposal, by reason of the changes to the fabric of the building, lack of nature conservation provision and altered curtilage would be contrary to Taunton Deane Local Plan Policies S7, EC6 and EN4.

Also RESOLVED that enforcement action be taken to secure the further alteration to the building so that it complied with the plans approved by planning permission No 36/2003/026.

47/2005/015

Erection of timber framed building for the purpose of housing agricultural machinery and hay, Abbeywood, West Hatch.

Reason

The site is in open countryside where it is the policy of the Local Planning Authority to resist new building unless it is demonstrated that the proposal serves a genuine agricultural or other appropriate need, and which minimises landscape impact. In the opinion of the Local Planning Authority, the proposed building is disproportionately sited such that it would adversely affect the landscape quality of this attractive area of open countryside. Accordingly, the proposal is contrary to Taunton Deane Local Plan Policies S7, S1 and S2.

(Note to applicant:- Notwithstanding the refusal reason, applicant was advised that a smaller building sited within the existing residential complex of Abbeywood, or the conversion of an existing building in the same complex, both subject to details of design and size, would be likely to receive planning permission.)

139. Erection of 1 No dwelling to rear of 191 and 193 Staplegrove Road, Taunton (38/2005/352)

Reported this application.

RESOLVED that subject to the receipt of no further representations raising new issues by 17 November 2005, the Development Control Manager be authorised to determine the application in consultation with the Chairman and, if outline planning permission was granted, the following conditions be imposed:-

- (a) C005 – outline – reserved matters;
- (b) C009 – outline – time limit;
- (c) C104 – materials to match existing;
- (d) C010 – drainage;
- (e) C215 – walls and fences;
- (f) Plans showing a parking area/garaging providing for three vehicles shall be submitted to, and approved in writing by, the Local Planning Authority before the development is commenced. This area shall be properly consolidated, surfaced and drained before the use commences or the building(s) are occupied and shall not be used other than for the parking of vehicles in connection with the development hereby permitted;
- (g) The parking shall be provided so that the existing garage off Dowell Close is retained solely for use in connection with 193 Staplegrove Road and one garage is provided solely for the use in connection with the new dwelling. The third parking area shall be available for visitors to either dwelling;
- (h) Provision shall be made for the parking of two cycles in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority. Such provision shall be made before the development hereby permitted is occupied/use hereby permitted is commenced;
- (i) Prior to the commencement of works on site, details showing a footpath link from 193 Staplegrove Road to the court off Dowell Close shall be

submitted to, and approved in writing by, the Local Planning Authority. The footpath link shall be provided in accordance with the approved details prior to the occupation of the dwelling hereby permitted and shall thereafter be maintained.

(Notes to applicant:- (1) Applicant was advised that the dwelling should be designed in such a way as to minimise the effect of overlooking onto adjacent residential properties. In this respect you are advised that a 10m rear garden should be provided for adequate separation between the existing dwellings and the proposed dwelling; (2) Applicant was advised that the proposed dwelling should be designed in keeping with properties in Dowell Close and ensure that space is retained around the dwelling to avoid a cramped appearance; (3) N111 – disabled access; (4) N112 – energy conservation; (5) N117 – crime prevention.)

Reason for outline planning permission, if granted:-

The proposed development lay within the limits of a classified settlement where the principle of development was considered acceptable and the proposal was considered to be in accordance with Taunton Deane Local Plan Policies S1 and H2.

140. Demolition of dwelling and erection of one bedroomed flats together with delivery access at 5-7 Compass Hill, Taunton (38/2005/356)

Reported this application.

RESOLVED that subject to the applicants entering into a Section 106 Agreement regarding a contribution towards sport and recreation, the Development Control Manager be authorised to determine the application in consultation with the Chairman and, if outline planning permission was granted, the following conditions be imposed:-

- (a) C005 – outline – reserved matters;
- (b) C009 – outline – time limit;
- (c) 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;
- (d) C013 – site levels;
- (e) C014 – time limit;
- (f) C101 – materials;
- (g) Prior to work commencing on site, a sample of the brick for the elevations of the development hereby permitted shall be submitted to, and approved in writing by, the Local Planning Authority. Following this approval of the brick, a sample panel of the walling shall be constructed and the details be approved in writing by the Local Planning Authority. The sample panel shall show the bonding and finish of the mortar joints and, once approved, the further work shall match the approved panel;

- (h) Details of the window design and materials shall be submitted to, and approved in writing by, the Local Planning Authority prior to the construction work commencing and the windows shall thereafter be installed as agreed;
- (i) C207 – existing trees to be retained;
- (j) C208A – protection of trees to be retained;
- (k) C215 – walls and fences;
- (l) There shall be no occupation of the flats hereby permitted until such time as the delivery access and road-widening scheme has been agreed and carried out;
- (m) Details of the size and position of the bin stores to be provided on site shall be submitted to, and approved in writing by, the Local Planning Authority and such stores shall be provided prior to the occupation of any dwelling;
- (n) C331 – provision of cycle parking;
- (o) C911 – aerials – combine system;
- (p) Prior to work commencing on site, a wildlife survey shall be carried out and any necessary mitigation measures identified shall be incorporated within the detailed design of the development and shall be agreed in writing by the Local Planning Authority;
- (q) Prior to work commencing on site, details of the size, colour, position and materials of any external meter box installed in connection with the development hereby permitted shall be submitted to, and approved in writing by, the Local Planning Authority. Once approved, the meter boxes shall be installed in accordance with the agreed details;
- (r) A means of recording the buildings on site prior to their demolition shall be submitted to, and agreed in writing by, the Local Planning Authority and shall thereafter be carried out prior to demolition commencing.

(Notes to applicant:- (1) Applicant was advised that the flats should be designed to a high standard in view of the prominent location in the street scene adjacent to the Conservation Area; (2) N111 – disabled access; (3) N112 – energy conservation; (4) Applicant was advised to consider the use of soakaways for surface water discharge and you are further advised to contact Wessex Water with regard to connection to, and adoption of, drainage systems.)

Reason for outline planning permission, if granted:-

The proposal was considered an appropriate redevelopment and to comply with Taunton Deane Local Plan Policies S1, H2, H4 and C4 and material considerations did not indicate otherwise.

Also RESOLVED that in the event that the Section 106 Agreement was not completed by 9 November 2005, the Development Control Manager, in consultation with the Chairman, be authorised to refuse outline planning permission on the grounds that the proposal was contrary to Taunton Deane Local Plan Policy C4.

(Councillor Phillips declared a personal interest in the application covered by Minute No 141 below and left the meeting during its consideration).

141. Erection of industrial units for the production and assembly of powerwashers (Use Classes B1, B2 and B8) including office and staff accommodation, car parking and attenuation pond, land adjacent to sewage treatment plant with access from Sandys Moor Land at Hillsmoor, Wiveliscombe (49/2005/048)

Reported this application.

RESOLVED that subject to the views of the Deputy Prime Minister under the Departure Procedures, the Development Control Manager be authorised to determine the application in consultation with the Chairman and, if planning permission were granted, the following conditions be imposed:-

- (a) C001A – time limit;
- (b) C101 – materials;
- (c) C201A – landscaping;
- (d) C206A – existing and proposed levels;
- (e) No service trench shall be dug within the canopy of any existing tree which overhangs the site without the prior approval of the Local Planning Authority;
- (f) The area allocated for parking and turning on the submitted plan (drawing No 06) shall be properly consolidated, surfaced, drained and marked out before the buildings/units are brought into use, and shall not be used other than for the parking of vehicles in connection with the development hereby permitted;
- (g) The development hereby approved shall not be occupied until a covered cycle rack facility has been provided within the site capable of accommodating 20 bicycles in accordance with a design specification to be submitted to, and approved in writing by the Local Planning Authority and to be constructed to the satisfaction of the said authority;
- (h) Adequate provision for a temporary car park within the site to accommodate operatives and construction vehicles during the construction period shall be provided prior to works commencing on the site;
- (i) Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls, details of which shall be submitted to the Local Planning Authority for approval. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%; or 25% of the total volume which could be stored at any one time, whichever is the greater. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground, where possible and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund;

