



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 17TH MAY 2006 AT 17:00.

(RESERVE DATE : THURSDAY 18TH MAY 2006 AT 17:00)

AGENDA

1. Appointment of Chairman.
2. Appointment of Vice-Chairman.
3. Apologies
4. Minutes of the meeting of the Committee held on 19 April 2006 (attached).
5. Public Question Time
6. CHEDDON FITZPAINE - 08/2006/005
ERECTION OF TEMPORARY BUILDING TO BE USED AS A CHANGING ROOM, KING'S HALL SCHOOL, PYRLAND HALL, KINGSTON ROAD, TAUNTON
7. KINGSTON ST. MARY - 20/2006/005
ERECTION OF EXTENSION OVER EXISTING GARAGE TO FORM TREATMENT FACILITY AT WILLOWS WATCH, FITZROY, NORTON FITZWARREN
8. STOKE ST GREGORY - 36/2006/001
CHANGE OF USE OF SWIMMING POOL AND OTHER FACILITIES FROM USE BY OCCUPANTS OF THE HOLIDAY COTTAGES TO USE BY OCCUPANTS OF HOLIDAY COTTAGES AND BY MEMBERS OF THE PUBLIC, HOLLY FARM COTTAGES, MEARE GREEN FARM, STOKE ST GREGORY
9. TAUNTON - 38/2006/068
ERECTION OF THREE STOREY BUILDING CONSISTING OF 14 NO. FLATS AT UPPER HIGH STREET, TAUNTON AS AMENDED BY LETTER AND PLANS 0604/05C & 06B RECEIVED ON 27 APRIL 2006.
10. TAUNTON - 38/2006/078
PROPOSED REDEVELOPMENT OF 14 APARTMENTS, INCLUDING NEW BUILD AND CONVERSION OF EXISTING DWELLING, WOODSTOCK HOUSE, 91 STAPLEGROVE ROAD, TAUNTON AS AMENDED BY LETTER DATED 10TH MARCH, 2006 WITH PLAN NOS. A2001 121 PL003B, 004B, 005B, 006B, 007B, 008B & 009B

11. TAUNTON - 38/2006/105LB
INSERTION OF SPIRAL STAIRS TO SECOND FLOOR AND TWO WINDOWS AND TWO ROOFLIGHTS AT 5 CEDAR CLOSE, TAUNTON AS AMENDED BY AGENTS LETTER DATED 21ST APRIL, 2006 AND DRAWING NO. 510.02A
12. TAUNTON - 38/2006/129
DEMOLITION OF DWELLING AND ERECTION OF 18 SELF-CONTAINED FLATS WITH ANCILLARY PARKING, 40 BINDON ROAD, TAUNTON
13. TAUNTON - 38/2006/162
ERECTION OF SINGLE STOREY EXTENSION COMPRISING OF CONSERVATORY AND GROUND FLOOR TOILET TO REAR OF 8 CHURCHILL WAY, TAUNTON
14. WELLINGTON - 43/2006/017A
DISPLAY OF INTERNALLY ILLUMINATED FASCIA AND PROJECTING SIGNS, BRISTOL AND WEST BUILDING SOCIETY, 5-7 SOUTH STREET, WELLINGTON
15. WELLINGTON - 43/2006/018
DEMOLITION OF BUILDINGS AND ERECTION OF 1 NO. FLAT OVER NEW ARCH AND ACCESS ROAD TO EXISTING BUSINESS, 58 - 60 MANTLE STREET, WELLINGTON AS AMENDED BY AGENTS LETTER DATED 30TH MARCH, 2006 WITH ACCOMPANYING DRAWING NOS. 0434/29, 30, 31 AND FURTHER AMENDED BY LETTER DATED 5TH APRIL, 2006 WITH ACCOMPANYING DRAWING NO. 0434/33
16. WEST BAGBOROUGH - 45/2006/007
DEMOLITION OF EXISTING DUTCH BARN AND CONSTRUCTION OF A TERRACE OF 3 DWELLINGS INCLUDING THE CONSTRUCTION OF AN OPEN FRONTED THREE CAR BARN, LAND ADJACENT TO MILTON FARM, WEST BAGBOROUGH AS AMENDED BY LETTER DATED 5TH APRIL, 2006 WITH ATTACHED PLANS AND AMPLIFIED BY AGENTS LETTER DATED 2ND MAY, 2006
17. WEST BUCKLAND - 46/2006/003
ERECTION OF TIMBER STABLES, LAND AT CROSSWAYS, WEST BUCKLAND
18. WIVELISCOMBE - 49/2006/016
ERECTION OF NEW WATER TREATMENT WORKS AND ASSOCIATED FACILITIES AND DEMOLITION OF PART OF EXISTING WATER TREATMENT WORKS, REGRADING OF GROUND AND LANDSCAPING AT MAUNDOWN WATER TREATMENT WORKS, LANGLEY MARSH, WIVELISCOMBE AS AMENDED BY AGENTS LETTER DATED 21ST APRIL, 2006 AND DRAWING NOS. 2454/15 PL 105 C, 2454/15 PL 106 B, 2454/15 PL 107 B, 2454/15 PL 108 B, 2454/15 PL 109 B, 2454/15 PL 110 B, 2454/15 PL 111 B, 2454/15 PL 112 B, 2454/15 PL 114 B

19. WIVELISCOMBE - 49/2006/018
ERECTION OF 20 DWELLINGS, WIDENING OF EXISTING ROAD,
FORMATION OF NEW ACCESS AND NEW FIELD ACCESS WITH
ASSOCIATED WORKS AT LAND NORTH OF PLAIN POND,
WIVELISCOMBE AS AMENDED BY
20. WIVELISCOMBE - 49/2006/020
ERECTION OF TIMBER BALCONY, 48 NORDENS MEADOW,
WIVELISCOMBE
21. BURROWBRIDGE - 51/2006/004LB
CHANGE OF USE AND CONVERSION OF PUMPING HOUSE TO
DWELLING AT ALLERMOOR PUMPING STATION,
BURROWBRIDGE
22. BURROWBRIDGE - 51/2006/007
CONVERSION OF PUMPING HOUSE TO SINGLE DWELLING,
ALLERMOOR PUMPING STATION, BURROWBRIDGE
23. COMEYTROWE - 52/2006/015
DEMOLITION OF TEMPORARY MAINTENANCE HUTS AND
CONSTRUCTION OF TWO STOREY DETACHED ARTS AND
DRAMA BUILDING, WITH COVERED GROUNDS MAINTENANCE
AREA, QUEENS COLLEGE, TRULL ROAD, TAUNTON
24. PROPOSED ENFORCEMENT ACTION - FOXMOOR NURSERIES,
HAYWARDS LANE, CHELSTON, NR.WELLINGTON. Enforcement item
25. 38/2006/016 & E370/38/2005 - PROVISION OF RAISED DECKING
AREA AT 1 TREVETT ROAD, TAUNTON. Enforcement item

G P DYKE
Member Services Manager

The Deane House
Belvedere Road
TAUNTON
Somerset

TA1 1HE

10 May 2006

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

Planning Committee Members:-

Councillor Mrs Allgrove
Councillor Miss Cavill
Councillor Croad
Councillor Denington
Councillor Floyd
Councillor Guerrier
Councillor Henley
Councillor C Hill
Councillor Mrs Marcia Hill
Councillor Mrs Marie Hill
The Mayor (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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E-Mail: g.dyke@tauntondeane.gov.uk

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

Planning Committee –19 April 2006

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, Lisgo, Stuart-Thorn and Wedderkopp

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

(The meeting commenced at 5.00 pm.)

44. Apologies

Councillors Miss Cavill, Phillips and Mrs Smith.

45. Minutes

The minutes of the meeting held on 29 March 2006 were taken as read and
were signed.

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

38/2006/072

Erection of single storey dwelling, 38 Eastwick Road, Taunton

Conditions

- (a) C005 – outline – reserved matters;
- (b) C009 – outline – time limit;
- (c) C010 – drainage;
- (d) C014A – time limit;
- (e) C201 – landscaping;
- (f) C215 – walls and fences;
- (g) C305 – access and driveway to be hard-surfaced;
- (h) 2 No on-site parking facilities shall be provided for the existing
dwelling, in accordance with a detailed drawing which shall be

submitted to, and approved in writing by, the Local Planning Authority before development commences;

- (i) P001A – no extensions;
- (j) P003 – no ancillary buildings;
- (k) P005 – no garages;
- (l) P006 – no fencing;
- (m) No gates shall be provided to the new access.

Reason for granting outline planning permission:-

The proposal was considered to comply with Taunton Deane Local Plan Policies S1, S2, H2 and M4 and material considerations did not indicate otherwise.

- (2) 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:-

27/2006/002

Conversion of barn to single dwelling with demolition of Dutch Barn, parlour and part of adjoining covered yard at Knapp Farm, Hillfarrance

Conditions

- (a) C001A – time limit;
- (b) C010 – drainage;
- (c) C010A – drainage – not commenced until percolation test approved;
- (d) C103 – materials;
- (e) C106 – second-hand materials;
- (f) C201 – landscaping;
- (g) C205 – hard landscaping;
- (h) Before occupation of the converted building, details of all boundary walls, fences or hedges forming part of the development shall be submitted to, and approved in writing by, the Local Planning Authority and any such wall, fence or hedge so approved shall be erected/planted before any such part of the development to which it relates takes place;
- (i) Work shall not commence until details of a scheme for the provision of a bats' roost within the roof void of the development hereby permitted, together with the provision of access to that roof space for bats has been submitted to, and approved in writing by, the Local Planning Authority. Once approved, the works shall take place in accordance with the agreed scheme and thereafter the loft space and agreed openings shall be permanently maintained. The development shall not be occupied until the scheme for the provision of the bats' roost and related accesses has been fully implemented;

- (j) Development shall not commence until details of a scheme for the retention of a Swallows' nesting site (or the provision of a new nesting site) has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include a programme for the implementation of the development which avoids any building, engineering or other operations likely to affect the nesting site or replacement site being undertaken between 1 April and 31 October inclusive. The development shall be carried out in accordance with the approved scheme or any amendment to the scheme as approved in writing by the Local Planning Authority;
- (k) There shall be no obstruction to visibility greater than 900mm above adjoining road level in advance of lines drawn 2m back from the carriageway edge on the centre line of the access, and extending to points on the nearside carriageway edge 60m either side of the access. Such visibility splays shall be fully provided before the access hereby permitted is first brought into use and shall thereafter be maintained at all times;
- (l) The proposed access over the first 6m of its length, as measured from the edge of the adjoining carriageway, shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have been submitted to, and approved in writing by, the Local Planning Authority;
- (m) The area allocated for parking and turning on the submitted plan shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted;
- (n) Any entrance gates erected shall be hung to open inwards and shall be set back a minimum distance of 5m from the carriageway edge;
- (o) The gradient of the proposed access shall not be steeper than 1:10;
- (p) Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to, and approved in writing by, the Local Planning Authority;
- (q) The existing vehicular access to the north-west (which is shown as being stopped up on the submitted plan) shall be stopped up, its use permanently abandoned and the verge/footway crossing reinstated in accordance with details which shall have been submitted to, and approved in writing by, the Local Planning Authority. Such works shall be completed within three months of the dwelling being occupied;
- (r) C416 – details of size, position and materials of meter boxes;
- (s) C651 – schedule of works to ensure safety and stability of structure following partial demolition;
- (t) C654A – windows;
- (u) C927 – remediation investigation/certificate;
- (v) P001A – no extensions;
- (w) C917 – services – underground;

- (x) P006 – no fencing;
- (y) P003 – no ancillary buildings;
- (z) The front wall shall be repaired with stone to match the existing as shown on the plan received on 5 April 2006.

(Notes to applicant:- (1) Applicant was advised that whilst some landscaping is shown on the plans, full details are required and the area adjacent to the roadside should be trees rather than a hedge (or 'plantation') and a hedgerow with trees should be planted on the northern boundary; (2) Applicant was advised that whilst the Wildlife Survey includes several possible types of provision for bats, full details of a proposed access/egress and roost area is required; (3) Regarding condition (j), applicant was advised that this relates to new provision rather than retention of nesting sites; (4) Applicant was advised of the following by the Drainage Officer:- (i) Foul drainage – it is noted that a septic tank is to be used to dispose of foul sewage. Percolation tests should be carried out to ascertain the required lengths of sub-surface irrigation drainage. The Environment Agency's Consent to Discharge to an underground strata is also required; (ii) You are further advised that surface water soakaways should be constructed in accordance with Building Research Digest 365 (September 1991); (5) Applicant was advised that commercial/agricultural buildings are often used for the storage of material and fuels that could have led to contamination of the ground in and around the buildings. There is also a potential risk from areas of filled ground (for example old ditches/ponds or slurry pits) as the fill could contain hazardous materials, or could generate gases as any waste breaks down. If a detailed site investigation is required, this should be carried out in line with the latest guidance; (6) Applicant was advised to contact the Highways Services Manager, Taunton Deane Area, with regard to the required reinstatement of the verge/footway crossing at the access which is to be closed; (7) Applicant was advised that bats and nesting birds may be present on site and all operatives on site must be appropriately briefed on their potential presence. If bats are found on site then work must stop and English Nature must be informed. All nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended) and, if discovered, must not be disturbed; (8) Applicant was advised that the front wall should be repaired as shown on the plan and as discussed in order to present a finished development; (9) With regard to condition (v), applicant was advised that permission has been granted solely to retain a former agricultural building as part of the rural scene. It is therefore unlikely that future extensions would be allowed to this dwelling; (10) N025 – conversion.)

Reason for granting planning permission:-

The proposal was considered to accord with Taunton Deane Local Plan Policies S1, H7 and EN4 and did not have any detrimental effects

on local character or the nearby listed building and the conversion was acceptable subject to conditions.

(The Chairman (Councillor Mrs Marie Hill) and Councillor C Hill declared personal interests in the following application and left the meeting during its consideration. Councillor Mrs Marcia Hill (Vice-Chairman) took the Chair for this application.)

35/2006/002

Erection of replacement dwelling at Meadow Farm, Greenham, Wellington

Conditions

- (a) C001A – time limit;
- (b) C010 – drainage;
- (c) C102 – materials;
- (d) C111 – materials – for drives;
- (e) C201 – landscaping;
- (f) C205 – hard landscaping;
- (g) Full details of all boundary treatment forming the application site shall be submitted to, and approved in writing by, the Local Planning Authority and the treatment approved shall be erected prior to occupation of the dwelling hereby permitted;
- (h) Work shall not commence until details of a scheme for the provision of a bats' roost within the roof void of the development hereby permitted, together with the provision of access to that roof space for bats has been submitted to, and approved in writing, by the Local Planning Authority. Once approved, the works shall take place in accordance with the agreed scheme and thereafter the loft space and agreed openings shall be permanently maintained. The development shall not be occupied until the scheme for the provision of the bats' roost and related accesses has been fully implemented;
- (i) C326 – garage – domestic use only;
- (j) The use of Meadow Farmhouse (dwelling) as a dwelling house shall be discontinued and all the buildings shown to be demolished on Plan No r2388/05, received 27 March 2006, shall be demolished prior to commencement of construction works on the site;
- (k) C927 – remediation investigation/certificate;
- (l) There shall be no obstruction to visibility greater than 900mm above adjoining road level in advance of lines drawn 2m back from the carriageway edge on the centre line of the existing access, and extending to points on the nearside carriageway edge 45m either side of the access. Such visibility splays shall be fully provided before the access hereby permitted is first brought into use and shall thereafter be maintained at all times on the land edged red and blue;
- (m) The existing access over the first 5m of its length, as measured from the edge of the adjoining carriageway, shall be properly

- consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have been submitted to, and approved in writing by, the Local Planning Authority;
- (n) Any entrance gates erected shall be hung to open inwards and shall be set back a minimum distance of 4.5m from the carriageway edge;
 - (o) Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to, and approved in writing by, the Local Planning Authority. Such drainage shall be provided prior to the dwelling first being brought into use;
 - (p) P001A – no extensions;
 - (q) Provision shall be made within the retained buildings or new buildings for Swallows to nest details of which shall be submitted to, and approved in writing by, the Local Planning Authority and thereafter implemented prior to occupation of the replacement dwelling hereby permitted.