- (j) Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from impermeable parking areas and hard standings for vehicles, including commercial lorry parks, shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor;
- (k) There shall be no discharge of foul or contaminated drainage or trade effluent from the site into either groundwater or any surface waters, whether direct or via soakaways;
- (l) No site works or clearance works or development works shall take place between 1 April and 16 August in any one year, without the prior written approval of the Local Planning Authority;
- (m) Prior to commencement of works on site, a survey for grass snakes (natrix natrix) shall be undertaken when reptiles are active in the period between April and September, by a qualified Environmental Consultant and a report submitted to, and approved in writing by, the Local Planning Authority. The survey and report shall include an identification of species present, an impact assessment and mitigation/avoidance measures in order to safeguard protected species in accordance with the law;
- (n) If the period of time between Michael Woods Associates survey, dated September 2005, and the commencement of development extends more than one year, then a further survey must be commissioned to ascertain any changes in the use of the site by protected species;
- (o) Noise emissions arising from the industrial units or from any part of the land or premises to which this permission relates shall not exceed background levels at any time by more than 5dB, 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 between the following hours:- Monday – Friday 0800-1800 hours; Saturdays 0800-1300 hours. At all others, including Sundays and Bank Holidays, noise emissions shall not exceed background levels when measured as above. Noise emissions having tonal 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;
- (p) There shall be no building, structures, open storage, means of enclosure, plant, machinery or any other built form in the area to the south of the course of the existing stream shown on plan No 2926/06 (shown as former stream), without the prior written approval of the Local Planning Authority;
- (q) Full details of all the surface and foulage draining systems, including sustainable drainage systems (SUD's), are required to be submitted to, and approved in writing by, the Local Planning Authority prior to commencement of any development on site and the approved works implemented prior to occupation of the development hereby permitted;

- (r) Full details and calculations of the proposed new diverted stream channel and attenuation pond and full details of the maintenance regime of these water features shall be submitted to, and approved in writing by, the Local Planning Authority and, prior to the commencement of any development on site, the approved works implemented prior to occupation of the development hereby permitted;
- (s) Full details of the car park surfacing and details of its drainage shall be submitted to, and approved in writing by, the Local Planning Authority prior to commencement of any works on site, and the approved work shall thereafter be implemented;
- (t) Any introduction of plants, including aquatic species, shall be undertaken using native species ideally of local provenance.

(Notes to applicant:- (1) Applicant was advised of a number of Environment Agency requirements; (2) Applicant was advised that hedges around the car parking area and on the site boundaries will be expected and use of native species is encouraged; (3) Applicant was advised to inform all employees and visitors of the potential of odour emanating from the sewage treatment works; (4) Applicant was advised that in view of the fact that there is a scheduled Ancient Monument (a Roman Fort) to the south of the site, it is recommended that the County Archaeologist is consulted regarding this proposal.)

Reason for planning permission, if granted:-

The proposed development for B1, B2 and B8 uses was considered acceptable and was in accordance with Taunton Deane Local Plan Policies S1, S2, S4 and WV3. In addition, the associated car parking area with attenuation pond and landscaping is considered to meet guidance in Policies S7, EC2 and EC3.

142. Section 106 Agreement relating to the proposed development at the former gas storage site, Castle Street, Taunton (38/2002/114 and 38/2004/493)

Reported that both applications had been considered by the Committee at its last meeting. (Minutes No's 132/2005 and 133/2005 refer).

In respect of application No 38/2004/493, the Committee had resolved to agree the Councils position to be taken at the forthcoming appeal against non-determination of the application.

However, in relation to application 38/2002/114, a resolution was made to grant the permission subject to the conclusion of a satisfactory Section 106 Agreement providing for contributions towards transport infrastructure, off-site flood attenuation, sport and recreation and education.

Reported that further negotiations with the developer had been undertaken and satisfactory agreement had to date been reached in respect of the obligations to provide towards affordable housing, off-site recreational provision and flood alleviation. It was also hoped that agreement might be

reached on education provision but it seemed unlikely that transport issues would be resolved.

In order to facilitate the running of the public inquiry, it was recommended that a Section 106 Agreement should be entered into with the developer establishing areas of agreement.

RESOLVED that the Solicitor to the Council be authorised to enter into a Section 106 Agreement with Second Site Property Holdings Limited to secure appropriate obligations in respect of the provision of affordable housing, sport and recreational provision, flood alleviation issues and education.

(Councillors Henley and Wedderkopp left the meeting at 7.07pm and 8.52pm respectively).

(The meeting ended at 9.18pm).

14/2005/039

MR & MRS C HANNAFORD

ERECTION OF A BUNGALOW AT 3 FRANCIS CLOSE, CREECH HEATHFIELD AS AMENDED BY APPLICANTS LETTER DATED 9TH NOVEMBER, 2005 AND PLAN NOS. 01B, 02B, 03B, 04B, AND 05A

27809/26905

FULL PERMISSION

PROPOSAL

The proposed development comprises the erection of a bungalow within the substantial garden area of a detached modern bungalow. The property forms part of an estate of bungalows at Creech Heathfield.

As originally submitted the proposal incorporated an attached single garage and a parking space. This has now been amended by the omission of a garage and its replacement with a second parking space.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY I have no objection in principle to the above proposal, however before I formalise my comments in writing, I would point out that any garage should be a least 6 m from the highway boundary. Whilst I appreciate that Francis Close is a private road, we have a duty of care to ensure that the vehicles do not overhang footways or roads. Therefore can I have an amended plan repositioning the garage or deleting it from the proposal altogether. Two on site parking spaces will be required to serve this development. WESSEX WATER recommends note.

LANDSCAPE OFFICER the proposals leave little room for landscaping but there maybe scope for substantial shrub planting to the east of the proposed dwelling. DRAINAGE OFFICER recommends note.

PARISH COUNCIL object to the proposal because (1) Overdevelopment. When this development was originally built the number of dwellings applied for was scaled down by the planners to allow each bungalow sufficient space. We feel that this situation has not changed and such a dwelling in this space would be overdevelopment. (2) The entrance/exist is narrow and leads out onto a blind bend in a narrow road. (3) The development would not be consistent with other dwellings in its vicinity. (4) Such a development would put additional pressure on the turning space shared by residents in Francis Close. As the road is narrow it is very important to keep it clear and an additional bungalow may result in vehicles parked in the road and blocking of access to the turning circle; also the rear entrance to a house on the main Creech Heathfield road could be blocked with parked vehicles.

13 LETTERS OF OBJECTION have been received raising the following issues:- proposal constitutes overdevelopment; an undesirable precedent would be set; road safety would worsen; parking and access problems would arise; proposal is not in keeping with other dwellings in Francis Close; Francis Close is a private road which is so narrow only one car can exit/enter at any one time; overlooking would result; the proposal would overpower properties; loss of light would result; noise intrusion would result; sewage drainage would be damaged; the proposal will result in more wear and tear on a private road; views would be ruined; light pollution would result; disabled residents would find the development stressful.

POLICY CONTEXT

Policies S1 and S2 of the Taunton Deane Local Plan seek to safeguard, inter alia, visual and residential amenity, and road safety. Policy H2 accepts housing developments within defined settlement limits provided, inter alia, small scale schemes in existing residential areas will increase the development density of these areas without individually or cumulatively eroding their character or residential amenity.

ASSESSMENT

In purely land use policy terms, the proposed development is acceptable in principle and in design terms the proposed architectural detailing reflects that of existing bungalows. The site is considered large enough to accommodate a dwelling having regard to provision of amenity space and on-site parking, and it is not considered that residential amenity would be adversely affected in terms of loss of light. The County Highway Authority raise no objection.

RECOMMENDATION

Permission be GRANTED subject to conditions of time limit, materials, landscaping, recessed fenestration, withdrawal of PD rights, and boundary fences and will be completed prior to occupation.

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

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:

17/2005/006

MRS G ALFORD

**ERECTION OF CONSERVATORY AT SWIFTS BARN, MANOR FARM, FITZHEAD
AS AMPLIFIED BY APPLICANTS LETTER RECEIVED 4TH NOVEMBER, 2005**

11445/28515

FULL PERMISSION

PROPOSAL

The proposal is for the erection of a conservatory to the rear of the property, which forms part of a recently converted barn complex. The conservatory measures 4.25 m x 3.0 m x 3.35 m at the highest point. Materials to be golden oak coloured uPVC frame with glass roof.