(Notes to applicant:- (1) Applicant was advised of a number of requirements requested by the Environment Agency; (2) With regard to potential ground contamination, applicant was advised that commercial/agricultural buildings are often used for the storage of materials and fuel that could have led to contamination of the ground in and around the buildings. There is also a potential risk from areas of filled ground (for example old ditches/ponds or slurry pits) as the fill could contain hazardous materials or could generate gases as any waste breaks down. If a detailed site investigation is required, this should be carried out in line with the latest guidance; (3) Applicant was advised that the soakaways should be constructed in accordance with Building Research Digest 365 (September 1991); (4) N112 – meter boxes; (5) N118 – disabled access; (6) N095A – owls and bats; (7) Applicant was advised that whilst your Wildlife Survey indicates an illustration of a bat roost, this detail needs to be incorporated within one of the new permitted buildings; (8) Applicant was advised to take into account the first two paragraphs of the recommendations of the Wildlife Survey; (9) Applicant was advised to be aware that the property is served by a private water supply and any increased usage from the proposed building should be notified to the Environmental Health Department; (10) Applicant was advised that there should be no tree planting within the visibility splays; (11) Applicant was advised that there has been a history of localised flooding on the adjacent highway. You are therefore advised to contact the Drainage Officer at Taunton Deane Borough Council.)

Reason for granting planning permission:-

The proposal was considered to accord with Taunton Deane Local Plan Policies S1, S2, H7, H8 and EN4 subject to conditions as there was no adverse impact on the local character of the area.

38/2006/019

Erection of rear extension and provision of disabled facilities at 26 Wellesley Street, Taunton

Conditions

- (a) C001A – time limit;
- (b) C102A – materials.

Reason for granting planning permission:-

The proposal by reason of its size, scale and materials, respected the character of the dwelling and the locality and caused no demonstrable harm to residential amenity in accordance with Taunton Deane Local Plan Policies S1, S2 and H17.

42/2005/045

Retention of farm buildings without complying with Condition 06 of Permission 42/2004/036, Mill Lane, Trull

Conditions

- (a) C001A – time limit;
- (b) This permission shall enure for the benefit of Mrs Criddle only whilst engaged in training, exercising and schooling of her own horses and not for the benefit of the land;
- (c) The equestrian facilities hereby permitted shall be used solely for private use by Mrs Criddle and shall at all times remain ancillary to Haygrove Barn, the adjacent barn conversion.

Reason for granting planning permission:-

The barns were required for the personal and specific needs of Mrs Criddle (a Paralympian) and it was considered that such facilities could not easily be provided elsewhere. The retention of existing buildings would not result in a loss of the open character of the Green Wedge, nor an increase in highway danger. The proposal would result in the reinstatement of the setting of the listed barn in the longer term. The proposal was considered to be in accordance with the requirements of Somerset and Exmoor National Park Structure Plan Policy 49 and Taunton Deane Local Plan Policies EN13, EN16 and S1(A).

42/2005/046

Construction of dressage area and change of use of farm buildings to stables, equestrian use and hay store at Haygrove Barn, Trull

Conditions

- (a) C001A – time limit;

- (b) This permission shall enure for the benefit of Mrs Criddle only whilst engaged in training, exercising and schooling of her own horses and not for the benefit of the land;
- (c) The equestrian facilities hereby permitted shall be used solely for private use by Mrs Criddle and shall at all times remain ancillary to Haygrove Barn, the adjacent barn conversion.

Reason for granting planning permission:-

The barns were required for the personal and specific needs of Mrs Criddle (a Paralympian) and it was considered that such facilities could not easily be provided elsewhere. The retention of existing buildings would not result in a loss of the open character of the Green Wedge, nor an increase in highway danger. The proposal would result in the reinstatement of the setting of the listed barn in the longer term. The proposal was considered to be in accordance with the requirements of Somerset and Exmoor National Park Structure Plan Policy 49 and Taunton Deane Local Plan Policies EN13, EN16 and S1(A).

44/2006/004

Erection of 50 bed elderly, mentally infirm home together with associated parking, landscaping and upgraded drainage system, Chelston Park Residential and Nursing Home, West Buckland Road, Wellington

Conditions

- (a) C001A – time limit;
- (b) C102A – materials;
- (c) C201 – landscaping;
- (d) C208A – protection of trees to be retained;
- (e) C208B – protection of trees – service trenches;
- (f) C210 – no felling or lopping;
- (g) The area allocated for parking on the submitted plan, Drawing No 278805/L02D, shall be marked out in accordance with the details of the submitted plan prior to the development being brought into use and shall, thereafter, be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted;
- (h) The development hereby approved shall not be occupied until a covered cycle rack facility has been provided within the site capable of accommodating 10 bicycles in accordance with a design specification to be submitted to, and approved in writing by, the Local Planning Authority.
- (i) Mitigation measures for protected species and other wildlife, set out in the recommendations of the submitted 'Habitat Survey' shall be carried out as part of the development'
- (j) The development hereby permitted shall not be commenced until details of the proposed surface water attenuation, including calculations, sizing of tanks and hydrobrake details have been

- submitted to, and approved in writing by, the Local Planning Authority;
- (k) The existing access which is to be widened over the first 15m of its length as measured from the edge of the public highway, shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have been submitted to, and approved in writing by, the Local Planning Authority;
 - (l) Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to, and approved in writing by, the Local Planning Authority. Such drainage shall be provided prior to the access first being brought into use;
 - (m) Prior to the commencement of any development works, the applicant shall at his own expense appoint a Drainage Consultant to advise on the most suitable method for the drainage of foul waste from the property. The applicant shall also investigate the feasibility of connecting to the public sewer. The consultant shall submit a written report to the Local Planning Authority which shall detail the proposed drainage method and capacity. Such report shall be agreed in writing by the Local Planning Authority prior to the commencement of development works.
(Notes to applicant:- (1) N118A – disabled access; (2) N112 – energy conservation; (3) N115 – water conservation; (4) Applicant was advised to obtain general advice prepared by the Environment Agency on the assessment of site conditions and proposed foul drainage systems and guidance provided by the Construction Industry Research and Information Association (CIRIA) about on-site sewage disposal and septic tank systems; (5) Applicant was advised to contact the Chief Fire Officer with regard to means of escape, access for appliances and fire hydrants; (6) Applicant was advised that the Environment Agency's Consent is required for the proposed reed bed drainage system.)

Reason for granting planning permission:-

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

49/2006/006

Demolition of dwelling and erection of replacement dwelling and change of use of land from agricultural to domestic at Higher Grants, Ford, Wiveliscombe

Conditions

- (a) C001A – time limit;
- (b) C101 – materials;
- (c) C201 – landscaping;
- (d) C215 – walls and fences;
- (e) C917 – services – underground;
- (f) P001A – no extensions;
- (g) The dwelling hereby permitted shall not be occupied until two parking spaces for the dwelling have been provided in a position approved by the Local Planning Authority. The said spaces and access shall not be used other than for the parking of vehicles or the purpose of access;
- (h) Before the development hereby permitted is occupied, unobstructed visibility shall be provided above a height of 900mm from adjoining carriageway level for a minimum distance of 45m on both sides of the point of vehicular access for a depth of 2m measured from the nearside edge of the adjoining carriageway. Such visibility shall thereafter be maintained to the satisfaction of the Local Planning Authority;
- (i) Demolition work on the existing dwelling shall not commence until an emergence survey of bats, undertaken by a qualified Environmental Consultant between 1 May and 30 September in any one year has been submitted to, and approved in writing by, the Local Planning Authority. The survey and report shall include an identification of species present and a strategy for the protection of bats. Once approved, the works shall take place in accordance with the agreed scheme and thereafter roosting places and agreed openings shall be permanently maintained. The development shall not be occupied until the scheme for the maintenance and provision of the bats' roosts and related accesses has been fully implemented;
- (j) Prior to commencement of works on site, a copy of a valid DEFRA Development Licence shall be submitted to, and approved in writing by, the Local Planning Authority.
(Notes to applicant:- (1) Applicant was advised that the soakaways should be constructed in accordance with Building Research Digest 365 (September 1991); (2) Applicant was advised that the Environment Agency should be consulted about a licence for the installation of the sewage treatment plant; (3) With regard to condition (b), applicant was advised that the use of slates would be preferred to concrete tiles; (4) With regard to conditions (b) and (c), applicant was advised that a native species hedge should be planted to create the new southern garden boundary; (5) Applicant was advised that bats and nesting birds may be present on site and all operatives on site must be appropriately briefed on their potential presence. If bats are found on site, then work must stop and English Nature must be informed. All nesting birds are protected under the Wildlife

and Countryside Act 1981 (as amended) and if discovered, must not be disturbed.)

Reason for granting planning permission:-

The replacement dwelling was a one-for-one replacement which was not substantially larger than the existing dwelling and the scale, design and layout was compatible with the rural character of the area. As such, the proposal accorded with Taunton Deane Local Plan Policies S1, S2, H8 and EN5.

49/2006/007

Conversion of barn to dwelling, Higher Grants, Ford, Wiveliscombe

Conditions

- (a) C001A – time limit;
- (b) C102 – materials;
- (c) C601 – schedule of works to ensure safety and stability of structure;
- (d) Prior to the works for which consent is hereby granted are commenced, a schedule of repairs and structural work shall be submitted to, and approved in writing by, the Local Planning Authority;
- (e) C106 – second-hand materials;
- (f) C112 – details of guttering, downpipes and disposal of rainwater;
- (g) C201 – landscaping;
- (h) C205 – hard landscaping;
- (i) C215 – walls and fences;
- (j) P001A – no extensions;
- (k) P003 – no ancillary buildings;
- (l) P006 – no fencing;
- (m) P010 – no further windows;
- (n) C927 – remediation investigation/certificate;
- (o) The dwelling hereby permitted shall not be occupied until two parking spaces for the dwelling have been provided in a position approved by the Local Planning Authority. The said spaces and access shall not be used other than for the parking of vehicles or the purpose of access;
- (p) Before the development hereby permitted is occupied, unobstructed visibility shall be provided above a height of 900mm from adjoining carriageway level for a minimum distance of 45m on both sides of the points of vehicular access for a depth of 2m measured from the nearside edge of the adjoining carriageway. Such visibility shall thereafter be maintained to the satisfaction of the Local Planning Authority;
- (q) Prior to commencement of works on site, a copy of a valid DEFRA Development Licence shall be submitted to, and approved in writing by, the Local Planning Authority;

- (r) Prior to commencement of works to convert the barn and associated buildings, an emergence survey of bats undertaken by a qualified Environmental Consultant between 1 May and 30 September in any one year, shall be submitted to, and approved in writing by, the Local Planning Authority. The survey and report shall include an identification of species present and a strategy for the protection of bats. Once approved, the works shall take place in accordance with the agreed scheme and thereafter the roosting places and agreed openings shall be permanently maintained. The development shall not be occupied until the scheme for the maintenance and provision of the bats' roosts and related accesses has been fully implemented;
- (s) Development shall not commence on the barn to be converted until a survey for nesting Barn Owls is undertaken 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 and an Impact Assessment and mitigation/avoidance measures in order to safeguard Barn Owls and their nest site in accordance with the law. Once approved, the works shall take place in accordance with the agreed scheme and thereafter the nesting site and agreed openings in the building shall be permanently maintained. The development shall not be occupied until the scheme for the maintenance of the nesting site and related accesses has been fully implemented.
- (Notes to applicant:- (1) Applicant was advised that bats and nesting birds may be present on site and all operatives on site must be appropriately briefed on their potential presence. If bats are found on site then work must stop and English Nature must be informed. All nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended) and if discovered, must not be disturbed; (2) Applicant was advised that the soakaways should be constructed in accordance with Building Research Digest 365 (September 1991); (3) Applicant was advised that the Environment Agency should be consulted about a licence for the installation of the sewage treatment plant.)

Reason for granting planning permission:-

The building was worthy of retention and the approved scheme satisfactorily respected the traditional character of the building and would not harm visual or residential amenity and, accordingly, did not conflict with Taunton Deane Local Plan Policies S1, S2 and H7.

49/2006/009CA

Demolition of old brewery buildings, the Old Hancock Brewery, Golden Hill, Wiveliscombe

Conditions

- (a) C002B – time limit;
- (b) C681 – record of excavation and deposit of finds;
- (c) C673 – photographic record;
- (d) C653 – no demolition before planning permission granted and contract let.

Reason for granting Conservation Area consent:-

The removal of these buildings would enable the development of the main former brewery to take place in accordance with Taunton Deane Local Plan Policy EN15.

- (3) 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:-

(The Chairman (Councillor Mrs Marie Hill) and Councillor C Hill declared personal interests in the following application and left the meeting during its consideration. Councillor Mrs Marcia Hill (Vice-Chairman) took the Chair for this application.)

23/2006/001

Retention of change of use of land from agricultural to use for storage of timber, retention of earth bund, retention of bridge and retention of roadside fence at Fouracre Sawmills at Station Road, Milverton

Reasons

- (a) The application site is within a Flood Zone 3 Area and a Flood Risk Assessment is required by Planning Policy Guidance Note No 25. In the absence of such a document, it is impossible to assess the impact of development on flood flows, flood plain storage and thus potential impact on adverse flood risk to third parties from the loss of flood plain storage due to the bund and timber material, or the potential scenario for timber material entering the channel and creating a blockage contrary to Planning Policy Guidance No 25 and Taunton Deane Local Plan Policy EN28.
- (b) The retention of the bund and materials to the existing height are considered to be contrary to Taunton Deane Local Plan Policies EN6, EN8 and EN12 on the basis that the bund is too close to existing trees and has the potential to cause harm to those trees and the bund is out of character with the surrounding landscape which is low lying and visible from the nearby public footpath;
- (c) The existing fencing, as part of the current application, does not incorporate the necessary visibility splays which are essential in

the interests of highway safety contrary to Somerset and Exmoor National Park Joint Structure Plan Review Policy 49.

Also RESOLVED that:-

- (1) Enforcement action be taken to secure the removal of the unauthorised roadside fence; and
- (2) Further enforcement action be taken to stop the unauthorised use of the land for the storage of timber, to seek the removal of the earth bunds and the bridge, subject to such action being deferred for a period of six months from the date of the meeting.

38/2006/033

Redevelopment comprising 74 apartments in three blocks, conversion of two listed buildings to three dwellings, provision of associated parking and facilities and alterations to access, former SCAT Annexe, Staplegrove Road, Taunton

Reason

The proposed development results in the loss of an existing building which makes a positive contribution to the Staplegrove Conservation Area. The design, bulk and height of the proposed development is out of keeping with, and detrimental to, the Staplegrove Conservation Area and represents an overdevelopment of the site contrary to the visual amenity and character of the area and provides an inappropriate setting for the existing listed buildings. The proposal is therefore contrary to Taunton Deane Local Plan Policies H2, EN14 and EN15.

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

38/2006/031CA

Demolition of non-listed buildings at former SCAT Annexe, Staplegrove Road, Taunton

52/2006/004

Erection of two storey and single storey extension at 37 Scaffell Close, Taunton

(Councillor Denington declared a personal interest in the application covered by Minute No 47 below.)

47. **Change of use of land to enable car park to be used as a site for Sunday Market, including repositioning of vehicular access and alterations to parking layout, Taunton Racecourse, Orchard Portman (30/2006/007)**

Reported this application.

RESOLVED that subject to the receipt of no further representations raising new issues by 21 April 2006, the Development Control Manager be authorised to determine the application in consultation with the Chairman and, if planning permission was granted, the following conditions be imposed:-

- (a) C001A – time limit;
- (b) There shall be no permanent structures or stalls placed on the site at any time;
- (c) All temporary stalls shall be removed from the site after the use ceases on a Sunday and no stalls shall be located on the site Monday to Saturday;
- (d) Notwithstanding Schedule 2, Part 4, Class B of the Town and Country Planning (General Permitted Development) Order 1995 (or any subsequent Order amending or revoking and re-enacting that Order) there shall be no other car boot sale or market held on land owned by the Racecourse;
- (e) The visibility splay on Drawing No 05.66.11A shall be provided prior to the site being brought into use for Sunday markets.
- (f) C201 – landscaping;
- (g) The access gates of the new access shall be set back a minimum of 10m from the carriageway and open inwards;
- (h) Details of the means of preventing surface water flowing onto the highway shall be submitted to, and approved in writing by, the Local Planning Authority and implemented before the use commences;
- (i) The existing access to the car park shall be permanently closed for vehicular access and exit other than for emergency vehicles.
(Notes to applicant:- (1) Applicant was advised that in addition to the roadside boundary hedge, a new hedge to the west of the existing track in each field will be required; (2) Applicant was advised that the footpath must remain open and unobstructed at all times. Any change to the surface or route must be authorised by Somerset County Council.)

Reason for planning permission, if granted:-

The proposal was considered not to detrimentally harm residential amenity or the character of the area and subject to conditions was considered to comply with Taunton Deane Local Plan Policies S1 and S2.

48. Erection of 6 No two bed flats and 2 No one bed flats with 8 No on-site parking spaces at former Service Station, Priorswood Place, Dorchester Road, Taunton (38/2005/390)

Reported this application.

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

- (a) C001A – time limit;
- (b) C102A – materials;
- (c) C203 – landscaping;
- (d) C926B – remediation investigation/certificate;
- (e) No dwellings shall be occupied until space has been laid out within the site in accordance with details previously submitted to, and approved in writing by, the Local Planning Authority for eight bicycles to be parked;
- (f) Provision shall be made for the parking of 8 No cycles in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority. Such provision shall be made before each phase of the development hereby permitted is occupied/use hereby permitted is occupied;
- (g) The secure area for storing cycles shall remain available for its intended purpose and shall not be used for any other purpose;
- (h) The layout to be submitted shall make adequate provision for a temporary car park within the site to accommodate operatives' and construction operatives' vehicles during the contract period and shall indicate the eventual use of that area;
- (i) The area allocated for parking and turning on the submitted plan shall be kept clear of obstruction and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted;
- (j) No dwelling hereby permitted shall be occupied until the parking spaces and turning area shown on Drawing No 04012-102 have been provided and completed;
- (k) The proposed access shall be constructed in accordance with details shown on the submitted plan, Drawing No 04012-102, and shall be available for use before any dwelling is occupied;
- (l) Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to, and approved in writing by, the Local Planning Authority. Such drainage shall be provided prior to the dwelling first being brought into use;
- (m) The existing vehicular access to the site shall be stopped up, its use permanently abandoned and the verge/footway crossing reinstated in accordance with details which shall have been submitted to, and approved in writing by, the Local Planning Authority. Such works shall be completed within six months of the new vehicular access hereby approved being first brought into use;
- (n) P011 – no windows on the north-west elevation;
- (o) C215 – walls and fences;
- (p) Prior to the commencement of works on site, details of a bin store to serve the properties shall be submitted to, and approved in writing by, the Local Planning Authority. Such a bin store shall be fully constructed and available for use by all residents prior to the occupation of any of the units hereby permitted and shall be maintained as such thereafter.

(Notes to applicant:- (1) N111 – disabled access; (2) N112 – energy conservation; (3) N114 – meter boxes; (4) N116 – disabled access; (5) N117 – crime prevention; (6) N045 – encroachment; (7) N061A –

Highways Act – Section 184 Permit; (8) N048A – environmental health.)

Reason for planning permission, if granted:-

The proposed residential development would be located within the settlement limits of Taunton where such development is considered appropriate and in compliance with the requirements of Taunton Deane Local Plan Policies S1, S2, H2 and M4.

49. Construction of new business park including formation of new roundabout, pumping station and lagoon at land adjoining Chelston House Farm, Wellington (43/2006/016)

Reported this application.

RESOLVED that subject to:-

- (i) The removal of the Article 14 Direction imposed by the Highways Agency;
- (ii) The further views of the County Highway Authority, Highways Agency, Wessex Water, Environment Agency, Drainage Officer, Somerset Wildlife Trust, Environmental Health Officer, Nature Conservation and Reserves Officer and any further conditions that they might require;
- (iii) The receipt of further traffic generation figures;
- (iv) The receipt of initial Wildlife Surveys;
- (v) The receipt of further drainage layout details, siting of the surface water attenuation facility, further details of surface water drainage and details of access for the maintenance of the attenuation pond;
- (vi) The applicants entering into a Section 106 Agreement to provide cycle and pedestrian links and on the road cycle lane and contribution towards a tendered bus service, construction of roundabout and commuted sums towards the maintenance of the lagoon by Taunton Deane Borough Council;
- (vii) The submission of additional information to justify any free-standing office floor space above 600 sq m,

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) C007 – outline – reserved matters;
- (b) C010 – drainage;
- (c) C014A – time limit;
- (d) C101 – materials;

- (e) C201 – landscaping;
- (f) C207 – existing trees to be retained;
- (g) C208A – protection of trees to be retained;
- (h) C208B – protection of trees – service trenches;
- (i) C209 – protection of hedges to be retained;
- (j) C210 – no felling or lopping;
- (k) The use of the buildings as described as Trade Counter/B1C use on the schedule of building uses received on 13 January 2006 shall be restricted to a trade only or other uses within Class B8 of the Town and Country Planning (Use Classes Order 1987) or in any provision equivalent to the class in any Statutory Instrument revoking or re-enacting that Order and shall not be used for the direct sale of good to the general public;
- (l) The details of the proposal shall broadly equate to the schedule of building uses received on 13 January 2006;
- (m) The proposed development shall only be accessed by a new roundabout constructed in accordance with Drawing No 9334C109 received on 13 February 2006;
- (n) Any existing vehicular accesses to the site shall be stopped-up (and the verge crossings reinstated) and their use permanently abandoned within one month of the new access first being brought into use;
- (o) C708 – restricted use – no storage except where stated;
- (p) C331 – provision of cycle parking;
- (q) The layout of the site shall be so designed as to provide for the comprehensive development of the land with the adjoining land to the east (proposed Livestock Market site at Chelston Heathfield);
- (r) C917 – services - underground;
- (s) A schedule of timing of works to existing trees and hedgerows shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of any work on site;
- (t) Before any development commences, details of lighting on the site shall be submitted to, and approved in writing by, the Local Planning Authority. Such details shall include the use of appropriate location, orientation, timing, shading and power to avoid any illumination of off-site areas;
- (u) Before the development hereby permitted is commenced, details of the appearance of any electricity sub-station shall be submitted to, and approved in writing by, the Local Planning Authority;
- (v) The mitigation measures set out in the Ecological Report submitted with the Environmental Statement shall be carried out in accordance with further details to be submitted to, and approved in writing by, the Local Planning Authority.

(Notes to applicant:- (1) N118A – disabled access; (2) N112 – energy conservation; (3) N115 – water conservation; (4) N051B – health and safety; (5) N054 – fire safety; (6) Applicant was advised that access for fire appliances should comply with Approved Document B5 of the Building Regulations 2000; (7) Applicant was advised that all new water mains installed within the development should be of sufficient size to permit the installation of fire hydrants conforming to British Standards; (8) Applicant was advised that it had been noted that the

application site does not utilise the whole area allocated in the Local Plan. The layout of the estate, to be considered at the reserved matters stage, should not prejudice the future development of the remainder of the site identified in Policy W4 of the Taunton Deane Local Plan.)

Reason for outline planning permission, if granted:-

The proposed development was consistent with the Local Plan Strategy, given the fact that the proximity to the M5 and the use of the site for warehousing, manufacturing and related distribution was in line with Government advice in Planning Policy Guidance Note No 13. The proposal was considered to be in compliance with the criteria set out in Taunton Deane Local Plan Policy W4.

(Councillor Hindley declared a personal interest in the application covered by Minute No 50 below and left the meeting during its consideration.)

50. Change of use and conversion of barn to single dwelling, barn off Little Silver Lane, Middle Green, Wellington (44/2006/006)

Reported this application.

RESOLVED that subject to the receipt of a satisfactory amended plan, the Development Control Manager be authorised to determine the application in consultation with the Chairman and, if planning permission was granted, the following conditions be imposed:-

- (a) C001A – time limit;
- (b) Prior to the commencement of any works, details of the surfacing materials for the access track and turning areas shall be submitted to, and approved in writing by, the Local Planning Authority;
- (c) C101 – materials;
- (d) C201 – landscaping
- (e) C215 – walls and fences;
- (f) Details of the disposal of surface water run off from the access drive shall be submitted to, and approved in writing by, the Local Planning Authority before the commencement of development. The agreed details shall be fully implemented before the building is occupied;
- (g) Development shall not commence until details of a scheme for the retention of a Swallows nest site and its accesses (or the provision of an alternative new site or accesses) has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include a programme for the implementation of the development which avoids any building or other operations likely to affect the Swift/Swallow/House Martin nest sites(s) being undertaken between 1 April and 30 September inclusive. The development shall be carried out in accordance with the approved scheme or any amendment to the scheme as approved in writing by the Local Planning Authority;
- (h) Prior to commencement of works to convert the barn and associated buildings, an emergence survey of bats undertaken by a qualified

Environmental Consultant between 1 May and 30 September in any one year, shall be submitted to, and approved in writing by, the Local Planning Authority. The survey and report shall include an identification of species present and a strategy for the protection of bats. Once approved, the works shall take place in accordance with the agreed scheme and thereafter the roosting places and agreed openings shall be permanently maintained. The development shall not be occupied until the scheme for the maintenance and provision of the bats' roosts and related accesses has been fully implemented;

- (i) C601 – schedule of works to ensure safety and stability of structure;
- (j) The new windows and doors indicated on the approved plans shall be made of timber only and no other materials, unless the written consent of the Local Planning Authority is obtained to any variation thereto and thereafter shall be retained in timber, without the express written consent of the Local Planning Authority to the use of a different material;
- (k) P001A – no extensions;
- (l) P003 – no ancillary buildings;
- (m) P005 – no garages;
- (n) P006 – no fencing;
- (o) C917 – services – underground.

(Note to applicant:- Applicant was advised that the building to which this proposal relates is thought to provide a roosting place for bats which is a protected species under Schedule 5 of the Wildlife and Countryside Act 1981. It is an offence to intentionally disturb bats occupying a building or structure and you are further advised to contact English Nature for advice on this matter.)

Reason for planning permission, if granted:-

The proposed development is considered sympathetic and will not harm the integrity and character of the barn or detract from the visual amenity of the area. The proposal does not therefore conflict with Taunton Deane Local Plan Policies S1, S2 and H7.

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

The Committee was of the view that due to the quality of the former barn and its contribution to the locality, it was a building worth retaining and this consequently outweighed the fact that it was not in a sustainable location.

51. Erection of 14 residential units with associated parking, garages and amenity space, demolition of old brewery buildings at the Old Hancock Brewery, Golden Hill, Wiveliscombe (49/2006/008)

Reported this application.

RESOLVED that subject to the applicants entering into a Section 106 Agreement in respect of an agreed financial contribution being made towards the provision of off-site recreational facilities, the Development Control Manager be authorised to determine the application in consultation with the

Chairman, and if planning permission was granted, the following conditions be imposed:-

- (a) C001A – time limit;
- (b) Before the commencement of any works hereby permitted, details or samples of the materials to be used for rendered areas and brick walls shall be submitted to, and approved in writing by, the Local Planning Authority and no other materials shall be used without the written consent of the Local Planning Authority;
- (c) The external surfaces of the development hereby permitted shall be of materials as indicated in the application form and plans and no other materials shall be used without the written consent of the Local Planning Authority;
- (d) C331 – provision of cycle parking;
- (e) C201 – landscaping;
- (f) C219 – screening during demolition;
- (g) Before any part of the permitted development is commenced, details of all boundary walls, fences or hedges forming part of the development shall be submitted to, and approved in writing by, the Local Planning Authority and any such wall, fence or hedge so approved shall be erected/planted before any of the units are occupied;
- (h) The garages hereby permitted shall be constructed only in accordance with the approved plans and shall remain available in perpetuity for the parking of a motor vehicle(s) for domestic purposes only;
- (i) The proposed parking areas and spaces, manoeuvring areas, unloading areas and footpaths shall be properly consolidated, drained, surfaced in a material to be submitted to, and approved in writing by, the Local Planning Authority and thereafter maintained and marked out before the occupation of the units hereby approved, or at such time as agreed by the Local Planning Authority and shall not be used for any other purpose than the parking/manoeuvring or unloading of vehicles in association with the development hereby permitted;
- (j) The garages shown on the approved plans shall be constructed and available for use as garages at the time of occupation of the associated residential units and retained for parking of vehicles only for so long as the development remains;
- (k) C917 – services – underground;
- (l) The applicant shall at his own expense, appoint a suitably qualified consultant with a remit to examine the premises and identify what measures, if any, may be necessary to ensure that odours from existing sources will not cause nuisance to the occupants of premises on the completed development. The consultant shall submit a written report to the Local Planning Authority together with any odour reduction scheme recommended and the reasoning upon which any such scheme is based. Such report shall be agreed in writing by the Local Planning Authority prior to the commencement of development works on the northern building. The agreed works shall be carried out prior to the northern part of the building being occupied;
- (m) C926B – remediation investigation/certificate;

- (n) The Developer shall advise all prospective purchasers of the dwellings hereby permitted that the site is adjacent to existing industrial occupiers and that a degree of noise, disturbance and odour is likely to occur;
- (o) Full details of all surface water, foul water, fresh water and any other sewage systems both for the proposed development and for any other premises served by such systems in the application site shall be submitted to, and approved in writing by, the Local Planning Authority before any development is commenced. The details shall provide for the commissioning of any replacement sewers or supplies prior to the decommissioning of the existing systems. The details shall include evidence that there is sufficient capacity in the existing adopted sewer system for any new or diverted foul sewage waste. Any proposed changes to the approved scheme shall be agreed in writing by the Local Planning Authority prior to implementation. The approved scheme shall be fully implemented prior to the occupation of the first dwelling unit;
- (p) The development shall not be occupied until the scheme for the maintenance and provision of the bats' roosts and related accesses has been fully developed and is in place as detailed in the Greena Ecology Consultancy Report Recommendations and Mitigation which accompanied the application;
- (q) All bathroom/toilet windows on the north elevation shall be permanently fixed shut and glazed as specified on the approved plans. If any ventilation is included in the north elevation, it shall be only in the form of outlets associated with a positive internal pressure ventilation system and inlets for such systems shall not be in the north elevation;
- (r) Before any works are carried out for the removal of any fill, the developer shall submit to the Local Planning Authority for approval full details of the proposals for the stabilisation of the adjoining land including the results of a geo-technical survey and structural calculations for any retaining structures. Any retaining structures thereby required shall be in position prior to the occupation of any of the residential units hereby approved;
- (s) P001A – no extensions;
- (t) P003 – no ancillary buildings;
- (u) P010 – no further windows;
- (v) Prior to the commencement of any development works, the applicant shall at his own expense, appoint a suitably qualified acoustics consultant with a remit to examine the premises/land and identify what measures, if any, may be necessary to ensure that noise from existing sources and in particular, noise from the Exmoor Ales and Quantock Engineering premises will not cause nuisance to the occupants of premises on the completed development. The consultant shall submit a written report to the Local Planning Authority which shall detail all measurements taken and results obtained together with any sound reduction scheme recommended and the calculations and reasoning upon which any such scheme is based. The agreed works shall be carried out prior to the dwellings hereby permitted being occupied;