The applicant has submitted a supporting letter received 4th November, 2005 raising the following issues:- The conservatory is a temporary structure that would not irrevocably alter the buildings structure that exists today and is not visible from the highway and can only be seen from the adjacent two properties (Merlins and Granary Steps). Between the neighbouring properties is a 1.8 m wooden fence providing screening. The elevation on which the proposed conservatory would be attached is partially rendered instead of stone and therefore this area would be covered by the conservatory. The dwarf wall would be constructed using matching natural stone. A neighbour informed me that a planning officer previously told them that UPVC would be accepted for a conservatory since it was a temporary structure. It is important to us that the proposal is sympathetic to its surrounding which is why we have chosen a product to match the existing timber work on the property.

CONSULTATIONS AND REPRESENTATIONS

PARISH COUNCIL supports the proposal.

POLICY CONTEXT

In the assessment of this application, the following Taunton Deane Local Plan Policies are relevant:- S1 (General Requirements), S2 (Design) and H17 (Extensions to dwellings). These policies seek to ensure that extensions to dwellings do not harm the residential amenity of other dwellings, not the form and character of the property to be extended, and that the extension is subservient in scale and design to the existing dwelling.

ASSESSMENT

The property forms part of a complex of barns that have been converted. The existing barns are constructed of stone with timber windows and natural slate roof. Although the converted barn is now a dwelling, any form of extension should reinforce the character

of the building to be extended. The proposed materials and design of the conservatory are not traditional and would not be considered appropriate or in keeping with the character of the barn. Although the conservatory would only be seen from the rear gardens of neighbouring properties, the proposal is still considered inappropriate given the alien nature of this incongruous development. Furthermore there would appear to be many other appropriate designs of extension that could be accommodated in this position.

The neighbouring property, Blantye Barn has been granted permission for a traditional lean-to extension incorporating natural materials with no UPVC. This form of conservatory is not considered to be a temporary structure. Members may recall the refusal of a similar, modern conservatory at the neighbouring converted barn, Dairy Cottage, at October Planning Committee 2003 (application reference 17/2003/012).

RECOMMENDATION

Permission be REFUSED as materials not in keeping with existing barn conversion and design not traditional and out of character with the dwelling/barn conversion.

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:

20/2005/022

MILLFIELD NURSERIES LTD

ERECTION OF 13 LOG CABINS FOR HOLIDAY LET AT LAND AT MILLFIELD NURSERY, PARSONAGE LANE, KINGSTON ST MARY (REVISED DESIGN TO 20/2005/012).

22138/29124

FULL PERMISSION

PROPOSAL

Members will recall that application 20/2005/012 for 13 log cabins was approved at Planning Committee on 7th September, 2005. This application seeks to amend the style and dimensions of each cabin. Under the previous scheme the cabins were 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 are still proposed to be of 1 and a half storey construction however the proposed dimensions are 8.4 m x 10.5 m x 6.5 m to the ridge. Two cabin types are also proposed "cabin 2ES" and "cabin 5H". The main external difference between the two cabin types is that "cabin 5H" incorporates a balcony under the eaves of the roof. The two cabins do also however vary in their internal design.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY no objections. No comments to add to those in respect of the previous application.

LANDSCAPE OFFICER No objections. No comments to add to those in respect of the previous application. 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. No comments to add to those in respect of the previous application.

PARISH COUNCIL comments awaited.

ONE LETTER OF REPRESENTATION has been received raising the following issues:- it is unclear what the variations in design are.

TWO LETTERS OF OBJECTION has been received raising the same objections to the previous application 20/2005/012:- Swallows Barn does not appear on any plan and is not a properly registered address; access is dangerous; the previous application offered bicycle usage, education activities and horticultural activities that seems to have been deleted from this proposal.

50 LETTERS OF OBJECTION WERE RECEIVED IN RELATION TO APPLICATION 20/2005/012 raising the following issues that are 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 holidaymakers 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?

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 principle of the development has already been established through the granting of the previous application for 13 holiday cabins on this site, application 20/2005/012, dated 16th September, 2005. The only variance to the latter permission is the cabin design and an increase in the footprint of each cabin by 12.46 sq m and an increase in ridge height by 1.31 m.

The design of the cabins are typical for this form of development incorporating timber walls and tiled roof. Considering the abundance of screening afforded to the site and a comprehensive landscaping scheme the increase in footprint and height would not detrimentally affect the visual amenity of the area. Consequently the character and appearance of the adjacent Conservation Area and Landscape Character Area would not be detrimentally affected. The chalets are also located sufficient distance away from neighbouring properties not to cause any overlooking or overbearing affects and therefore the residential amenity of the area would not be detrimentally affected.

The previous concerns raised through representation relating to application 20/2005/012 have already been considered by the Committee. In terms of the new issues raised, the registration of Swallows Barn as an address is not a relevant planning consideration. The proposals are considered acceptable independent of whether the applicant wishes to provide bicycles, educational activities or horticultural activities or leaves holiday makers to their own devices.

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 and badgers . Notes re Disabled Persons Act, lighting,

energy and water conservation, health and safety and connection to Wessex Water infrastructure, prevention of access to The Spinney.

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:

25/2005/033

MR & MRS L REED

**FORMATION OF ACCESS AND DRIVEWAY TO 2 AND 3 BURNSHILL TERRACE,
NORTON FIZWARREN, TAUNTON**

19954/25799

FULL PERMISSION

PROPOSAL

The application has been submitted by the householder, but is also on behalf of the next door neighbour. Proposed vehicular access between the 2 properties will be 3.05 m wide, splayed at the roadside to 5.73 m. Drive will give access to rear gardens, where parking and turning can be provided.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY vehicles are frequently parked in the highway outside Burnshill Terrace. Even if off road parking is to be provided for Nos. 2 and 3, vehicles are still likely to be parked on the highway making exit/entry more difficult and interfering with visibility. There would be insufficient length and width of drive to the front of the properties to enable two vehicles to pass resulting in the likelihood of vehicles reversing out on the highway. The main road is the B3227 a County Route, and the proposal is contrary to Structure Plan Policies. Recommend refusal.

PARISH COUNCIL support application as it would remove at least two vehicles from parking on the roadside, but stipulated that there must be a turning bay included at the rear of the two properties.

POLICY CONTEXT

Somerset and Exmoor National Park Joint Structure Plan Review Policy 49 requires safe access to be provided to roads of adequate standard within the route hierarchy unless the special need for and benefit of a particular development would warrant an exception, direct access should not be derived from a National Primary or County Route.

ASSESSMENT

In view of the strong highway objection the proposed access with direct access to a main road is unacceptable.

RECOMMENDATION

Permission be REFUSED for the reasons that (1) The proposal is contrary to Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review since the proposed development derives direct access from a National Primary Route/County Route and no overriding special need or benefit has been substantiated for the

proposed development on this specific site; (2) The formation of an access with limited width leading to vehicles reversing out onto the highway, would be prejudicial to road safety and contrary to Somerset and Exmoor National Park Joint Structure Plan Review Policy 49. (3) Due to the proximity of vehicles parked on the highway, there would be insufficient visibility for vehicles using the proposed access and this would be prejudicial to road safety, and contrary to Somerset and Exmoor National Park Joint Structure Plan Review Policy 49.

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

CONTACT OFFICER: 356468 MRS H PULSFORD (MON/TUES/WED)

NOTES:

38/2005/347

TAUNTON SCHOOL

**ERECTION OF DWELLING ON LAND OFF GREENWAY ROAD, TAUNTON
(RENEWAL 38/1998/423) AS AMENDED BY AGENTS E-MAIL 14TH OCTOBER,
2005 AND SKETCH PLAN NO. R0133/PC/05**

21789/26018

OUTLINE APPLICATION

PROPOSAL

Outline planning permission was granted on 29th April,1999 for the erection of a dwelling to the south of Greenway Road between the Esso garage and Petra Cottage. A footpath runs along the western boundary of the site linking Greenway to the Private Road and Taunton School playing field. The site itself is a triangular piece of land located at the far east of Private Road, which would be used as for access. A sketch scheme has been included to illustrate how a dwelling could be provided on the site.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY views on previous outline permission although this private road has a sub-standard access onto Staplegrove Road; this would appear to be in the final plot upon which development can be secured. In the circumstances I would not raise an objection, subject to there being no vehicular access directly onto Greenway Road. I would not object to a pedestrian gate being constructed in this location. Views on current scheme awaited. COUNTY ARCHAEOLOGIST no objections. WESSEX WATER Foul and surface water sewers are available. A public combined sewer crosses the site. Either an easement has to be retained or diversion/protection works agreed.