- (w) Development shall not commence until details of a scheme for the retention of a Swift's nesting site (or the provision of a new nesting site) has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include a programme for the implementation of the development which avoids any building, engineering or other operations likely to affect the nesting site or replacement site being undertaken between 1 May and 31 August inclusive. The development shall be carried out in accordance with the approved scheme or any amendment to the scheme as approved in writing by the Local Planning Authority;
- (x) A condition survey of the existing public highway will need to be carried out and agreed with the County Highway Authority prior to works commencing on site and once works are complete. Any damage to the existing highway as a result of this development shall be reinstated;
- (y) No development approved by this permission shall be commenced until a site investigation has been undertaken to determine the nature and extent of any contamination present. The investigation shall include the following stages:-
 - A desk study, which shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information. If the potential for significant ground contamination is confirmed, this information should be used to produce:-
 - (i) A detailed water interest survey to identify all wells, boreholes, springs and watercourses within 100m of the site boundary;
 - (ii) A diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors;
 - (iii) A site investigation designed for the site, using this information and any diagrammatical representations (Conceptual Model) undertaken. The investigation must be comprehensive enough to enable:-
 - (a) a suitable Risk Assessment to be undertaken relating to groundwater and surface waters associated on and off the site that may be affected and
 - (b) refinement of the Conceptual Model and
 - (c) development of a Method Statement detailing the remediation requirements;
- (z) The development hereby permitted shall not be occupied until details of a Management Plan to maintain the favourable conservation status for the bats that are affected by this development has been submitted to, and approved in writing by, the Local Planning Authority. The plan shall include a programme that sets out details to avoid any operations likely to adversely affect the bat roost and to allow access by licensed bat workers for monitoring and maintenance purposes. Once approved, the permanent maintenance of the bat roost will take place in accordance with the agreed plan unless otherwise authorised in writing by the Local Planning Authority;

(aa) C910B – archaeological investigation;

(Notes to applicant:- (1) N048A – environmental health; (2) Applicant was advised that noise emissions from the site during the demolition and construction phases should be limited to the following hours if nuisance is likely at neighbouring premises:- Monday – Friday 0800 - 1800 hours; Saturday 0800 – 1300 hours. At all other times, including public holidays, no noisy working; (3) Applicant was advised that the design storm for any attenuation system should be for a 1:25 year return period storm; (4) Applicant was advised to approach the Environmental Agency for Consent to Discharge and for their requirements regarding oil interceptors and headwall design; (5) Applicant was advised that details were required of the proposed point of discharge to a watercourse or sewage system together with details of the headwall; (6) Applicant was advised that the poor quality of water discharging from surface water outfalls can seriously affect the receiving watercourse. Techniques to reduce the impact of these discharges have been developed and collectively form a range of Sustainable Urban Drainage Systems (SUDs) for dealing with urban run-off. It is strongly recommended that some form of SUDs be used at this proposed development; (7) Applicant was advised that whilst conditions (l) and (v) should mitigate the impact of the existing working practices from the adjacent premises, there may be occasions when noise and/or smell may be detectable to the residential properties. Therefore condition (n) has been added; (8) Applicant was advised of a number of requirements requested by the Fire and Rescue Service; (9) Applicant was advised that before any works are commenced, discussions should take place regarding any disconnections and reconnection of any services, such that all such services are protected and maintained during any demolition, construction and any other works; (10) Applicant was advised of a number of requirements requested by Wessex Water; (11) Applicant was reminded of the need to prevent mud being spread onto the public highway during construction; (12) Although it was acknowledged by the Council that much investigation has already taken place in respect of noise, odour and contamination issues, applicant was advised to contact the Environmental Health Officer to discuss the further measures required; (13) Applicant was advised that the County Highway's Authority recommend that all construction traffic should arrive at and leave the site via Old Brewery Road and that works vehicles should not attempt to access the site via Golden Hill. It was also recommended in the interests of driver/pedestrian safety that a 33m long forward visibility splay should be provided throughout the south-eastern bend of the private drive; (14) Applicant was advised that the current application states that the surface water, resulting from the development, will be drained into an existing combined system, presumably maintained by Wessex Water. This is acceptable from a highway viewpoint as no connection into a highway drainage system will be permitted due to the site remaining within private ownership. Due to the existing private drive falling towards Old Brewery Road, suitable drainage measures should be in place to prevent any surface water from the private drive

from discharging onto the existing publicly maintained highway; (15) Applicant was advised that with regard to the internal layout of the development, consideration should be given to emergency service vehicles and access to the inner sections of this development, in particular vertical clearances under archways. In addition, 6m long unobstructed aisles should be provided in front of garage doors to allow for vehicles to be parked in front of them without overhanging the adjacent private drive; (16) Drawing No 10505 shows a proposed bin store on the right-hand side of the private drive upon entry from Old Brewery Road. No other refuse collection points within the site have been identified. Applicant was advised to confirm that other refuse collection points will be made available other than the one currently shown. Due to the lack of turning areas within the application site, care will have to be taken in locating such facilities; (17) Point 2.5 of the submitted supporting statement mentions the fact that pedestrians and vehicles will be able to access the site from Golden Hill, an adopted highway, on the western site boundary. Applicant was advised that this access onto Golden Hill is private and in the interests of pedestrian safety and to avoid pedestrian/vehicular conflicts, the developer may wish to consider installing a footway linking through from the proposed site to Golden Hill; (18) Applicant was advised of a number of requirements requested by the Environment Agency; (19) Applicant was advised of a number of additional requirements requested by Wessex Water; (20) With regard to condition (aa), applicant was advised that the County Archaeologist would be happy to provide a specification for this work and a list of suitable archaeologists to undertake it.)

Reason for planning permission, if granted:-

The development accorded with Taunton Deane Local Plan Policies S1, S2, H1, EN15 and WV2 and was not considered to be detrimental to the amenities of local residents nor was it considered essential to retain the site in employment use in accordance with Policy EC6 as the benefits of the proposed development were considered to outweigh the retention of the buildings with potential for employment use. The proposed development was considered to enhance the character of the Conservation Area and involved the use of brownfield land.

52. Unauthorised display of an advance sign on land off Taunton Road, Wellington

Reported that a large non-illuminated advance sign advertising the Discount Tile Warehouse had been erected without advertisement consent, on land off Taunton Road, Wellington.

The owner of the sign had been advised that consent to retain the sign was required but, to date, an application had not been received and the sign remained in position.

RESOLVED that subject to being satisfied with the evidence, the Solicitor to the Council institute legal proceedings in respect of the unauthorised non-illuminated advance sign advertising the Discount Tile Warehouse which was sited on land off Taunton Road, Wellington, unless it was removed within one month.

53. Certificate of Lawful Use – land at the rear of Young’s Oak, Wrantage (24/2005/033LE)

Reference Minute No 126/2005, reported that since granting the Certificate of Lawful Use there had been two separate complaints that the evidence submitted in support of the application was incorrect or lacking in credibility.

The applicant had been advised of the nature of the complaints and in response had submitted a rebuttal of the facts alleged by the complainants, together with additional evidence in support of his claim.

Copies of these additional documents had been sent to the complainants who had indicated that although they remained concerned, they did not wish to pursue their complaint through the Planning Committee.

In the view of the Chief Solicitor there was sufficient evidence to support the issue of the Certificate of Lawfulness and that the information supplied by the complainants was insufficient to warrant revocation of the Certificate.

RESOLVED that the position be noted and that no further action be taken in respect of the Certificate of Lawful Use which had been granted relating to land at the rear of Young’s Oak, Wrantage.

(The meeting ended at 8.02 pm.)

08/2006/005

KINGS HALL SCHOOL

**ERECTION OF TEMPORARY BUILDING TO BE USED AS A CHANGING ROOM,
KING'S HALL SCHOOL, PYRLAND HALL, KINGSTON ROAD, TAUNTON**

322688/127655

FULL

PROPOSAL

The proposal comprises the erection of a temporary prefabricated school building measuring some 9 m x 2 m in ground area, to the rear of the main school building. It was been indicated that the building would be required as a girls changing room for some 5 years until the school commissions an extension. It would adjoin 2 No. existing prefabricated classrooms which were granted temporary 5 year permission in August 2005, reference 08/2005/011. Other temporary classrooms have been granted temporary consent at this school site, at different locations, namely 08/2004/027 and 08/2004/028 and these were renewals of earlier permissions 08/1999/021 and 08/2001/039.

Kings Hall is a Grade II* listed building.

CONSULTATIONS AND REPRESENTATIONS

ENGLISH HERITAGE have previously commented on applications for temporary structures at Kings Hall School to the effect that it is undesirable for such buildings to be located within the setting of grade II* listed buildings and whilst we understand that schools sometimes have a short-term need for such structures any such permission should be time-limited and linked to a clear strategy for future removal and replacement, if necessary, with a more appropriate structure. This application is based on very inadequate information and gives us little reassurance that such a strategy is in place. It seems, therefore, to carry a high risk of resulting in a permanent substandard building within the setting of the grade II* listed Hall. We strongly advise your Authority to investigate what alternatives have been pursued by the school and, if you are satisfied of a genuine need, to limit the duration of the consent and make it clear that proposals for alternatives of a more appropriate design must come forward before the temporary consent expires.

CONSERVATION OFFICER I whole heartedly agree with the reservations expressed by English Heritage and endorse the recommendation that we need to have assurances re a long term, strategic plan for the site.

PARISH COUNCIL does not object.

POLICY CONTEXT

Taunton Deane Local Plan Policy EN16 seeks to safeguard the setting of listed buildings, and Policies S1 and S2 seek to safeguard, inter alia, the appearance and distinctiveness of buildings etc.

ASSESSMENT

There are already 4 No. temporary prefabricated classrooms on the site, two of which were first granted permission in 1999 and 2001, and renewed in December 2004.

The prefabricated classrooms clearly detract from the setting of this Grade II* listed building, and whilst acknowledging that temporary structures are sometimes required, it is evident that the multiplication of the temporary classrooms is now posing a serious problem in terms of visual impact. The school needs to embrace a holistic and long term strategy for the site, and whilst recommending that the current application be refused, it is recommended that a note be imposed requesting that discussions be held to clarify the long term scenario.

RECOMMENDATION

Permission be REFUSED for the reason that the proposed development would adversely affect the setting of the Grade II* listed building and its complex and would be contrary to Taunton Deane Local Plan Policies EN16, S1 and S2. Note re requesting that discussions be held to clarify the long term scenario.

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:

20/2006/005

MR & MRS M WALSH

ERECTION OF EXTENSION OVER EXISTING GARAGE TO FORM TREATMENT FACILITY AT WILLOWS WATCH, FITZROY, NORTON FITZWARREN

319411/128055

FULL

PROPOSAL

Permission is sought to convert and enlarge an existing garage to provide a treatment facility. The applicants are registered Osteopaths and are seeking to set up a home-based practice. This would involve raising the ridge height from 4.5 m to 5.9 m. The extension would feature timber clad walls and roof tiles to match those of the existing garage and dwelling. The building would provide a treatment room, entrance porch, store and single garage at ground floor with an additional treatment room, w.c, lobby with a ramped entrance at first floor. A significant amount of glazing would be added to the west elevation.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAYS AUTHORITY recommend the application be refused for the following reason:- The site is located outside the confines of any major settlement in an area that has very limited public transport services. The development, if approved, will increase the reliance on the private motor car and comprises unsustainable development which is contrary to advice contained within PPG13 and the provisions of Policy STR1 of the Somerset & Exmoor National Park Joint Structure Plan Review. In addition the lane to the site by reason of its restricted width, poor alignment and sub-standard junction with the A358, Penelm Hill is considered unsuitable to serve as a means of access to the proposed development.

PARISH COUNCIL supports the proposal.

POLICY CONTEXT

RPG10 (Regional Planning Guidance for the South West), 2001. The RPG now forms part of the legal development plan, now referred to as the Regional Spatial Strategy (RSS).

PPS1 (Delivering Sustainable Development)

PPG4 (Industrial, Commercial Development & Small Firms)

Somerset & Exmoor Joint Structure Plan Review Policies STR1 (Sustainable Development), STR2 (Towns), STR4 (Development in Towns) and Policy 48 (Access and Parking)

Taunton Deane Local Plan Policies S1 (General Requirements), S2 (Design), M1 & M3 (Transport, Access and Circulation Requirements of New Development).

ASSESSMENT

The pertinent issues in the assessment of this application relate to the design of the proposal, impact upon residential amenity of adjoining occupiers and highway and sustainability implications.

Character and appearance of the area - The site is located in open countryside and designated Landscape Character Area. As such special consideration should be given to preserving and enhancing the natural beauty of the Area. PPS7 states inter alia that all development in rural areas should be well designed..., in keeping and scale with its location, and sensitive to the character of the countryside and local distinctiveness. The existing garage is positioned to the front of the host dwelling and abuts the highway. Despite its prominent position the garage takes the form of a traditional pitched roof building and does not harm the character of appearance of the area. However, it is considered the design and proposed alterations to convert the garage, including the raising of the ridge, would have a harmful impact upon the rural character and visual appearance of the area.

Impact upon residential amenity - It is considered that by reason of the separation distances between the proposed converted garage and adjoining occupiers the development would not give rise to any unreasonable loss of residential amenity.

Highways and Sustainability - PPG13 states the objective within rural areas should be to ensure services are primarily sited at the most accessible locations in the local area. In addition the guidance endorses that new health facilities should be planned to maximise accessibility by non-car modes of transport. It is acknowledged that the proposed use would be of a modest scale, however, patients would be reliant solely on the car to attend and as such would be contrary to the provisions of PPG13 and STR1 & STR6 of the Structure Plan which seeks to reduce a growth in the need to travel and maximise the potential for the use of public transport, cycling and walking. In addition there are highway safety concerns to the existing highway network to the application site. The existing access lane by reason of its restricted width, poor alignment and sub-standard junction with the A358, Penelm Hill is considered unsuitable to serve as a means of access to the proposed development.

Conclusion - To conclude, the proposed development is considered to be located in a unsustainable location contrary to the advice contained within PPG3 and the provisions of structure plan and local plan policies. Furthermore, it is considered the proposed design would have a harmful impact upon the rural character and appearance of the area and as such it is recommended the application be refused.

RECOMMENDATION

Permission be REFUSED for the following reasons 1. The site is located outside the confines of any major settlement in an area that has very limited public transport services. The development would increase the reliance on the private motor car and comprises unsustainable development. In addition the lane to the site by reason of

its restricted width, poor alignment and sub-standard junction with the A358, Penelm Hill is considered unsuitable to serve as a means of access to the proposed development. As such the proposal would be contrary to advice contained within PPG13 and the provisions of Somerset & Exmoor National Park Joint Structure Plan Review Policy STR1 and Taunton Deane Local Plan Policies M1 & M3. 2. The proposal by reason of its design, size and prominent position would appear an intrusive form of development detrimental to the rural character and visual appearance of the area. As such the proposal is contrary to Somerset & Exmoor National Park Joint Structure Plan Review Policies STR1, STR6 & Policy 5 and Taunton Deane Local Plan Policies S1, S2, and EN12.

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

36/2006/001

W R & E J HEMBROW

CHANGE OF USE OF SWIMMING POOL AND OTHER FACILITIES FROM USE BY OCCUPANTS OF THE HOLIDAY COTTAGES TO USE BY OCCUPANTS OF HOLIDAY COTTAGES AND BY MEMBERS OF THE PUBLIC, HOLLY FARM COTTAGES MEARE GREEN FARM STOKE ST GREGORY.

33342/26461

REMOVAL OF ONEROUS CONDITIONS

PROPOSAL

Planning permission was granted in February 2004 for the demolition of existing games room and erection of swimming pool, games room and craft building at Holly Farm. These were to improve tourist facilities and be used in association with the holiday accommodation provided in the barn conversions at Holly Farm. Condition 04 tied the use of the pool, craft facilities and games room to use by occupants of the holiday units and at no time should members of the general public use them. The current application is to vary the condition so that general members of the public can use the facilities during school term times.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY recommends the refusal of the application. The reasoning behind the condition was to allow development that would benefit the local economy without creating unacceptable levels of traffic using the substandard access roads and junctions in this non sustainable location, as required by the Somerset and Exmoor National Park Joint Structure Plan Review Policies 23 and 49 and Taunton Deane Local Plan Revised Policies EN15 and S8. Whilst some limited use by local people could be considered acceptable such a limited use would be impossible to enforce. The existing facilities are well advertised and the removal of the condition would lead to an inevitable increase in traffic to the site in direct conflict with the reasons for the condition.

POLICY OFFICER this development was originally given planning permission subject to conditions that were intended to avoid creating a public leisure facility in the open countryside, i.e. outside the defined limits of a settlement. The site is not within the defined limits of Stoke St. Gregory and to allow a change of use as proposed would therefore be contrary to Policy S7 of the Taunton Deane Local Plan. A change of use would also be in conflict with Local Plan Policy EC15, which requires that new local service provision in villages should be within the settlement limits. TOURISM OFFICER I am aware of this application and from a tourism point of view there is no objection from me on what Robert and Liz Hembrow wish to achieve through this application. I am happy that the change of use to allow members of the public to use the pool will not have an adverse affect on the Tourists using the facility. Robert and Liz have over 10 years of experience and I am confident that they would not propose anything that would jeopardise their Holiday let

business. I have read all the comments received so far and can understand everyone's viewpoints but the above is the tourism perspective.

PARISH COUNCIL raises no objection to the proposal as it is considered to be an additional local amenity. They would be concerned if the use was allowed during the evening when noise and light pollution from cars might be a problem.

1 LETTER OF OBJECTION has been received from the adjacent property raising the following issues:- if the condition was onerous why did Mr Hembrow build the facilities in the first place, indeed he would have to have done his cash flows which must have stacked up to enable a DEFRA grant to be given; the building does not have a games room or craft room; from the opening the rooms were furnished with conference and function chairs, to change the use for conferences and wedding parties is a major change of use and would have a detrimental impact from noise and cars on neighbouring amenity; a new village hall is being built at Stoke St Gregory and there will be adequate community facilities when this is complete; the original conditions have been ignored by Mr Hembrow from the beginning the complex has been openly advertised for use for conferences, wedding parties and Mr Hembrow has been ringing people to hire out the pool and provide an aqua-aerobics class, even the local newspaper advertised it as an entertainment complex, the enforcement officers have full details of these breaches of condition; we did not object to the original application as it was to be for the holiday units but this unauthorised entertainment complex is adjacent to a new farmhouse currently being built for occupation by my son who works on our intensive dairy farm, it will be unacceptable for him to go home to disco music etc in the evenings after a hard days work.

3 LETTERS OF SUPPORT have been received raising the following points: - Stoke St Gregory Primary school takes its children to Street for swimming for 10 weeks in each year, this is a 2 hour coach trip giving half an hours swimming, the chance to be able to provide swimming opportunities for small groups of children locally would support the local community and have positive implications for the school children; I have used the meeting rooms and wish to continue to do so in the future, I run courses in Mah Jong, a millinery workshop and a tatting course that require a quiet location to provide for maximum concentration; Holly Farm rooms are the right size and provide the quiet that I need; the Village Hall is unlikely to provide such a quiet location as the larger room is likely to attract noisy uses; when running my courses I have passed enquires for overnight accommodation to Mr Hembrow and when his units have been occupied to other local accommodation and some of the Tutors like to include a light lunch and I am arranging for this to be provided from a local business; as a qualified aqua fit instructor I was asked by Mr Hembrow to teach an aqua fit class once a week for residents of the barn conversions and local villagers from North Curry and Stoke St Gregory, there are 15 people in each class and is a social event where people can be involved in fitness activities, there has been no problem with car parking, indeed most people share lifts.

POLICY CONTEXT

Somerset and Exmoor National Park Structure Plan Review Policies STR6, and Policy 23 and Policy 49 and Taunton Deane Local Plan Policies S1 - General

Requirements, S7 - Outside settlements, EC15 - Villages (the site is not within the limits of an identified settlement).

ASSESSMENT

The swimming pool, games room and craft facilities were justified on the basis of the need for the facilities to support the tourist use of the existing holiday accommodation. If the facilities are used by the general public they will not be available for tourists and this may even deter some holidaymakers from staying at the farm. A co-use of the facilities during winter months (October – March) for holiday and community use would be acceptable in principle but difficult if not impossible to monitor and control. The applicant's advertising campaign to date indicates that there is an expectation, by him, that the facilities can be used for a more intensive use (conferences/wedding parties). Who would take priority if the complex were booked for business purposes? The community or the business? The site is located in the open countryside and is served by a substandard access junction and road network and I am advised that increases in traffic, likely to result from increased use, would create highway safety problems. The Tourism Officer accepts that the wider use of the facilities will not jeopardise the holiday let business but in accordance with Local Plan Policies S7 and EN15 and the County Highway Authority objections I consider proposal to be unacceptable.

RECOMMENDATION

Permission be REFUSED for the following reasons that it is detrimental to road safety in a non sustainable location contrary to Somerset and Exmoor National Park Structure Plan Review Policies STR6, Policy 23, Policy 49 and Taunton Deane Local Plan Policy S7, site located in open countryside contrary to Taunton Deane Local Plan Policy S7.

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:

38/2006/068

C S WILLIAMS (TAUNTON) LTD

ERECTION OF THREE STOREY BUILDING CONSISTING OF 14 NO. FLATS AT UPPER HIGH STREET, TAUNTON

322680/124211

FULL

PROPOSAL

The proposal is to erect a three storey building comprising 14 flats on this site at Upper High Street. There has been previous permission on this site for six dwellings in 2001 which involved a building of similar dimensions to that now proposed. The terrace design is proposed to be built in brick and slate to reflect the character of the majority of nearby traditional properties. This disused site is located between an office building and retail unit on the corner of High Street. To the rear lies the Government offices at Brendon House and the rear of 33 High Street. There is limited amenity space to the rear however the site is across the road from Vivary Park. The development includes bin and cycle storage designed into the building and 14 one bedroomed flats.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY the location is a town centre site and therefore a development with no car parking is acceptable in principle. However I would expect secure, sheltered and easily use cycle parking for 14 cycles to be provided. The building is shown abutting the highway of Upper High Street and no doors should open over the highway and no windows within a height of 2.4 m above the footway level should open over the highway. I note the site currently contains a litter bin, Post Office cabinet and Traffic signal cabinet. The traffic signal cabinet has been in place for some time. To date it appears this matter has not been resolved. The construction of the development would result in the nearby puffin crossing becoming inoperative. Therefore until such time that agreement is reached over the relocation of the cabinet, together with agreement on timescale and costs it would be premature to grant planning permission. Consequently I recommend refusal for the following reason:- The layout of the proposed development would prejudice the continued use of the nearby puffin crossing. You should consult the Post Office and a licence would be required to re-site the litter bin on the highway.

2 LETTERS OF OBJECTION have been received raising the following issues:- 3 storey modern block opposite buildings of historic and architectural significance would be in poor taste and fly in the face of thoughtful planning; busy road and disturbance during construction, proximity to crossing and an accident waiting to happen; the adjacent buildings are two storey so erecting a 3 storey building here would be visually intrusive and out of keeping; given the interest in accentuating and preserving what remains of the town centre's historic features a proposal such as this merits firm rejection.

POLICY CONTEXT

RPG 10 – Regional Planning Guidance for the South West Policy EN3 – The Historic Environment, Policy EN4 – Quality in the Built Environment , Policy HO5 – Previously Developed Land and Buildings.

Somerset and Exmoor National Park Joint Structure Plan Review Policies STR1- Sustainable Development, STR4 – Development in Towns, POLICY 11 – Areas of High Archaeological Potential, POLICY 14 – Archaeological Strategies, POLICY 33 – Provision for Housing, POLICY 49 – Transport Requirements of New Developments.

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

ASSESSMENT

The site is currently vacant land last used for the display of advertisement hoardings. The site had been identified for residential use in the draft Local Plan and permission for 6 dwellings was granted permission in February 2001 (ref. 38/2000/131). The size and scale of the current development is similar to that previously approved which was considered suitable in relation to the adjacent buildings and those in the nearby Conservation Area.

It is not considered that the proposal requires car parking given its town centre location and the Highway Authority require adequate cycle parking which is to be provided within the ground floor of the building. Concern has been raised in relation to the control for the nearby signal crossing and it is considered a Grampian type condition be imposed in respect of alternative provision prior to construction.

The design of the building is considered acceptable and in keeping with the area as well as being of almost identical design to the previous permission. It is a high density but is of design that subject to conditions should blend in and enhance the character of the area. It is not considered that the proposal will cause a detrimental impact on the neighbouring properties in terms of light loss and amenity to warrant refusal. In many ways the development for flats rather than 6 three storey dwellings is more appropriate given the character of the area and the very limited amenity space available around the building. It may be seen as more incongruous for large dwellings to have no real private garden areas as opposed small one bed flats.

The site is in an area of high archaeological interest and a programme of works condition is considered necessary. The development is the use of a brownfield site in close proximity to the town centre facilities and it is considered that the scheme will lead to an improved view along one of the main roads in the town centre. The application is therefore recommended for approval.

RECOMMENDATION

Subject to a Section 106 Agreement relating to provision of off-site play and recreation provision and no further representations raising new issues by 18th May, 2006 the Development Control Manager in consultation with the Chair/Vice Chair be authorised to determine and permission be GRANTED subject to conditions of time limit, materials, window design, window recess, cycle and bin storage, no development until alternative crossing control provided, archaeological programme of works, sample panel, door design, guttering, meter boxes, no further windows, combined aerial system, obscure glazing to east gable. Notes re Health & Safety, building over sewer, contact Wessex Water and County Archaeologist.

REASON(S) FOR RECOMMENDATION:- The proposed development is considered acceptable and not to conflict with Taunton Deane Local Plan Policies S1, S2, H2, C4 and EN23.

If the Section 106 Agreement is not completed by 12th June, 2006 the Development Control Manager in consultation with the Chair/Vice Chair be authorised to REFUSE permission as contrary to Taunton Deane Local Pan Policy C4 or GRANT permission subject to an additional condition requiring the Section 106 agreement to be completed prior to commencement of the development.

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

CONTACT OFFICER: 356398 MR G CLIFFORD

NOTES:

38/2006/078

GADD HOMES LIMITED

PROPOSED REDEVELOPMENT OF 14 APARTMENTS, INCLUDING NEW BUILD AND CONVERSION OF EXISTING DWELLING, WOODSTOCK HOUSE, 91 STAPLEGROVE ROAD, TAUNTON AS AMENDED BY LETTER DATED 10TH MARCH, 2006 WITH PLAN NOS. A2001 121 PL003B, 004B, 005B, 006B, 007B, 008B & 009B

322061/125203

FULL

PROPOSAL

The current proposal is for the conversion of the existing building, its extension and a new building to create 14 flats at Woodstock House, a former care home. This is a resubmission following the withdrawal of a previous application that involved the demolition of the existing building. The current application retains the existing house and converts it to 3 flats with the removal of the end section of the Woodstock Road elevation. The new build extension to the south follows the same ridgeline as Woodstock House and the profile of the new building on Woodstock Road has been re-designed as a half-hip to reduce the silhouette. The proposal is intended to respond to the scale, massing and architecture of the surrounding area and is reduced in profile by the utilisation of the roof void for the second store accommodation. The aim is to create a linear built form that relates to the surrounding semi-detached properties which in the main have a consistent Victorian and early twentieth century architectural style of brick elevations under duo-pitch slated roofs, with contrasting brick and stone detailing to break up the mass of the elevations. 14 parking spaces are provided as is cycle and bin storage with a gated entrance to a courtyard.

CONSULTATIONS AND REPRESENTATIONS

COUNTY ARCHAEOLOGIST no objections on archaeological grounds. WESSEX WATER the site is located in a sewered area with foul and surface water sewers. It is proposed to dispose of surface water to mains. It should be noted that the surface water should not be discharged to the foul sewer. Points of connection can be agreed at detailed design stage. Diversion or protection works may need to be agreed for the public combined sewer crossing the site. A condition or informative should be placed on any consent to protect the integrity of Wessex systems.

LANDSCAPE OFFICER my main concerns are the impact on the setting and amenity of the Tulip tree and impact on the character of the Conservation Area. Subject to protection of the tree during construction it should be possible to meet the requirements of BS5837, however I am concerned that it is a large growing tree that will cause concern to future residents. Given that I think a longer term management plan, eg. to limit its height, may be acceptable. The proposed development allows little opportunity for larger growing trees which are a characteristic of the conservation area. We require recommendations for the management of the tulip

tree longer term to maintain its existing height given the limited space. CONSERVATION OFFICER I have now considered the current application proposals, in the light of the history for the site and would offer the following comments: 1. Retention of the majority of Woodstock House is to be welcomed. 2. Demolition of single storey extensions, deemed acceptable. 3. Demolition of ½ of 2 storey off shoot onto Woodstock Road, deemed inappropriate. 4. New block facing Woodstock Road, excessive in scale/bulk, with inappropriate window proportions generally, incorporating dormers, hips and a shallow pitched “gable”, all of which are not characteristic of the CA. A new structure in this location, in principle acceptable but needs to be 2 storey, in order to respect adjacent buildings, be appropriate in the streets cene and provide a “step down”, between Nos. 3 - 5 Woodstock Road and Woodstock House. 5. I have very real concerns about the proposed extension to Woodstock House, facing Staplegrove Road. Not only is the structure large, it seeks to echo the original, rather than being subservient and in so doing, fills the gap in the street scene and is over powering in the context of it’s neighbour .In addition, Woodstock House, has quality detailing, which will never be re created, due to building regulations and modern, accepted methods of construction. Therefore any extension, no matter how carefully planned, in terms of materials, detailing etc. will always be seen as less than satisfactory, particularly if so prominent, as that proposed. In summary, I consider the proposals to be over development of the site, incorporating new buildings of excessive scale and inappropriate detailing, such that the proposal does not preserve or enhance the character of the Conservation Area but more importantly, would cause harm if approved. LEISURE DEVELOPMENT MANAGER in accordance with the Local Plan Policy C4 provision for play and active recreation must be made. The site is within easy walking distance of French Weir Park for which a development plan has been developed with the local community which will increase and improve the play facilities within this vital open space. I would request a contribution of £1750 for each two bed + dwelling, a total of £21,000 towards children’s play. In addition to the contribution towards children’s play and in accordance with policy C4 a playing field contribution of £777 per dwelling, totalling £10,878 should be sought. This contribution is to be used to address the playing field needs in Taunton. I would also request in accordance with policy C6, which recognises the importance of sports centres in the population, that a built sports facility contribution of £8,700 to be used to address the needs of built sports facilities in Taunton. All of the Council’s built sports facilities and playing fields have a ‘town wide’ catchment.

10 LETTERS OF OBJECTION have been received raising the following issues:- development too great; 3 storey building excessive in height; not sympathetic to the street scene and will dominate existing homes; inadequate parking for 14 flats and visitors; will put existing residents’ parking zone under pressure; parking problem because of overdevelopment; disturbance during construction; traffic increase will put risk on junction with Staplegrove Road; insufficient landscaping; there is an overbuild of two bedroom flats; it will create an impossible parking situation in surrounding roads; it will not reduce parking; it will not enhance the conservation area and does not conform to the Local Plan or Parking Strategy as there is a potential for 56 cars to park in road; the junction has restricted views in both directions and the Increase in traffic could be a recipe for disaster; loss of light from new 3 storey building, too close to No.3 and will make maintenance difficult; this building is built close to pavement edge and does not comply with EN14 to preserve

or enhance the appearance or character of the conservation area; the approval of 3 residential units for the active elderly should not be replaced by current proposal.

POLICY CONTEXT

RPG 10 – Regional Planning Guidance for the South West Policy EN3 – The Historic Environment, Policy EN4 – Quality in the Built Environment, Policy HO5 – Previously Developed Land and Buildings.

Somerset and Exmoor National Park Joint Structure Plan Review Policies STR1 – Sustainable Development, STR4 – Development in Towns, POLICY 9 – The Built Historic Environment, POLICY 33 – Provision for Housing, POLICY 49 – Transport Requirements of New Developments.

Taunton Deane Local Plan Policies S1 – General Requirements, S2 – Design, H2 – Housing within Classified Settlements, C4 – Open Space Requirements, M4 – Residential Parking Requirements, EN6 – Protection of Trees, EN14 – Conservation Areas.