LANDSCAPE OFFICER There is little room available to provide landscape mitigation of the site when viewed from the south. FOOTPATHS OFFICER the original width of the footpath must be retained; the footpath must not be obstructed at any time or affected by any drainage from the site any new fence or hedge would remain in the ownership of the occupier.

7 LETTERS OF OBJECTION (including a letter signed by 4 people) have been received raising the following issues:- there are three fruit trees on site that would be felled for the development and this would be a loss to the amenity of the area, there is a public footpath running along the western edge of the site that is not shown on the plans; there is an electricity sub station to the east of the site and maintenance vans/lorries would encroach onto the site when carrying out maintenance; each section of the private road is owned by adjacent dwellings and not by the school; it is not built to a metalled standard and would erode quickly if used by heavy vehicles; none of the owners of the Private Road have been approached directly regarding the development, the Private Road is quite narrow with a private garden on the school side which is not available to provide a turning circle; construction vehicles would erode the Private Road and cause havoc when trying to turn around to leave the site; the College Road entrance could be

used for deliveries; the ownership plans are incorrect as the school do not own the private road; this application varies from the previous permission and cannot be treated as a renewal; a main sewer crosses the site and the new dwelling would interfere with this; applicants should use College Road for the development.

POLICY CONTEXT

Somerset and Exmoor National Park Joint Structure Plan Review the following policies are considered relevant:- Policy STR5 (Development in rural centres and villages), Policy 49 (Transport Requirements for New Development).

Taunton Deane Local Plan the following policies are considered especially relevant:- S1 (General Requirements), Policy H2 (Housing within Classified Settlements) Policy M4 (Residential Parking Requirements).

ASSESSMENT

The application has been amended and is no longer a straight renewal. The footpath has been retained on the sketch scheme and the redline boundary of the site now excludes the footpath. In addition the applicants have confirmed that trees on the site will be felled, although the Wellingtonia Tree covered by TPO (TD802) will be retained. The applicants have indicated that construction vehicles would use either Private Road or the school grounds to provide access to the site.

The site lies within the built up limits of Taunton where the principle of new development is acceptable. The site is a small site but illustrative sketches have been included to establish that a small 3 bed roomed bungalow, parking and turning could be accommodated on the site. As an outline application full details would need to be submitted and approved at a later date. The proposed access is off Private Road. Issues over ownership are private matters and not planning considerations but the applicants have confirmed that the school retain access rights across the road. The Highway Authority views are still awaited and will be included within the update sheet. Proposal considered acceptable.

RECOMMENDATION

Permission be GRANTED subject to conditions of 3 year time limit, reserved matters, materials landscaping, trees to be retained, protection of trees to be retained, boundary walls and fences, parking, single storey no accommodation in the roof, dwelling no greater than 115 sq m, removal of permitted development rights for extensions, garage, ancillary buildings or fences. Notes re illustrative plans, disabled persons act, energy conservation, meter boxes, lifetime homes, secure by design.

REASON(S) FOR THE RECOMMENDATION:- The proposed dwelling lies within the settlement limits of Monkton Heathfield where the principal of new housing is accepted in accordance with Somerset Structure Plan policy STR5 and Taunton Deane Local

Plan Policy S1 and the proposal is considered to conform to the requirements of 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:

38/2005/404

MRS J M PALMER

DEMOLITION OF PART OF EXISTING BUILDINGS, ERECTION OF TWO STOREY AND SINGLE STOREY EXTENSIONS AND CHANGE OF USE AND CONVERSION FROM SHOP AND LIVING ACCOMMODATION TO 4 FLATS AT 44 & 46 STAPLEGROVE ROAD, TAUNTON AS AMENDED BY AGENTS LETTER DATED 2ND NOVEMBER, 2005

22396/25088

FULL PERMISSION

PROPOSAL

The existing premises incorporate a shop or ground floor level facing Staplegrove Road, with stores and living accommodation, with a 2 bedroom flat above.

It is proposed to demolish part of the ground floor stores/living accommodation at the rear, and convert the shop and remaining living accommodation into 3 one bedroom flats. A single storey extension will be erected at the rear to provide a fourth one bedroom flat and the roof of an existing 2 storey part will be raised by 0.7 m. In addition to the new extension at the rear, the conversion works include the removal of the shop front, and replacement with a central door and a window on either side.

The site is in the Taunton Central Area, with residential properties on either side and Avongrove Court to the side and rear. It is within a Conservation Area, an Area of High Archaeological Potential and within 1 in 100 year flood plain.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY no highway objection. WESSEX WATER detailed drainage comments.

5 LETTERS OF OBJECTION have been received raising the following issues:- problems may arise because there is no parking area to the rear (north) - this is privately owned by Avongrove Court; pathway and front of this and adjoining cottages has been blocked off; there is no rear access - land belongs to Avongrove Court; will the front be converted to a parking space - will it set a precedent for others: - understand this is a Conservation Area; concerned at the proposed height of new building at the rear - this could seriously compromise the light to 1 flat at Avongrove Court; during the building process all lorries and supplies would have to be delivered from Staplegrove Road as no access is allowed from Avongrove Court.

POLICY CONTEXT

Taunton Deane Local Plan the following policies apply H3 (Residential Conversions in Town Centres), EN14 (Conservation Areas), EN23 (Areas of High Archaeological Potential), EN28 (Development and Flood Risk, M4 (Residential Parking Provision), S1 (General Requirements), S2 (Design).

ASSESSMENT

In principle the change of use from retail and residential use to 4 flats is compatible with neighbouring uses and is acceptable in accordance with the relevant policies. As the site is in the Central Area and the flats are one bedroom, on site parking provision is not required. The alterations to the shop front will be in keeping with the adjacent older property and will enhance the Conservation Area (Conservation Officer verbally agrees). A Flood Risk Assessment has been submitted, and the County Archaeologists observations are awaited. Design is acceptable, and materials should match the existing. The extensions at the rear are close to flats in Avongrove Court, but the only window nearest to the increase in height to the two storey part is obscure glazed, and the roof of the new single storey extension will slope away from the nearest window. The eaves of this extension are only 2.1 m high and will replace an existing wall which is approximately 2 m high (although it should be noted that the Avongrove Court site is lower than the application site by an estimated 450 mm - 600 mm. The impact on Avongrove Court is not considered to be unacceptable.

RECOMMENDATION

Permission be GRANTED subject to conditions of time limit, materials, matching materials and sample panel, cycle parking, archaeological access, no windows on east elevation, flood risk measures, timber windows and details of windows and doors.

REASON(S) FOR RECOMMENDATION:- The site is located within the Taunton Central Area where flats are acceptable. The proposal does not give rise to any unacceptable visual or neighbour impact and is in accordance with Taunton Deane Local Plan Policies H3, EN14, EN23, EN28, M4, S1 and S2.

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

CONTACT OFFICER: 356468 MRS H PULSFORD (MON/TUES/WED)

NOTES:

38/2005/407

SUMMERFIELD DEVELOPMENTS

ERECTION OF OFFICE BUILDING WITH PARKING AND RECEPTION FOR USE AS REGIONAL FIRE CONTROL CENTRE AND FORMATION OF NEW BUNDING TO SURFACE WATER RETENTION PONDS AT BLACKBROOK BUSINESS PARK, TAUNTON AS AMENDED BY AGENTS LETTER DATED 19TH OCTOBER 2005 AND PLANS 46413/1EXW/COOL/P1 WITH LANDSCAPE DRAWING SP.1156.12 AND SP.1189.1A.

25033/24159

FULL PERMISSION

PROPOSAL

The proposal is for the erection of a three storey office building of 2820 sq m with parking and reception for use as a Regional Fire Control Centre at the southern end of Blackbrook Business Park. The work also involves the formation of additional bunding next to the surface water retention ponds.