ASSESSMENT

The main considerations with the proposal are the impact of the scheme on the character and appearance of the conservation area, the design, the parking provision, highway safety, the amenity impact and the provision for off site play and open space.

The provision of 14 flats requires a contribution towards off site play and open space provision in compliance with policy C4 of the Local Plan. In accordance with standard provisions this equates to £777 per one bed unit and £2562 per two bed unit. This gives a total of £32,298 in line with policy. There is no requirement in policy terms for the provision of built sports facilities as part of new development and this cannot be considered as reasonable in relation to the proposal. Should Members consider the development to be acceptable then a Section 106 Agreement would be required to ensure that the required contribution was made.

The proposed new building projects 11 m in depth and approximately 1.5 m to the rear of number 3 Woodstock Road with a 2 m separation distance between the buildings on the western side. To the south the extension projects 11 m so that it lies 1 - 1.6 m off the southern boundary. The impact on the residential amenity of the neighbouring properties given the orientation of the building and window positions is one that is considered acceptable in terms of light and overlooking. The amenity of the tree on the main road frontage is also considered important and the Landscape Officer has considered this carefully. The applicant considers that this tree can be retained as part of the scheme, however management of the tree longer term needs to be specified to ensure its height is maintained. A condition in relation to protection and future management would be required if other issues were considered acceptable.

The formal comments of the Highway Authority are awaited at the time of writing this report. The development makes provision for 14 off road parking spaces within the

site as well as cycle parking. This is considered to comply with the Local Plan policy M4 which allows for a maximum of 1.5 spaces per unit. In this instance the site lies just outside the central area and is considered in reasonable distance from the town centre. The proposal involves a reduction in the boundary wall at the front of Woodstock House and this should be conditioned as part of any approval granted on this site as should any necessary splay for any new access to Woodstock Road.

The proposal provides for 14 flats on this site by extending the built form to cover almost the whole of the frontages to both the west and south of the site. The character of the area involves a mix of properties but the larger detached ones are characterised by spacious settings particularly on corner sites. The Authority has informally resisted development to both sides of this property previously, although it has allowed a detached two storey building to the west for the active elderly. The current proposal provides a much larger new building on the western side which does not step down in terms of the street scene. The building has dormers half set into the roof which is not characteristic of the area and the hips and shallow pitched gables are considered out of keeping with the character of the conservation area. On the southern side the extension is not subservient and fills in the gap in the street frontage that is considered important by the Conservation Officer.

It is recognised that the Guidance from government in PPG3 and RPG10 seeks to make the best use of brownfield land and this is reflected in Local Plan policies, however such development must not be at the expense of both good design (as required by PPS1) and the character of the Conservation Area. The proposal is considered to be an overdevelopment of the site incorporating new buildings of excessive scale that do not preserve or enhance the character of the Conservation Area but more importantly would cause harm if approved.

RECOMMENDATION

Permission be REFUSED for reasons of the scale of the new built form is considered to be excessive and if allowed would be detrimental to the character of the conservation area contrary to Taunton Deane Local Plan Policies S1(D), S2(A), H2(E)&(F) and EN14 and of the Somerset and Exmoor National Park Joint Structure Plan Review Policy 9 and the scale and design of the new building to the west existing house would be out of keeping with the Conservation Area contrary to its character and Taunton Deane Local Plan Policies S1(D), S2(A), H2(F) and EN14 and Somerset and Exmoor National Park Joint Structure Plan Review Policy 9.

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

CONTACT OFFICER: 356398 MR G CLIFFORD

NOTES:

38/2006/105LB

C HARRIS & P JAMES

INSERTION OF SPIRAL STAIRS TO SECOND FLOOR AND TWO WINDOWS AND TWO ROOFLIGHTS AT 5 CEDAR CLOSE, TAUNTON AS AMENDED BY AGENTS LETTER DATED 21ST APRIL, 2006 AND DRAWING NO. 510.02A

324686/123725

LISTED BUILDING CONSENT-WORKS

PROPOSAL

As originally submitted the proposal comprised the use of the second floor to form an additional 2 No. bedrooms, and this involved the insertion of a spiral staircase, the addition of 2 No. rooflights. This has since been amended however, because of the potential problems of means of escape in the event of fire, to form 1 No. bedroom only. A revised design statement has also been submitted which advises that the property was built in the C17th, refaced in the C18th, altered again in the C19th, and divided into 2 No. houses in 1988 when it was much altered with new flooring, joinery and plastering; the intention is to make the second floor fully usable by inserting a spiral staircase and windows and forming a bedroom; 2 No. exposed chamfered beams are all that remain of the original interior at first floor level, and the new staircase will not affect them in any way; rooflights are needed to light the top of the staircase, and these would be 'conservation' type; the proposed gable windows would reflect a window in a similar position on the eastern elevation of the adjoining house, and would be purpose made to agreed details.

The building, which was formerly known as Lower Holway Farmhouse, is a Grade II listed building.

Planning permission and listed building consent references 38/1988/066 and 38/1988/067LB respectively, were granted permission in 1988.

One of the applicants is a member of staff.

CONSULTATIONS AND REPRESENTATIONS

CONSERVATION OFFICER building has been sadly compromised, not only in the poor 80's conversion details but perhaps more importantly, in the degradation of its setting. This said, we won an appeal for an extension to the dwelling next door. The submitted design statement is lacking in detail and really does not provide the required level of justification to comply with paragraph 3.4 of PPG15. I would expect more. Another concern that needs to be addressed at this stage so we get the whole picture now, is the compliance with building regulations, reference means of escape from second floor.

1 LETTER OF OBJECTION has been received raising the following issues:- the location plan is incorrect; the proposed rooflights would overlook their bedroom

windows and that given that the application is being processed under delegated power, they would like to ensure that this issues is fully understood.

POLICY CONTEXT

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

ASSESSMENT

The amended drawing addresses the issue of means of escape, and whilst the amended design statement includes little additional information/justification, given that the historic fabric of the building was largely destroyed following its permission to convert in 1988, I am satisfied that the proposal would not worsen the impact on any remaining historic character. I consequently do not consider that the character or appearance of the listed building would be adversely affected and consider that the proposal is acceptable.

The works require listed building consent only. The impact in terms of loss of privacy is not therefore an issue to be considered.

RECOMMENDATION

Consent to GRANTED subject to conditions of time limit, full details of windows and windows to be recessed.

REASON(S) FOR RECOMMENDATION:- The proposal would not adversely affect the character or appearance of the listed building and therefore does not conflict with Taunton Deane Lcoal Plan Policies EN16 and 1N17.

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:

38/2006/129

GREATWORTH PROPERTIES PLC

DEMOLITION OF DWELLING AND ERECTION OF 18 SELF-CONTAINED FLATS WITH ANCILLARY PARKING, 40 BINDON ROAD, TAUNTON

321527/125744

FULL

PROPOSAL

The proposal seeks to demolish an existing detached dwelling located in a large plot and to replace it with a block of 18 flats with ancillary parking of one space per unit. The flats include 12 two bed units and 6 one bed. The development is of similar scale to the adjacent terraced development but with rooms set into the roof to provide a third floor. The site is located close to shops and on a bus route and 18 parking spaces for the individual flats are proposed.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY comments awaited. COUNTY ARCHAEOLOGIST no objections on archaeological grounds. ENVIRONMENT AGENCY initially raised objection in relation to access flooding ,however this objection has been withdrawn and the Agency now accepts the scope and content of the Flood Risk Assessment report and recommend conditions re floor levels and drainage works. WESSEX WATER the development is in a sewered area with foul and surface water sewers available. The developer proposes to dispose of surface water to soakaways. Points of connection will need to be agreed at detail design stage. There is a combined sewer crossing the site and protection or diversion works may need to be agreed. An informative should be placed on any permission for the protection of Wessex infrastructure crossing the site. POLICE ARCHITECTURAL LIAISON I have studied the drawings that you sent me and have no adverse comment to make. I have also spoken to the developers' agent Mr Forrest, and clarified one point. He confirmed that the main entrance gates are to be electrically operated. I have agreed to send him details of the Secured by Design Award Scheme for his consideration.

LANDSCAPE OFFICER there are no significant amenity trees on site, however the proposed landscaping for the front of the site is poor. Significant trees and hedges should be planted to soften the impact of the proposals and provide a suitable setting. DRAINAGE OFFICER I note surface water is to be discharged to soakaways. These should be constructed in accordance with Building Research Digest 365 (Sept 1991) and made a condition of approval. I note the comments made in the Flood Risk Assessment Report regarding flood risk and await any comments by the Environment Agency. In Section 10: Hydraulics of drains on the site it is noted that additional impermeable areas generated by the proposal is to be dealt with by the SUDS technique of permeable pavement design. This should be made a condition of any approval given all details forwarded for approval.

10 LETTERS OF OBJECTION AND A PETITION FROM 21 PROPERTIES have been received raising the following issues:- development excessive and not in keeping; parking problems and congestion in area; no visitor parking, will exacerbate hazard on busy road; turning traffic will be against the flow; due to road layout at Silk Mills traffic has increased in Bindon Road; retail car parks already overflow into the road; parking restrictions should be imposed on one side of the road; danger for children; access visibility will be impaired by parked cars; parking should be at rear; loss of value; height of development should be two storey; overlooking with loss of trees; trees at rear should be maintained at reasonable height; shame to demolish lovely house; 2 houses or a terrace more in keeping; loss of light, privacy and view; noise from new residents; noise and pollution from cars; adequacy of fire exits; badgers in area and wildlife impact; concern over hygiene and amenity impact with bin storage; impact on underground services; development out of proportion and not in character with the area; site too small to accommodate a development of this size in keeping; current approval should be the preferred option; the traffic report submitted makes claims that are not substantiated by data or traffic surveys; the level of parking of 1 space per unit is inadequate; the building is out of keeping and with surrounding properties and is in breach of the Local Plan; landscaping issues have not been properly addressed; the development will obstruct essential services to No. 42 and may breach access rights held for more than 100 years.

POLICY CONTEXT

RPG10 – Regional Planning Guidance for the South West, Policy HO5 – Previously Developed Land and Buildings.

Somerset and Exmoor National Park Joint Structure Plan Review Policies STR1 – Sustainable Development, STR4 – Development in Towns, POLICY 33 – Provision for Housing, POLICY 49 – Transport Requirements of New Developments.

Taunton Deane Local Plan Policies S1 – General Requirements, S2 – Design, H2 – Housing within Classified Settlements, C4 – Open Space Requirements, M4 – Residential Parking Requirements, EN28 – Development and Flood Risk.

ASSESSMENT

The main considerations with the proposal are the design and scale of the building in relation to the area, the amenity impact on neighbours, highway safety and access issues including flooding and landscaping.

The proposed development is designed to take the appearance of a terrace of properties from the front and is less than 0.5 m higher than the adjacent terrace of houses. The second floor accommodation is set into the roof space with gabled dormer windows to the front and rear. A rear landscaped courtyard is provided between the two wings which project 12 m beyond the main rear facade. There is a 10 m garden retained at the rear and while the developer initially proposed removal

of the conifer hedge, this is to be retained as was conditioned on the previous permission on the site for two dwellings. There is a mixture of bungalows, terraced properties and linked dwellings within the area and the form of the development is not considered so out of character to warrant refusal of the scheme. The building has been designed with three floors of accommodation with the upper floor in the roof and while this is different from surrounding properties it is not significantly higher. Clearly the building is bulkier than individual surrounding dwellings, however this is a large plot not in a conservation area and the design is considered to be an acceptable one.

The built form lines up with the building line of the adjacent terrace and while the development projects 12 m to the rear this is not considered to be to the detriment of the amenity or privacy of adjacent dwellings. The small side windows to the east and west elevations are secondary windows or bathroom windows and are to be obscure glazed while the second floor windows at the rear are also to be obscure glazed.

The Highway Authority has commented verbally and their formal response is currently awaited. However they have raised no objection in terms of parking and visibility provision and the proposal is considered to be acceptable in terms of highway safety. Parking is provided on the basis of one space per unit and in light of the Local Plan policy M4 this is considered acceptable.

The Environment Agency are satisfied with the Flood Risk Assessment submitted and are now recommending conditions be imposed on any permission. These conditions concerning drainage and floor levels are considered appropriate.

Issues have also been raised concerning a number of services such as the sewer, water and electric which pass through the site. It will be the responsibility of the developer in conjunction with the relative utility companies to ensure these services are maintained. The issue of wildlife impact has been raised and a survey is considered an appropriate condition in this instance. The existence of a covenant for a right of access is a civil matter and is one that is to be brought to the developer's attention.

In summary the design is considered acceptable and not to significantly adversely affect neighbours, the access and parking are satisfactory and comply with policy as is the drainage situation and subject to appropriate conditions there are no other material considerations to warrant objection to the proposal and the application is recommended for approval.

RECOMMENDATION

Subject to a Section 106 for the provision of off site play and recreation facilities the Development Control Manager in consultation with the Chair/Vice Chair be authorised to determine and permission be GRANTED subject to conditions of time limit, materials, sample panel, landscaping, retention of conifers, window design, window recess, cycle and bin storage, surface treatment of parking area, visibility, floor level, drainage works, no additional windows, obscure glazing, meter boxes, combined aerial, wildlife survey. Notes re disabled access, energy, meter boxes, water conservation, works within highway, Wessex Water connection and protection.

REASON(S) FOR RECOMMENDATION:- The proposed development is considered acceptable and not to conflict with Taunton Deane Local Plan Policies S1, S2, H2, M4, C4 and EN28.

Should the Section 106 not be completed by 20th June, 2006 the Development Control Manager in consultation with the Chair/Vice Chair be authorised to determine and permission be REFUSED as contrary to Taunton Deane Local Plan Policy C4 or an additional condition be added requiring that the applicant to enter into a S106 Agreement prior to the commencement of the development.

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

CONTACT OFFICER: 356398 MR G CLIFFORD

NOTES:

38/2006/162

MR AND MRS J WILLIAMS

ERECTION OF SINGLE STOREY EXTENSION COMPRISING OF CONSERVATORY AND GROUND FLOOR TOILET TO REAR OF 8 CHURCHILL WAY, TAUNTON

322400/123490

FULL

PROPOSAL

Permission is sought to erect a single storey extension measuring 2.15 m x 2.15 m and a conservatory measuring 4.9 m x 3.2 m on the rear of the property. The existing dwelling is part brick and part clad construction under a tiled roof. The proposed extension and conservatory will be constructed of materials to match the existing dwelling. There is an existing garage to the rear of the property and the conservatory is proposed with 1.3 m of this garage. A 1.8 m fence enclosing the boundaries with the neighbouring properties.

The applicant is a member of staff.

CONSULTATIONS AND REPRESENTATIONS

None received

POLICY CONTEXT

Taunton Deane Local Plan Policy H17 Extension to dwellings will be permitted provided they do not harm: A. The residential amenity of other dwelling; B. The future amenities, parking, turning space and other services of the dwelling to be extended; and C. The form and character of the dwelling and are subservient to it in scale and design.

ASSESSMENT

The proposed conservatory and single storey extension will have no material impact on neighbours and complies with Policy H17

RECOMMENDATION

Permission be GRANTED subject to conditions of time limit, materials

REASON(S) FOR RECOMMENDATION:- The proposed extensions are considered to be in accordance with the requirements of Taunton Deane Local Plan Policy H17.

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

CONTACT OFFICER: 356462 MRS S MELHUIH

NOTES:

43/2006/017A

BRITANNIA BUILDING SOCIETY

**DISPLAY OF INTERNALLY ILLUMINATED FASCIA AND PROJECTING SIGNS,
BRISTOL AND WEST BUILDING SOCIETY, 5 - 7 SOUTH STREET,
WELLINGTON**

13952/20591

ADVERTISEMENT

PROPOSAL

The proposal comprises the display of an internally illuminated fascia and projecting sign, with external trough lighting. The signs are constructed of acrylic and aluminium.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY if permission granted a condition should be imposed:- the projecting sign should have a minimum clearance of 2.4 m above the level of the adjoining footway and shall not project closer than 450 mm to the carriageway edge.