The proposed Control Centre will replace all of those existing in the south west and will be one of nine regional control centres in England. This forms part of the Government's major investment in modernising the Fire and Rescue Service. This will provide a number of new jobs for the area, 120 based on the latest projections, although the final decision on staffing numbers has yet to be taken. There will be additional visitors to the building for a range of fire and rescue activities and so numbers will vary. In the event of major emergencies it is likely that there will be significant visitors and staff attending the building. Due to the critical nature of the operations undertaken within the building there is a requirement for the provision of alternative power in the event of the loss of mains power. This means there is a requirement for standby generators and fuel storage to maintain power in emergencies. Security fencing to the site is also a requirement. Site levels are currently 13 to 13.5 m above ordnance datum (AOD) and the site lies partially within a flood risk zone. Due to the importance of the facility access in times of flood is necessary to meet the guidance in PPG25. It is proposed to provide a finished floor level of 14.3AOD to provide protection during the 1 in 1000 year storm with a provision for climate change and freeboard. Car park areas will be will be no less than 13.8m which will ensure access above the 1 in 1000 level. To provide additional protection improved bunding to the storage ponds are proposed. Further mitigation in the form of an emergency access onto Blackbrook Way is proposed to ensure that there is safe access during extreme flood events. A landscape bund along Blackbrook Way will also prevent water entering the site and the flood proofing of the building will ensure further protection of the building.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY observations awaited. WESSEX WATER there is sufficient spare capacity for foul sewerage to serve this site and connection may be

made to onsite sewers currently under a Section 104 Agreement with the main developer. There is sufficient spare surface water capacity to serve this site. The Flood Risk assessment is not completely accurate in the way it describes the operation of the attenuation pond but this makes no difference to the flood risk. The Sewage Treatment Works and terminal pumping station has sufficient capacity to accept extra flows from the development. The area is supplied from the Taunton Ring Main so there should be no significant impact on the distribution system. ENVIRONMENT AGENCY the Environment Agency has been involved since August 2005 with ongoing discussions with the applicant, and their consultant, Faber Maunsell, regarding the Flood Risk Assessment (FRA) for the site. The Agency is aware that the potential flood risk mitigation works for the site may be in the process of revision at this time, and therefore at odds with some of the drawings submitted with your consultation. Furthermore, it is understood that a revised FRA may be submitted to your Council in the near future. In terms of its response to this proposal, the Agency would prefer to wait for the additional information mentioned above to be submitted, before making a formal reply in respect of flood risk related issues. In accordance with section 64 of PPG25, the Environment Agency therefore advises that the current consultation documents do not contain sufficient information to enable a full and proper assessment of the proposal in terms of flood risk and surface water disposal. The Agency would request that the application is held in abeyance until such time as this information is provided by the applicant/agent, and further consultation undertaken. If your Authority wishes to approve the application notwithstanding the above concerns, the Agency would be grateful for a further opportunity to discuss the application. Further discussion needs to take place prior to any Planning Committee Meeting, to determine the application or, prior to any delegated decision being made. In the context of such discussions it would be useful to the Agency to be advised of all material considerations which are influencing the determination of the application. Such a request is made in accordance with PPG25. Conditions suggested concerning oil/fuel storage, no foul water discharge to groundwater or surface waters, provision of oil interceptor and notes re oil storage, waste management licence and landfill gas investigation. I refer to the Agency's letter dated 7th October, 2005, and your subsequent consultation dated 27th October, 2005 regarding the above. Following the submission of additional information from the applicant's agent, Faber Maunsell, the Agency hereby formally withdraws its flood risk related objection to this proposal, subject to the application of the following conditions re floor level and parking level, surface water drainage details, no occupation until flood prevention bund completed, emergency exit route, flood contingency plan and notes re culverting watercourses and surface water drainage.

ENGLISH NATURE the Dormouse and its habitats are fully protected under The Wildlife and Countryside Act 1981 (as amended) and the Conservation (Natural Habitats & c.) Regulations 1994. English Nature is not content with the methodology used to survey and due to the absence of sufficient information would initially object to the application. In light of the landscape master plan English Nature is pleased that the existing hedgerows will be improved and enhanced and new provided to improve the connectivity to other dormouse habitat at Blackbrook. We would want to see that the hedgerows are managed for dormice and that it largely remains uncut. An extract from the Dormouse Conservation Handbook on hedgerow management practice is attached. SOMERSET WILDLIFE TRUST it is commendable that a survey has been carried out to ascertain the importance of the site for dormice prior to determination. Regrettably the survey has not used current best-practice technique and we are concerned the

presence of dormice may have been overlooked and would like to register a holding objection. Following conversation with the Nature Conservation Officer the Somerset Wildlife Trust would like to withdraw their initial holding objection. We are pleased to note that the landscape plan includes both the reinforcement of existing hedges and the creation of new connecting hedgerows. While we understand that the intention is for the planting scheme to consist of entirely native species it does appear as though there are several non-native species include within the hedgerow planting design. For instance hedge types one and two include non-native Italian alders. We would strongly recommend the use of appropriate native species throughout the hedgerow planting scheme.

LANDSCAPE OFFICER subject to some species changes the scheme is reasonable given the security requirements of the development. My main concern is the south west corner of the site where there is greatest need for landscape mitigation. Subject to minor species changes to benefit/encourage dormice the proposed scheme is now acceptable. NATURE CONSERVATION OFFICER I have researched the historic dormouse surveys and have spoken to English Nature. We are in agreement that the methodology used for the 2005 survey should have used nest tubes. This is an accepted method of survey to be used especially where there is no hazel on the site. To insist on further survey work at this time would give inconclusive results. I understand English Nature would support an approach to gain habitat for the species, by the retention of the southern hedgerow (marked 'A' on the survey) and to reinforce this boundary and others with native species shrub planting to include hazel. I believe this is in line with current landscape proposals.

ONE LETTER OF OBJECTION has been received raising the following issues:- loss of ponds on environmental and wildlife grounds; concern over lack of pedestrian and cycle access from Blackbrook Way, additional amenities such as shops/restaurant should be considered, car access to Blackbrook Way needs to be considered.

POLICY CONTEXT

RPG10 - Regional Planning Guidance for the South West, Policy SS14: Taunton, Policy RE2: Flood Risk.

Somerset and Exmoor National Park Joint Structure Plan Review Policies STR1 - Sustainable Development, STR4 - Development in Towns, POLICY 1- Nature Conservation, POLICY 18 - Location of Land for Industrial and Business Development, POLICY 48 - Access and Parking, POLICY 49 - Transport Requirements for New Development, POLICY 60 - Floodplain Protection.

Taunton Deane Local Plan Policies S1- General Requirements, S2 - Design, EC1 - Employment Development, M1 - Transport, Access and Circulation Requirements, M2 - Parking, EN5 - Protected Species, EN9 - Tree Planting, EN28 - Development and Flood Risk.

ASSESSMENT

The proposal is to erect a three storey office building to act as a Regional Fire Control Centre for the south west. The site is located within the built up area of Taunton on the southern end of the existing Blackbrook Business Park and the main issues to be considered in terms of the proposal are the nature conservation impact, the landscaping, parking, design and flood risk attenuation.

The site lies in an area where dormice have been known to live on nearby sites. While initial concern was raised by both the Somerset Wildlife Trust and English Nature it is accepted that in relation to this site itself there are no dormice and no adequate habitat. The southern boundary hedgerow is the nearest suitable habitat and the scheme proposes improvements to the planting in this hedgerow. This hedge will also be linked to others as part of the landscaping scheme and in order to manage this in a suitable manner it is recommended that a hedgerow management plan be agreed as a condition.

The existing site is poorly landscaped other than the existing boundary hedge to the south. The proposal will improve landscape planting around the site with native species, including on a bund to be provided on the Blackbrook Way side of the site. This will assist in screening the security fencing required within the site. The proposal provides 83 parking spaces within the site. This is considered acceptable given the scale and use of the building. Policy M3 of the Local Plan seeks to provide up to 80% of the PPG13 maxima. For office development this would equate to 75 spaces. However given that in emergencies operational parking at the site would be vital it is not considered that the additional spaces provided are a material increase warranting an objection to the proposal.

The building proposed is a three storey structure with provision of a plant room on the roof and is constructed of brick and external clad panels. The design is specific to the fire control needs and will exceed current environmental standards. The building is sited at the end of the Business Park and the provision of a modern design of building in this location is to be welcomed.

The main issue in relation to the site is the flood risk given the importance of the building and the need for emergency access during flood events. In order to overcome Environment Agency concerns and to comply with PPG25 requirements a number of mitigation measures are to be undertaken. The levels across the site are to be raised by approximately 1 m to achieve an adequate floor level. The area adjacent to the storage ponds is to be altered to provide additional bunding to address the peak flood flows. An emergency access onto Blackbrook Way is to be provided and there will also be a banked area to be provided along the length of Blackbrook Way which will be planted up to ensure adequate screening and prevent flood water entering the site. The Environment Agency has confirmed that the revisions are acceptable and meet their requirements and there are a number of conditions requested as a result.

In summary the provision of an office building in this location is an acceptable one in principle and is one which will benefit the economy of the area. The landscaping and nature conservation issues can be addressed by condition and the design, layout and parking provision are considered acceptable. The revision addresses the flooding concerns of the Environment Agency and the application is considered to be acceptable and is recommended for approval.

RECOMMENDATION

Permission be GRANTED subject to conditions of time limit, materials, landscaping, hedgerow management plan, access, parking, emergency access usage, visibility onto estate road, finished floor level at 14.3 m AOD, oil/fuel storage, no discharge to ground or surface waters, oil interceptor, fence details, external lighting details, details of enclosures for generators, parking level, surface water drainage details, no occupation until flood prevention bund completed, emergency exit route, flood contingency plan and notes re hedgerow management, oil storage, waste management license, landfill gas, energy efficiency in construction, culverting watercourses and surface water drainage.

REASON(S) FOR RECOMMENDATION:- The proopsed office building is considered acceptable and to comply with Taunton Deane Local Plan Policies S1, S2, EC1, M2, EN9 and EN28.

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:

38/2005/417

MESSRS W N & E HAWKINS

ERECTION OF OFFICE BUILDING AND FORMATION OF ACCESS AND CAR PARK ON LAND TO THE SOUTH WEST AT JUNCTION 25 OF THE M5, BLACKBROOK BUSINESS PARK, TAUNTON AS AMENDED BY LETTER DATED 9TH NOVEMBER, 2005 AND PLANS 0508/A, 0508/04E AND 08B

25388/24755

RESERVED MATTERS

PROPOSAL

The proposal is for the detailed plans for an office building and formation of an access and car park on land to the south west of Junction 25 of the M5 with access off the Blackbrook Business Park. The application is one for reserved matters following an outline permission in 2000 and a revision to that outline in 2003 allowing the submission of details by February 2006.

The applicant's design statement comments that the site complies with PPG4: Industrial and Commercial Development and Small Firms. The design has been influenced by the site boundaries with a main office core utilising the site area and located at the front of the site. Design and orientation of the building is such that it allows the office core to benefit from solar gains reducing the impact on energy in terms of lighting and heating. The overhands of the building also help reduce the sun's impact at its brightest. The location requires a building which is distinctive and announces the arrival in Taunton. Its distinctive shape and form provides a gateway building not only for the Business Park but also when approaching from the motorway or the A358. The building is three storey but due to the levels of the surroundings the building would be 1 m lower. The shallow roof pitch would also reduce the scale and impact and the ridge of the service core would be approximately the same as the Clarke Willmott offices. It is intended that high quality materials are to be used subject to approval. Access is gained from the main Business Park via Clarke Willmott car park and so no new highway infrastructure works will be required. 36 parking spaces including those for the disabled are proposed as is a landscaping scheme in relation to the site. The site is in a sustainable location on the edge of an existing business park with access to a bus service and complies with the requirements of the outline approval.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY the application proposes the vehicular access to be via Clark Willmott car park and a pedestrian access is implied on the existing access off Blackbrook Park Avenue. However question 8 of the form says the proposal includes the construction of both a new pedestrian and vehicular access to the highway. The access through Clark Willmott car park is shown as being achieved by deleting two existing parking spaces. I would recommend that the adjoining parking spaces each side are converted to surfaced area (with no obstruction to visibility greater than

600mm above adjoining car park level). This would make for a safer access between the two car parks. In the event of permission being granted I would recommend conditions re amended access to car park, parking used in connection with the development permitted, no occupation until details of loading/unloading area has been submitted and approved, no vehicular or pedestrian access direct from M5 slip road or A358 roundabout and no vehicular access direct to Blackbrook Park Road. COUNTY ARCHAEOLOGIST as far as we are aware there are limited or no implications to this proposal and we therefore have no objections on archaeological grounds. ENVIRONMENT AGENCY no objections to the submitted details the following comments should be noted. Details of the means of surface water disposal should be submitted to the Agency for prior approval. It is recommended the developer investigate the use of Sustainable Drainage Systems for surface water drainage on this site in order to reduce the rate of run-off and to reduce pollution risks. WESSEX WATER the site is in a sewered area with foul and surface water sewers available. It is proposed to dispose of surface water to the existing ditch. It will be necessary to agree points of connection to our systems which can be agreed at the detailed design stage. There is a public water main crossing the site and normally a 3m easement is required for maintenance and repair. An informative should be placed on any consent. Extensive road alterations have been carried out in the vicinity and all mains should be located on site before excavations are carried out. HIGHWAYS AGENCY the Agency has no comment to make on this application.

LANDSCAPE OFFICER my concerns are the eastern boundary car parking which provides little opportunity for landscape mitigation, the building is too close to the existing hedgerow and poplar tree, the overall landscaping as sketched gives limited mitigation or interest on this important gateway site.

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 18 - Location of Land for Industrial, Warehousing and Business Development, POLICY 48 - Access and Parking.

Taunton Deane Local Plan Policies S1 - General Requirements, S2 - Design, EC1 - Employment Development, M1 - Transport, Access and Circulation Requirements, M2 - Parking, EN6 - Protection of Trees, Woodlands, Orchards and Hedgerows, T34 - Approach Routes into Taunton

ASSESSMENT

The proposal is for the provision of an office block providing 1395 sq m of office space on this vacant site on the edge of the existing business park and the M5 slip road. The principle of an office development here has already been accepted under the outline approval and the current proposal is for approval of details. The main issues with the application are access, parking, landscaping and design.

The proposal provides access off the existing car park area serving the Clarke Willmott building and this is in line with the outline which prevented vehicular access being other from the business park. This access as initially proposed involves the loss of two parking spaces. The Highway Authority have raised concern over the access width and visibility to the existing car park and the applicant is seeking to address this issue as well as turning space for service vehicles. Conditions are recommended preventing access, however this is partly already covered by the outline permission. A condition preventing access to Blackbrook Park Avenue is considered.

The parking proposed allows for 36 spaces including disabled parking and this complies with policy given the scale of the building. The landscaping of the site is in the process of being amended to address the concerns raised and this is the subject of an outline condition to be complied with. The existing western boundary hedge and trees will be retained and supplemented while the northern and eastern boundaries are to be provided with new screening. The site is set below the boundary slip road of the motorway and total screening of the site is not possible, however improvement over the existing boundary treatment is considered necessary and achievable.

The building is designed to fit into the site and will be a prominent building on the approach into Taunton. The development of this site will be an improvement over the existing vacant area of land and a distinctive building will provide a gateway into the town. The building has been designed with energy efficiency in mind and visually it is designed to reflect both the character of the existing Business Park as well as being a design statement in its own right. There is an argument to providing a more modern design stand alone building in this prominent location on the entrance into the town, conversely it could be argued that such a building did not respect the character of those nearby. The current scheme is considered to be an acceptable one in design terms and consequently it is recommended for approval.

RECOMMENDATION

Details be APPROVED subject to condition re details of external materials, no access other than as shown. Notes re surface water drainage, protection of Wessex infrastructure and compliance with outline conditions.

REASON(S) FOR RECOMMENDATION:- The proposed building provides as office development in line with the outline and Taunton Deane Local Plan Policies S1 and S2.

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

CONTACT OFFICER: 2456 MR G CLIFFORD

NOTES:

38/2005/426

MRS M VINE & MR M GIBBONS

**ERECTION OF 8 NO. 1 BEDROOM FLATS WITH DEMOLITION OF 3 GARAGES,
LAND TO REAR OF 51 - 53 CHEDDON ROAD, TAUNTON**

22396/22923

FULL PERMISSION

PROPOSAL

The proposal entails the construction of a 2 and 3 storey building incorporating 8 No. 1 bedroom flats on land forming part of the curtilage of, and to the rear of, Nos. 51 and 53 Cheddon Road. 3 No. garages would be demolished, and no on-site parking facilities are proposed. The proposed building is almost identical to that granted permission in April this year, reference 38/2005/055. That particular proposal however related to the provision of one dwelling, two flats and three garages.

This section of Cheddon Road comprises mainly 3 storey town houses, whilst Portman Street is largely comprised of 2 storey terraces.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY no response received at the time of agenda setting. WESSEX WATER recommends notes.

DRAINAGE OFFICER no observations.