CONSERVATION OFFICER the form and materials of this proposal are inappropriate and detrimental to the character of the listed building.

TOWN COUNCIL no objection.

POLICY CONTEXT

Policy EC26 (advertisements) allows the display of outdoors advertisements provided certain criteria are met. The display of adverts will be permitted unless: their siting, appearance, proportion, design, materials, colour and any illumination cause disharmony with or detract from their surroundings, including the design, character, architectural features, fabric and finishes of any supporting building or structure; they intrude upon or harm views to and from the countryside, conservation areas, listed buildings, scheduled monuments or landmarks.

ASSESSMENT

The site lies within the Conservation Area of Wellington, and the property is a grade II listed building. The use of modern materials and design is not considered appropriate and will be detrimental to the character and appearance of both the listed building and that of the Conservation Area. The proposal is therefore not considered acceptable.

RECOMMENDATION

Permission be REFUSED due to materials out of keeping with character of listed

building having an adverse impact on street scene and Conservation Area at this point.

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:

43/2006/018

MR T KLIMPKE

DEMOLITION OF BUILDINGS AND ERECTION OF 1 NO. FLAT OVER NEW ARCH AND ACCESS ROAD TO EXISTING BUSINESS, 58 - 60 MANTLE STREET, WELLINGTON AS AMENDED BY AGENTS LETTER DATED 30TH MARCH, 2006 WITH ACCOMPANYING DRAWING NOS. 0434/29, 30, 31 AND FURTHER AMENDED BY LETTER DATED 5TH APRIL, 2006 WITH ACCOMPANYING DRAWING NO. 0434/33

13678/20345

FULL

PROPOSAL

The proposal provides for the demolition of the existing building on the Mantle Street frontage and the erection of a new frontage building. The application was initially submitted for the provision of two flats over the arch. The amended plans reduce the overall height of the proposed new building to that similar to the existing building on the site frontage and provide for a single flat. The site currently comprises a car showroom on the ground floor with a residential flat with three dormers in the first floor above. The area of land to the rear of the site is mostly hard surfaced and has been used for car parking, storage of accident damaged cars and general storage. The applicant's business has now relocated to premises elsewhere in Wellington and the application buildings and site are now unused. An ecology survey submitted with the planning application found that bats and owls were not found to be using the property and therefore concluded that there is no need for any mitigation measures to be put in place in this instance.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY the proposed flats will be constructed over an archway that will have a minimum 4.2 m vertical clearance from the access road below. As the structure may be considered as a low bridge adequate signing will be necessary. Such a vertical clearance will allow access to the site for fire engines and small service vehicles but not for large service vehicles. This may result in on site parking arising on Mantle Street. A turning head has not been shown and a full size turning head would be required for any adoption purposes. If the site is not adopted, a separate drainage system for surface water would need to be provided. Various detailed points raised. In the event of planning permission being granted would recommend conditions re no discharge of surface water onto highway, estate road requirements and dwelling to be served by a properly surfaced footpath and carriageway. Views awaited on amended plans. COUNTY ARCHAEOLOGIST there are limited or no archaeological implications to this proposal and therefore have no objections on archaeological grounds. WESSEX WATER the development is located within a sewered area, with foul and surface water sewers available. Points of connection for this and water supply should be agreed. There is a public combined sewer crossing the site. Wessex Water normally requires a minimum 3 m easement width on either side of its apparatus, for the purpose of maintenance and

repair. Diversion or protection works may need to be agreed. An informative referring to this should be included on any consent.

CONSERVATION OFFICER existing garage façade does not make a positive contribution to the street scene, so the principle of redevelopment is to be welcomed. Views on amended proposal for one flat – still feels the proposal is inappropriate, the problem from the start being the cost of access from the rear and / or the reluctance to provide an unadopted road from the front. However this is not a factor that can override the previously expressed objections to the proposal. In evaluating the impact on the character of the Conservation Area, none of the options put forward demonstrate that no harm will arise, which is a pre-requisite of development in the Conservation Area. NATURE CONSERVATION & RESERVES OFFICER ecology survey was undertaken outside the optimum time of bat surveys. However satisfied that the survey did not identify any signs of bats and therefore advise that further survey work or mitigation is not necessary in this case. Suggest advisory note re possible presence of bats and nesting birds in the event of planning permission being granted. ENVIRONMENTAL HEALTH OFFICER recommends conditions re contaminated land. ECONOMIC DEVELOPMENT OFFICER no observations to make.

Two letters of objection to the initially submitted plans have now been withdrawn.

SIX LETTERS OF SUPPORT the proposed new elevation top Mantle Street, replacing the old garage front would be a definite improvement to the nature of the area, both complementing and enhancing the neighbouring properties; pleased to see a brownfield site being used; it is the type of development much needed for the future growth and regeneration of Wellington; can only benefit the community as we are all aware that more housing is needed; the erection of the archway is very impressive and in keeping with the surrounding buildings; believe the town would benefit from a high quality residential development and would significantly improve the look of the frontage; the proposal presents an ideal opportunity to make good use of what is otherwise a redundant area; concern at the amount of green belt land being developed when brownfield sites such as this should be being used.

POLICY CONTEXT

Policy S1 of the Taunton Deane Local Plan includes general requirements for new developments. One of these requirements is that the accessibility of the development by public transport, cycling and pedestrian networks would be consistent with its likely trip generation and minimising the need to use the car. Policy H2 states that housing development will be permitted within defined limits of settlements provided certain criteria are met. One of the criteria is that a coherent approach to the overall design should be adopted to create locally distinctive developments well related to their surroundings. It is considered that this criteria is not met with the current proposal. Policy EN14 of the same plan states that development within or affecting a Conservation Area will only be permitted where it would preserve or enhance the appearance or character of the Conservation Area. I consider that the proposal will meet with this criteria. Policy EN15 goes on to say that proposals involving the demolition of buildings within a conservation area will not

be permitted unless acceptable proposals for any redevelopment or new use for the site have been approved.

ASSESSMENT

The principle of redevelopment of the site is considered to be acceptable, but it is considered that the existing form of frontage development should be replicated. I consider that the proposed scheme is being driven by the wish to provide an access road to adoptable standards, with the resultant need for a high and wide archway under any frontage development. A private drive serving a parking court would not attract these requirements. Given the site's location within the Wellington Conservation Area, any proposals need to demonstrate that they do not have a detrimental impact on the character of the Conservation Area. No appraisal and complementary design statement has been submitted to demonstrate such a case. In my view none of the options put forward by the applicant meet the minimum test, i.e. that they have a neutral impact on the character of the Conservation Area.

RECOMMENDATION

Permission be REFUSED for reason that the proposed design is not of sufficiently high architectural standard for this prominent and important site within the Conservation Area and, if permitted, the development would detract from the architectural and historic character of the area.

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

CONTACT OFFICER: 356461 MR J HAMER

NOTES:

45/2006/007

MR & MRS DAY

DEMOLITION OF EXISTING DUTCH BARN AND CONSTRUCTION OF A TERRACE OF 3 DWELLINGS INCLUDING THE CONSTRUCTION OF AN OPEN FRONTED THREE CAR BARN, LAND ADJACENT TO MILTON FARM, WEST BAGBOROUGH AS AMENDED BY LETTER DATED 5TH APRIL, 2006 WITH ATTACHED PLANS AND AMPLIFIED BY AGENTS LETTER DATED 2ND MAY, 2006.

317190/133273

FULL

PROPOSAL

The proposal relates to the erection of 3 dwellings on land to the east of Milton Farm at the junction with the main road leading through West Bagborough and a lane leading south out of the village. The dwellings are of two storey construction and would be constructed using mostly red sandstone, timber windows and doors and clay double roman tiles. The design also incorporates an internal car port between plots 1 and 2 as well as additional parking to be provided in an open fronted garage to the front of the site. The existing boundary wall (which form part of the garage) and trees are to be retained on the site. The dwellings would replace an existing metal framed Dutch barn and would be stepped back some 17 m from the main road through the village.

In response to the comments received from the Parish Council the agent has submitted a letter explaining how the proposal complies with the various policies of the Village Design Statement. The agent also states that the dwellings have been individually designed, incorporate differing ridge heights and positions of each front wall. The agent also points out the property know as 'The Old Post Office' incorporates an integral car port. The agent is willing to use any materials the Parish Council want however he feels that the use of red sandstone is the most appropriate.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY comments awaited. WESSEX WATER no objection.

LANDSCAPE OFFICER subject to the existing trees being retained with no new building works within their canopy spreads it should be possible to retain them. The access way construction will need to be carefully considered to avoid damaging the adjacent tree roots. CONSERVATION OFFICER comments awaited. ENVIRONMENTAL HEALTH OFFICER no objections subject to conditions. DRAINAGE OFFICER no observations. HOUSING OFFICER the housing officer supports this application and would be looking for one of the units as affordable housing. There is a proven in the area so would therefore include the one in three requirement for rural areas.

QUANTOCK HILLS JOINT ADVISORY COMMITTEE objects to the proposal on the grounds that it constitutes over-development in this rural settlement in a nationally protected area and would be out of keeping with the character of West Bagborough with a sub-standard access.

PARISH COUNCIL objects. The Parish Council would support development of this area of the village but does feel that the current design of the proposed development is not sympathetic to this important area within the village conservation area. Therefore they respectfully request that the following matters are considered in any decision:- (1) Recommendations 8.1, 8.4, 8.6, 8.7, 8.11, 8.13, 8.14, 8.16 of the West Bagborough Village design statement are all relevant to this application. (2) A continuous terrace of 3 houses, all constructed to a standard design and materials, is not appropriate in an area of the village where properties are very individual in their age, design and construction. The council offers an opinion that items in the design such as the integral car port are more appropriate to suburban development than an area within the village Conservation Area. (3) The height and visual impact of the 3 car barn as viewed from the road approaches should be carefully considered. (4) Concerns were expressed about road safety at the access to the development. The council would strongly disagree with any proposals to erect modern road signs; place extensive markings on the lane at this point or significantly change the existing boundary walls. If these design matters can be resolved, for example by removing the integral car port to leave a pair of semi detached and one detached property with a space between them, then the Council would probably recommend supporting the development.

ONE LETTER OF OBJECTION has been received raising the following issues:- the proposed roof line will be disproportionately high to those of the adjacent buildings and the scale will dominate the surrounding landscape; the scale and roof height does not reflect those of the buildings previously on site; vehicular movements in and out of the site, assuming occupants of new dwellings are two car households, are likely to be higher than those of site in current use; proposed vehicular access in one direction will be into a blind corner and T junction which has poor sight lines; the new development does not show evidence of landscaping or replacement hedging for the elevation fronting Higher House.

POLICY CONTEXT

Policies S1, S2, H2, H9, H10, EN14, EN16 and M4 of the Taunton Deane Local Plan are considered relevant to the application.

West Bagborough Village Design statement.

ASSESSMENT

The site is located within the defined settlement limits of West Bagborough where there is a presumption in favour of development. In terms of design the dwellings appear to satisfactorily reflect the character of dwellings in the area although the comments of the Conservation Officer are awaited.

The Highway Authority have previously indicated that the existing access is substandard and has objected to new housing development in West Bagborough on

sustainability grounds as there is a minimal level of services in the village. The formal views of the Highway Authority are still however awaited.

The Landscape Officer is satisfied that the development can be absorbed within the landscape provided the existing trees on the site are retained. The agent has confirmed that existing trees will be retained and further trees planted. The proposal is therefore considered to preserve the landscape character of the AONB.

Policy H10 of the Taunton Deane Local Plan states that on-site provision of affordable housing should be achieved through a S106 agreement. Policy H10 goes on to say that commuted sums and off-site provision will only be acceptable in exceptional circumstances. The agent states that one of the dwellings being affordable housing is not in his clients interests. However , it is considered that on site provision is an essential requirement taking into account the relevant local plan policy and the need expressed by the Housing Officer.

RECOMMENDATION

Subject to the comments of the Highway Authority and completion of a Section 106 Agreement relating to one of the dwellings be made available as an affordable housing unit the Development Control Manager in consultation with the Chair/Vice Chair be authorised to determine and permission be GRANTED subject to conditions of time limit, materials, services located underground, boundary walls, timber windows, landscaping, hard landscaping, services located underground, removal of GDO rights for extensions; gates and walls; no further windows in the first floor gable end, west elevation of plot 3; no infilling of car port and surfacing details in relation to the trees to be retained. Notes re foul drainage and surface water and connection wessex water infrastructure, energy and water conservation measures.

REASON(S) FOR RECOMMENDATION:- The proposal for residential development, is located within defined settlement limits where new housing is encouraged. The development would not have a detrimental impact upon visual amenity, residential amenity, or the character and appearance of the Conservation Area, the setting of adjacent listed buildings and the landscape character of the AONB. As such the proposal accords with Taunton Deane Local Plan Policies S1, S2, H2, H9, H10, EN10, EN14, EN16 and M4.

Should the S.106 not be completed by 10th June, 2006 the Development Control Manager in consultation with the Chair/Vice Chair be authorised to determine and permission be REFUSED as contrary to Taunton Deane Local Plan Policy H10.

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

CONTACT OFFICER: 356469 MR R UPTON

NOTES:

46/2006/003

MR G SPARKES

ERECTION OF TIMBER STABLES, LAND AT CROSSWAYS, WEST BUCKLAND

317764/119932

FULL

PROPOSAL

Permission is sought for the erection of an 'L' shaped timber stable building located to the north of Crossways. The building would provide two stables, tack room and storage. The stables would be timber clad walls with profile roof sheeting, colour to be agreed. A new hedge bank would be positioned around the stable block. The site is served by an existing access track to the south of the site with a new 3.0 m wide access proposed to the field.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY the stable will derive access from an unclassified no-through road and on the basis that stable is for private use only and no business or commercial use I would not wish to raise a highway objection. In the event of planning permission being granted I would recommend the following conditions are imposed:- 1. There shall be no obstruction to visibility greater than 900 mm above adjoining road level forward of a line drawn 2.0 m back and parallel to the nearside carriageway edge over the entire site frontage. Such visibility shall be fully provided before works commence on the erection of the stables hereby permitted and shall thereafter be maintained at all times. 2. The proposed access over the first 5 m of its length, as measured from the edge of the adjoining carriageway, shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details, which shall have been submitted and approved by the Local Planning Authority. 3. Any entrance gates erected shall be hung to open inwards. 4. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved by the Local Planning Authority. Such drainage shall be provided prior to the dwelling first being brought into use. Note to Applicant: Having regard to the powers of the Highway Authority under the Highways Act 1980 the applicant is advised that a Section 184 Permit must be obtained from the Highway Service Manager, Taunton Deane Area, Burton Place, Taunton, TA1 4HE, Tel: 0845 3459155. Application for such a Permit should be made at least three weeks before access works are intended to commence.

LANDSCAPE OFFICER the site is well screened to the east and south but not so well screened to the north east (M5) or west (bridge over M5). It is considered that subject to setting the stables down into the field, at just about lane level and using the spoil to create hedge banks, it should be able to soften its impact sufficiently to meet the requirements of EN12. The hedge bank should be planted with native species such as Hazel, Hawthorn, Field Maple, Holly and Guelder Rose with Maple planted as trees at one every 8 - 10 m.

PARISH COUNCIL considers this application to be visually intrusive in the open countryside and outside of the village envelope - therefore objects to the proposal. Should the application be approved the Parish Council recommend that conditions should be added detailing (1) That all services be placed underground. (2) How surface water will be disposed of. (3) How foul water will be disposed of (4) How external storage of bedding, etc., will be allowed. The Parish Council are concerned that this will be covered by a plastic sheet. The Parish Council, having held a site inspection, raise the following concerns. A gate is now erected across public highway - is approval necessary? A depression to the east, adjacent to the M5 is being filled with waste material - has it the appropriate license?

POLICY CONTEXT

RPG10 (Regional Planning Guidance for the South West), 2001. The RPG now forms part of the legal development plan, now referred to as the Regional Spatial Strategy (RSS).