24 LETTERS OF OBJECTION have been received raising the following issues:- the proposal would result in extra noise and disruption for the existing residents, particularly during the building process; existing parking problems would be severely exacerbated; there are more than enough flats/bedsits in this area already; the sort of people you have in flats are of concern and the population mix would be unbalanced; loss of privacy would result together with increased noise; one of the few remaining open spaces in the area would be lost; a 3 storey development would be oppressive and out of character; service and utility vehicles will find it more difficult to operate in the area; the proposal constitutes overdevelopment; and the lane between Belgrave Place and Portman Street would be less safe

POLICY CONTEXT

Policies S1 and S2 of the Taunton Deane Local Plan seek to safeguard, inter alia, road safety, and visual and residential amenity. Policy H2 accepts housing development within settlement limits provided, inter alia, existing and proposed dwellings will enjoy adequate privacy and sunlight. Policy C4 seeks open space on sites of six or more dwellings, but where this is not feasible, a financial construction should be secured by a planning obligation. Policy M4 relates to parking for residential developments, and it advises: "The Borough Council will not permit more than an average of 1.5 car parking spaces per dwelling on any residential development. A significant reduction in this

average will be expected for elderly persons, student and single persons accommodation, and for residential proposals involving the conversion of buildings where off-road parking may be difficult to achieve. Car free residential developments will be sought in appropriate locations such as within or adjoining Taunton and Wellington town centres."

ASSESSMENT

In purely land use planning terms the proposed development is clearly acceptable, and in design terms, the building has already been permitted under reference 38/2005/055. The outstanding contentious planning issue concerns that of car parking and whilst existing garages would be displaced by the development, and whilst 3 No. garages formed point of the previous permission it would nevertheless be considered unreasonable to resist the proposal on parking grounds. Firstly, Policy M4 seeks to promote sustainable travel by restricting on-site parking, even so far as advising, "car free residential developments will be sought in appropriate locations, such as within or adjoining Taunton and Wellington town centres". Secondly the principle for this type of development on a similar site has already been established. Planning permission 38/203/650, relating to the erection of a new building for use as a unit of multiple occupation (6 bedroom) at 14 Greenway Road, was refused on 6th February, 2004 for the reason that the building would result in an over intensive use of the site and it would give rise to undue nuisance and disturbance. The proposal did not incorporate on site parking facilities and also resulted in loss of existing on-site parking. On appeal the Inspector granted permission, and advised inter alia, "The issue of a lack of parking has also been cited by local residents, but the essence of provision and the proposal for cycle storage facilities would be fully in accordance with the policies for sustainable development, including Policy M3a, in the Revised Deposit Plan". The application was then superseded by application 38/2005/016, relating to the erection of an identical building, but this time relating to use as 2 No. 2 bedroomed dwellings. This was granted in April 2005, and again no on-site parking facilities were proposed.

Having regard to the above, it is considered that the current proposal is acceptable.

RECOMMENDATION

Subject to the completion of a Section 106 agreement relating to financial contribution towards open space provision, the Development Control Manager in consultation with the Chair/Vice be authorised to determine and permission be GRANTED subject to conditions of time, materials, hard landscaping, boundary treatment, obscure glazing of certain windows, foul and surface water drainage details, windows to be recessed, cycle parking and bin storage.

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, H1 and M4.

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:

38/2005/448

MR & MRS O'BRIEN

**CHANGE OF USE FROM C1 (GUEST HOUSE) TO C2 (RESIDENTIAL INSTITUTION)
AT ORCHARD HOUSE, MIDDLEWAY, TAUNTON**

22360/23886

FULL PERMISSION

PROPOSAL

Planning permission was granted in 1993 for the use of Orchard House as a guesthouse. This proposal is for the change of use of the guesthouse to a care home. Parking is available to the south served by an existing access off Middleway. The proposed use would create a family centre where prospective parents and parents and their young children would be accommodated for up to 3 months. During this time they would benefit from 24 hour supervision and will be coached in necessary parenting skills for day-to-day living. The children will be under school age. 4 members of staff would be on site at any one time working a shift arrangement. A maximum of 7 parking spaces are proposed for use by staff and visiting health care professionals.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY no objection subject to conditions.

31 LETTERS OF OBJECTION raising the following issues:- (points a - r are on standard letter) (a) Will change overall fabric of Village Neighbourhood, b) Not compatible with current Village norms, (c) Troubled Teens are given to erratic and sometimes criminal behaviour, d) Will destabilise the community, (e) Visiting friends and relatives of troubled teens are often also troubled themselves, (f) Alcohol too close to hand - the Vivary Arms pub is right next door. (g) Troubled teens are renowned for using foul and abusive language, h) Troubled Teens can become violent, (i) Troubled Teens are known to break into private property, (j) Troubled Teens and their friends frequently loiter on street corners, k) Constant turnover of patients exposes neighbourhood to greater security risks. (l) Parking requirements assume most of Staff will be local. Neighbourhood demographics suggest this a highly speculative assumption, (m) Parking in the Municipal Car Park is not a realistic option - it is often full and in any event is too expensive for low-paid part-time care workers, n) Parking permits would inevitably be assigned - fewer spaces for local residents, (o) Parents will be fearful of allowing their children into Vivary Park on their own, (p) A programme such as this is socially divisive - Patients and local youngsters will not freely integrate. This can lead to highly-charged, tense situations, q) The proposed usage will impact unfairly on house prices in the area, (r) Abbeyfield residents and older residents would be exposed to greater security risks. The new residents will disturb the peace and quiet of the elderly residents of Abbeyfield; estranged parents calling at the centre may cause disturbance to residents and may be violent; Vivary Park is already becoming a dangerous place to visit and more people of that type will make the situation worse; the property is situated on a dangerous corner and would be unsuitable for young children; such a property should be located away from a busy road; further development in the area will make the

traffic situation worse; still more unsuitable for young children; the applicants do not appear to have any experience in dealing with teenagers; the proposal would be incompatible with the character of the area including the old persons homes; the application indicates that 7 space are needed when only 5 are to be provided the idea that other visitors will use the public car park is ridiculous; Wilton is a quiet and peaceful community created by the residential occupants; a large care facility is being provided at St Margarets school and this would be a better place for this use; this is a private enterprise how can local residents be sure that it will be run in a way that does not cause problems for the community; it is unlikely that the new use will maintain the fabric of the building to such a high standard as the guesthouse; the owner doesn't live or know the area; as residents will only be staying for short periods of time they will not integrate or care about the community around them; the proposal will result in an increase in anti-social behaviour in the area; it is unrealistic to expect to be able to recruit staff from the area; staff shifts will result in an increase in traffic generation in an area with high traffic and parking levels already; the proposed use is unsuitable for a listed building; the property will be used as a refuge or safe house but there are already such places in Taunton; individuals with learning difficulties should be supported in their own areas; are the owners going to be registered with the Commission for Social Care Inspectorate or Somerset County Council Social Services Department; I have just moved away from a house for disturbed children in Trull who caused me approximately £1,000 damage to my property through vandalism; the pavements in Fons George are narrow and it is likely that more young people with push chairs or prams will result in elderly people being forced to step into the road, very dangerous.

2 LETTERS OF SUPPORT has been received raising the following issues:- there is no evidence that troubled teens will be accommodated on the site and this assumption on behalf of the objectors is nonsensical; this affluent area can afford to tolerate even welcome vulnerable people whose experience is different from our own; living close to the site I have no objection to the proposal it seems a worthy organisation fulfilling a need in our society; giving youngsters a chance to live in a stable community while they get their life in order; the location is good, close to the town with a well run pub adjacent with a relaxed atmosphere; I wish all those youngster good luck.

POLICY CONTEXT

Somerset and Exmoor National Park Structure Plan Policies STR1 (Sustainable Development), STR2 (Towns), Policy 49 (Transport Requirements)

Taunton Deane Local Plan Policies S1 (General Requirements), H16 (Residential care homes), M3, (Non-Residential Parking Requirements) M4 (Residential Parking Requirements).

ASSESSMENT

The proposed change of use would be located in a residential area just outside of the boundary of the Taunton Central Area where community and shopping facilities are located. Policy H16 requires such uses to be within walking distance of community facilities and I consider that this site is in such a location. The property has 6 bedrooms

and would be well staffed for 24 hours a day with professional support from social services etc if required. The applicants have indicated awareness for the concerns of the local community and would their use would not include those with a history of drug or alcohol problems or teenage children. The applicant has indicated that there will be 7 parking spaces to the rear of the property and plans are awaited to clarify this point. The adjacent dwelling has a garage with access rights across the rear parking area and proper delineation of the parking spaces should avoid disturbance to his rights. Proposal considered acceptable.

RECOMMENDATION

Subject to the receipt of acceptable amended plans 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, maximum 6 number of bedrooms, use as a family centre or old peoples home (within the C2 use class) only, parking, cycle parking.

REASON(S) FOR THE RECOMMENDATION:- The proposed change of use would be centrally located, within easy reach of community facilities in accordance with the requirements of Taunton Deane Local Plan Policies S1 and 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:

44/2005/018

MR & MRS ROSS

ERECTION OF SINGLE STOREY EXTENSION, SNOWS COTTAGE, HIGHER WRANGWAY, WELLINGTON.

12048/17402

FULL PERMISSION

PROPOSAL

The proposal comprises the erection of a single storey extension measuring 6.3 m x 5.5 m x 3.5 m to the highest point, on the rear elevation of the dwelling. The roof of the proposal increases in height as it extends away from the dwelling. Materials are timber cladding, timber framing with glazing.

CONSULTATIONS AND REPRESENTATIONS

PARISH COUNCIL object to proposal; cottage is old and contains interesting architectural features, including Holman Clavel beam although the building is not listed; extension would look out of keeping with a very old and pretty traditional style cottage.

POLICY CONTEXT

Taunton Deane Local Plan Policies S1, S2 and H17 seek, inter alia, to safeguard visual and residential amenity. Policy EN10 seeks to protect the character and appearance of Areas of Outstanding Beauty (AONBs).

ASSESSMENT

Proposed extension is to the rear of the property and is screened from any public viewpoints by existing hedgerows and trees within the site. Furthermore, the site has a slope that provides further screening. The one neighbouring property will only partially see the extension, as there is a bank and hedgerow to the side. The existing dwelling has undergone many alterations since it was originally built, including a poorly designed conservatory that will be replaced by this proposal. Though the extension is modern, it has been designed to suit the building and its surroundings, and uses appropriate materials. The proposal is not considered to adversely impact on the building or its surroundings.

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:

48/2005/051

K F DARCH ESQ

ERECTION OF BUNGALOW ON LAND TO THE EAST OF SIDBROOK FARM, 83 GREENWAY, MONKTON HEATHFIELD.

25388/27403

OUTLINE APPLICATION

PROPOSAL

Outline planning permission was granted in 1995 for the erection of one dwelling on a field lying between Sidbrook farmhouse and bungalows fronting Greenway. This permission has been regularly renewed since that time. The current proposal is, again, for the renewal of the outline planning permission for a further 3 year period. The site is currently a grass field approximately 0.1 hectare in size and would be accessed off an existing drive that runs at right angles to Greenway.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY views awaited. WESSEX WATER the site is within a foul sewer area with mains water available. Surface water drainage will need to be agreed with Taunton Deane Borough Council. FOOTPATHS OFFICER no objection

ENVIRONMENTAL HEALTH OFFICER no objection.

PARISH COUNCIL we have grave concerns about the use of the existing access. The concrete drive joins Greenway on a narrow bend with very little visibility in either direction. As it stands, vehicles using the drive have to creep forward very slowly to join Greenway and an additional dwelling would be dangerous. The roof height of the proposed bungalow should be no higher than those fronting Greenway, In view of the proximity of the neighbours opaque glazing should be required on all windows looking towards the existing bungalows.

2 LETTERS OF OBJECTION have been received raising the following issues:- Greenway is a very busy road and the bend has become very dangerous over recent years, with many cars exceeding the speed limit and using the road to get into Taunton; the neighbour intends to erect a fence, for security reasons, upon the existing boundary wall that will further impede visibility making the access even less safe, the existing drive is often used by children to use the side access into 77 Greenway and extra traffic using the road would be dangerous for them, additional housing along Greenway will destroy the character of the area.

POLICY CONTEXT

Somerset and Exmoor National Park Joint Structure Plan Review the following policies are considered relevant:- Policy STR5 (Development in rural centres and villages), Policy 49 (Transport Requirements for New Development).

Taunton Deane Local Plan the following policies are considered especially relevant: S1 (General Requirements), Policy H2 (Housing within Classified Settlements), Policy M4 (Residential Parking Requirements).

ASSESSMENT

The site lies within the settlement limits of Monkton Heathfield where the principal of new development is acceptable. The existing outline permission expires on 26th February, 2006 and this application would extend that outline to 2009. Permission was initially granted (and thereafter renewed) contrary to the county Highway Authority's objections on road safety, regarding poor visibility along Greenway. Whilst there has been permission for the conversion of the barns at Sidbrook Farm into dwellings and an outline permission for a residential development on land to the south west of those conversions, I do not consider that these developments would result in a significant increase in traffic already using the road, of sufficient scale to establish a change in circumstances that would warrant the refusal of this renewal application. Fenestration details referred to by the parish Council can be assessed when the reserved matters are submitted and a condition for obscure glazing applied, if necessary at that time. Proposal considered acceptable.

RECOMMENDATION

Permission be GRANTED subject to conditions of 3 year time limit, reserved matters, materials, surface water drainage, parking and turning, cycle parking, single storey only, levels shall remain unaltered. Notes re energy conservation, second dwelling unlikely due to Highway Authority concerns, dwelling should be orientated to avoid overlooking; water conservation measures; foul sewer crossing the site; disabled persons act; good design.

REASON FOR THE RECOMMENDATION:- The proposed dwelling lies within the settlement limits of Monkton Heathfield where the principle of new housing is accepted in accordance with Somerset and Exmoor National Park Joint Structure Plan Review Policy STR5 and Taunton Deane Local Plan Policy S1 and the proposal is considered to conform to the requirements of 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:

PLANNING COMMITTEE – 23 NOVEMBER, 2005

Report of the Development Control Manager

ENFORCEMENT ITEM

Parish: Cothelstone

1. **File/Complaint Number** 13/2005/006 - E257/13/2005
2. **Location of Site** Toulton Bothy, Cothelstone, Bishops Lydeard, Taunton.
3. **Names of Owners** Mr P Pudduck, Tresco, Wood Lane, Kingswear, Devon.
4. **Names of Occupiers** Unknown
5. **Nature of Contravention**
Erection of conservatory.

6. **Planning History**

A planning application was received on 7 September, 2005 for retrospective planning approval for a conservatory. Toulton Bothy is a converted barn and as such planning permission is needed for the provision of a conservatory.

The application was subsequently refused under delegated powers on 1 November, 2005

7. **Reasons for taking Action**

The conservatory by reason of its design and appearance is considered to be unsympathetic and out of keeping with the existing barn conversion. It is also detrimental to the character of the building and therefore contrary to Taunton Deane Local Plan Policies S1, S2 and H17.

8. **Recommendation**

The Solicitor to the Council be authorised to serve an Enforcement Notice and prosecution proceedings subject to sufficient 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 - 23 NOVEMBER, 2005

Report of the Development Control Manager

ENFORCEMENT ITEM

Parish: Taunton

1. **File/Complaint Number** E254/38/2005
2. **Location of Site** 18 Park Street, Taunton.
3. **Names of Owners** Mark One Developments Limited
4. **Nature of Contravention**
Provision of three satellite dishes.
5. **Planning History**

A complaint was received that a number of satellite dishes had been provided on the front elevation on 18 Park Street, Taunton. A site visit was made where it was noticed that three dishes had been provided, one being a 45 cm diameter digital dish and the other two approximately 70 cm in diameter. 18 Park Street is a Grade II* listed building and forms part of an important and historic group of properties in Park Street. No. 18 is sub-divided into flats and as such planning permission would be required for the provision of additional dishes on the building. However, as stated the building is Grade II* and any fixture to the facade of the building including satellite dishes requires listed building consent.

The owners have been contacted and requested to remove the dishes but to date they are still on the building. The owners have been told that it is an offence to affix dishes to the building without consent but no action on their part appears to have been taken

7. **Reasons for taking Action**

18 Park Street is a listed building and the provision of satellite dishes on this important Grade II* building is considered detrimental to the character of that building, the group of which it forms part and to the visual amenities of the Conservation area.

8. **Recommendation**

The Solicitor to the Council be authorised to serve a Listed Building Enforcement Notice and an Enforcement Notice together with prosecution action subject to sufficient evidence being obtained that the notices have 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