PPS1 – Delivering Sustainable Development, PPS7 – Sustainable Development in Rural Areas, PPS9 – Biodiversity and Geological Conservation.

Somerset & Exmoor National Park Joint Structure Plan Review Policies STR1 (Sustainable Development), STR6 (Development Outside Rural Centres & Villages) and Policy 5 (Landscape Character)

Taunton Deane Local Plan Policies S1 (General Requirements) and S2 (Design), S7 (Outside Settlements) and EN12 (Landscape Character Areas).

ASSESSMENT

The pertinent issue concerns the visual impact of the proposed development on the rural character and appearance of the area.

The site is located in open countryside and designated Landscape Character Area. As such special consideration should be given to preserving and enhancing the natural beauty of the Area. PPS7 states inter alia that all development in rural areas should be well designed..., in keeping and scale with its location, and sensitive to the character of the countryside and local distinctiveness.

The Parish Councils comments that the development would be sited outside of the village envelope and appear visually intrusive are noted. However, it is considered that the proposed stable block with supplementary landscaping could be assimilated into the local landscape without detriment to the visual amenity of the area. The proposed materials would be timber clad and are considered acceptable. Furthermore, it is considered the proposed size of the stabling would not be disproportionate to the size of the paddock. The proposal would be sited immediately off an existing lane to the south east and therefore there would be no significant access track required.

To conclude, it is considered that the proposed stables would not appear unduly prominent or intrusive in this location.

RECOMMENDATION

Permission be GRANTED subject to conditions of time limit, materials, landscaping, services underground, drainage. Note re landscaping

REASON(S) FOR RECOMMENDATION:- The proposal is considered not to have a detrimental impact upon the rural character or appearance of the area and is therefore considered acceptable and, accordingly, does not conflict with Taunton Deane Local Plan Policies S1, S2, S7 and EN12 and Somerset & Exmoor National Park Joint Structure Plan Review Policies STR1, STR6 and Policy 5.

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

CONTACT OFFICER: 356586 MR A PICK

49/2006/016

WESSEX WATER SERVICES LTD

ERECTION OF NEW WATER TREATMENT WORKS AND ASSOCIATED FACILITIES AND DEMOLITION OF PART OF EXISTING WATER TREATMENT WORKS, REGRADING OF GROUND AND LANDSCAPING AT MAUNDOWN WATER TREATMENT WORKS, LANGLEY MARSH, WIVELISCOMBE AS AMENDED BY AGENTS LETTER DATED 21ST APRIL, 2006 AND DRAWING NOS. 2454/15 PL 105 C, 2454/15 PL 106 B, 2454/15 PL 107 B, 2454/15 PL 108 B, 2454/15 PL 109 B, 2454/15 PL 110 B, 2454/15 PL 111 B, 2454/15 PL 112 B, 2454/15 PL 114 B.

306377/129239

FULL

PROPOSAL

The proposal comprises the replacement of the existing water treatment works with new buildings to facilitate the improvement to the quality of water produced, to increase the minimum water production capacity and to replace 'life expired' assets built in the 60's and 70's. The need for proposed improvements have received support from the Drinking Water Inspectorate and is included in the DWI regulatory Programme of work with a completion date of April 2009. The scheme is also supported by OFWAT. The new works are expected to meet demand for drinking water for the next 25 years.

The positioning of the proposed buildings is largely governed by the location of existing infrastructure such as water mains from Clatworthy and Wimbleball reservoirs, existing underground service reservoirs, gravitational flow, space for construction in order that the existing water supply is maintained. The site measures approximately 6.8Ha.

The two largest buildings proposed are the Primary Treatment Building and the Main Treatment Building located to the west of the site. An externally sited generator and fuel store are also proposed. The revised proposal has reduced the number of buildings required and has reduced the footprint of the primary and main treatment buildings.

The main treatment building is characterised by a number of split level 'green roofs', metal clad profiled walls with lower plinth sections incorporating brick and faced concrete. At its maximum dimensions the main treatment building measures 70 m x 51 m and 15 m to the ridge. The majority of the green roof faces south.

The Primary Treatment building is located some 6m to the west of the main building and comprises of a 2 level monopitched "green roof" with profile metal clad walls and faced concrete. The Primary Treatment Building measures 51.5 m x 30 m and 15 m to the highest part of the roof. The majority of the green roof faces east and is cut some 9 – 10 m into the existing bank.

The next building of note is the sludge treatment building located to the east of the site, which measures 22 m x 13 m and some 9 m to the ridge and is constructed using profile metal cladding and a colour coated aluminium roof. The sludge treatment building is also cut into the bank by some 2 m. An existing open tank measuring 8 m x 21 m is proposed to be capped with a concrete slab with a steel prefabricated kiosk measuring 5 m x 3.5 m and has a flat roof at 4 m in height.

Once the new buildings are constructed and are operational, the existing buildings are proposed to be demolished. The construction period is expected to last for some 4 - 5 years and a compound, car park and site offices are also proposed on a temporary basis on fields described as 1 and 2, adjacent to Jews Lane. Field 1 is required by the development to provide additional site area for the new permanent works and a temporary construction area. Field 2 will be required as part of the scheme to provide a temporary site construction access from the main road as the junction with the main road and Jews lane is substandard for this purpose. Spoil from the construction site will be contained in spoil heaps and eventually redistributed over the fields and for the provision of bunding at key landscape zones.

A landscape impact assessment accompanies the application that identifies the sites visual influence within a valley. Public views are identified from the approach from Langley Marsh direction however views are limited from the Maundown approach due to extensive screening. Intermittent views between hedging are found along Jews Lane whereas users of the public footpath on the sites western and north western boundaries can gain clear views. A number of private views from residential properties are also identified. The visual impact is assessed during the temporary construction period and on completion of the development. The construction period is estimated to take some 4 - 5 years with the main visual impact coming from the construction site and spoil heaps in field 1. The temporary access to field 2 is also identified as an area of visual impact due to the removal of some 20 m of existing hedgerow adjacent to the main road. The need for lighting of the construction area is also identified. In conclusion the visual impact of the construction phase is considered minimal due to mounding etc however the impact from the footpath to the west would be significant.

Post construction it is considered that the landscape masterplan would improve upon the existing arrangement with the larger buildings being cut into the rising topography, green roofs and effective bunding and screening. On completion the removal of the temporary works area would greatly reduce the landscape visual impact. As landscaping matures in the medium to long terms the sites landscape impact would be significantly better than at present.

A habitat survey was undertaken that found no internationally or nationally protected species. The survey does however identify that most of the hedgerows on the site were species rich, had the potential to support protected species and are protected under the Hedgerow Regulations. The Hillfarrance Brook is a designated County Wildlife site but is not affected by the development.

An archaeological survey is also included as part of the proposal. Somerset County Council has confirmed that there is little archaeological interest in the existing site as it would have been disturbed during its original construction. Somerset County

Council have confirmed an archaeological interest in fields 1 and 2 and therefore a watching brief will be carried out.

The Highway Assessment identifies the number and type of vehicles attracted to the site and concludes that the new treatment works will not generate any different type of vehicle movements to those currently experienced. Indeed an overall reduction in the amount of lorry movements is predicted. The main traffic movement will therefore be derived during the construction phase. In order to minimise this impact a traffic management plan has been prepared.

An existing public footpath runs along the treatment works west and north west boundaries over a length of approximately 400 m. To facilitate the development the footpath will need to be realigned firstly for a period of 4 - 5 years and then secondly on completion of the project to a similar route to that existing. It is concluded that it is not possible to fully mitigate the visual and noise impact of the construction activities during this phase of the project. Once the footpath is realigned to its permanent route, planting would break up views into the site however views down the valley to Langley Marsh and to the Quantocks will be maintained.

the Flood Risk assessment concludes that the site is not at risk from flooding. A sustainable urban drainage system is described with the 'green roof' itself reducing rainwater run off by 70%.

No chemicals and hazardous materials that are notifiable under The Planning (Hazardous Substances) Regulations 1992 will be stored on the site.

The Acoustic Assessment concludes that the noise generated by the existing plans will be similar to the noise levels generated by the new works. Noise generated by the construction phase will be limited to hours of working between 7 a.m. – 7 p.m. Monday to Friday, 7 a.m. - 3 p.m. Saturday and 7 a.m. - 3 p.m. Sunday (occasional only).

Work is programmed to start in May 2006, completion of the rebuilding will be 2009 but final landscaping works may continue into 2010. Due to the strategic nature of the treatment works and the requirement to maintain the water supply at all times, the construction, commissioning and decommissioning of the old works can only take place in a pre-determined order. The construction sequence will take place in the following stages:- 1. Site set up and establishment of site access points. 2. Initial cut for buildings and formation of boundary screening. 3. Construction of works. 4. Commissioning of the new works. 5. De-commissioning of the old works, demolition of the old works, structures and roads. 6. Landform fill and ground modelling. 7. Topsoil and planting of screen/planting. 8. Reinstatement of contractors site establishment and all temporary areas.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY from a highway viewpoint the development will generate no more traffic than that which exists and consequently there is no objection to the proposal .My concerns however lie with the amount of traffic that will be generated during the construction phase. The applicants have submitted to the

County Council a statement showing routes to be used by vehicles accessing the site and temporary access provision control. This is acceptable to the Highway Authority. Suitable conditions should therefore be attached to ensure that the developer adheres to these plans during the construction phase in order to minimise the effect on the local highway network. COUNTY ARCHAEOLOGY no objections as no archaeological implications. ENVIRONMENT AGENCY has no objection to the proposal but has the following comments. The agency is in direct contact with the applicant regarding the application for a paragraph 19a exemption for the disposal of waste soils. The applicant is advised to contact the agency direct if any changes to existing Discharge Consents are required. Consideration must be given to any possible impact on groundwater recharge, flows and levels. If detrimental consequences to the water environment are likely, the appropriate mitigation measures and the timescale for implementation must be agreed, prior to works commencing. The applicants should be aware that it is their responsibility to ensure that the development does not adversely affect any existing legal and local water interests in the area. This includes licensed and private abstractions, wells, springs and streams. COUNTY RIGHTS OF WAY the footpath must be diverted under the correct procedure before any work is agreed or goes ahead. SERC the Hillfarrance Brook is identified as a County Wildlife Site. ENGLISH NATURE there are no statutory sites affected by the development and there are no records of any protected species within the site. English Nature should be consulted if any protected species are found. THE RAMBLERS ASSOCIATION relating to the footpath diversion I have no objection however there are two additional styles. If these are absolutely necessary could they be kissing gates or at least squeeze stiles rather than step over styles.

LANDSCAPE OFFICER the proposed buildings and their setting have been well considered in terms of impact on the local landscape. The mitigation proposals should, along with the green roofs, soften the impact sufficiently in the short term to avoid any adverse impacts although the five year construction period will make the site open during the winter months. There should be scope for short term planting and careful positioning of soil heaps to minimise the impact of the worst of the construction operations. The reduction in building footprints should help reduce any landscape impact. NATURE CONSERVATION AND RESERVES OFFICER I had concerns about the lack of evidence in section 9 EIA of the planning support statement having spoken to the ecologist I am satisfied that protected species have been considered. However, with regards to Dormice I advise that we need further information on how the hedgerows will be protected on site throughout the entire development phase both on the temporary works area and the water treatment works site itself. I advise that this should be conditioned if the information is not available prior to determination. FORWARD PLANNING the site lies outside the limits of any settlement so Policy S7 of the Taunton Deane Local Plan applies. The proposal is considered to be broadly consistent with that policy. (The supporting text states that water treatment works will generally be appropriate in the countryside). The proposal is for the improvement of an existing use which provides a public service and which may for various reasons (such as existing infrastructure) be difficult to locate elsewhere. No objections raised. DRAINAGE OFFICER I note surface water disposal is to be via an existing system, however no details of this system are enclosed. This proposal substantially increases the areas of impermeability at the treatment works and any attenuated surface water runoff could

cause downstream flooding. Sustainable Urban Drainage should therefore be used and some site attenuation system should be provided. A condition should therefore be attached to require the latter. ENVIRONMENTAL HEALTH OFFICER no observations.

WEST SOMERSET DISTRICT COUNCIL no objection

PARISH COUNCIL supports the proposal. Impressive community consultation.

POLICY CONTEXT

Somerset and Exmoor National Park Joint Structure Plan Review Policies STR1 Sustainable Development, Policy 1 Nature Conservation, Policy 5 Landscape Character, Policy 7 Agricultural Land Policy 39 Transport and Development, Policy 39 Transport and Development, Policy 48 Access and Parking, Policy 49 Transport Requirements of New Development . STR6 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 19 In rural areas provision should be made for development which creates or enhances local employment, shopping or community facilities, including development necessary for the purposes of agriculture and development associated with the diversification of agricultural units.

Taunton Deane Local Plan S1 General Requirements, S2 Design, S8 Best and Most Versatile Agricultural Land, M1 - M3 Transport, Access and Circulation Requirements of New Development, EN3 Local Wildlife and Geological Interests, EN5 Protected Species, EN9 Tree Planting, EN26 Water Resources, EN34 Control of External Lighting, S7 Outside defined settlement limits, new building will not be permitted unless it maintains or enhances the environmental quality and landscape character of the area and: (A) is for the purposes of agriculture or forestry; (B) accords with a specific development plan policy or proposal; (C) is necessary to meet a requirement of environmental or other legislation; or (D) supports the vitality and viability of the rural economy in a way which cannot be sited within the defined limits of a settlement. New structures or buildings permitted in accordance with this policy should be designed and sited to minimise landscape impact, be compatible with a rural location and meet the following criteria where practicable: (E) avoid breaking the skyline; (F) make maximum use of existing screening; (G) relate well to existing buildings; and (H) use colours and materials which harmonise with the landscape.

Planning Policy Statement 7 – Sustainable Development in Rural Areas - Paragraph 1(iv) New building development in the open countryside away from existing settlements, or outside areas allocated for development in development plans, should be strictly controlled; the Government's overall aim is to protect the countryside for the sake of its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, the wealth of its natural resources and so it may be enjoyed by all.

ASSESSMENT

The site lies outside any recognised settlement limits of however, Policy S7 supports the principle of this location where environmental quality is maintained/enhanced and the development could not be located within settlement limits. The accompanying text to Policy S7 specifically states that water treatment works will generally be appropriate in the countryside. The proposal will provide drinking water for the equivalent of 200,000 people that clearly demonstrates the community benefit of the proposed works. The new plant is required to improve the quality of drinking water, meet demand for the next 25 years and that the existing buildings are "life expired" and need to be replaced.

In terms of design, the green roof buildings, that are significantly cut into the topography, represent a unique and ingenious solution to minimising the impact of such large buildings. The design statement states that the buildings are designed to blend in with the landscape rather than create landmark building and together with the proposed landscaping this will certainly be achieved when the development is completed. The roof is planted with a mixture of plug planting of small young plants and hydro planting where a mix of seeds and growing medium are sprayed onto the roof. Once fully established the roof will require little maintenance however it is recommended that 6 monthly checks are made to inspect for bare patches and replace plants.

The main visual impact will be during the 4 - 5 year construction phase with the fields to the west of the existing site being used for spoil heaping, site construction car parking and offices and storage of construction materials. A section of hedgerow will also be removed adjacent to the main highway that leads into Maundown. It should be mentioned at this point however that the construction site and access can be carried out by Wessex Water without the need for Planning Permission due to allowances for statutory undertakers the General Permitted Development Order. The hedgerow to be removed is a section less than 20m in length and therefore does not require consent under the Hedgerow Removal Regulations. The proposal does however include initiatives to reduce the impact of the temporary construction site such as planted bunding, limited hours of operation and a traffic management plan and initial planting in the first planting season.

Turning to the traffic impact of the development the new treatment works will attract less lorry movements than the existing works. The main impact will be from construction traffic which will be minimised by the traffic management plan that includes directional signs, restriction to HGV routes only and the reduction of speed limits. Also proposed is the restriction of large vehicle movements to outside key school activity times, i.e. 8.20 a.m. – 9.00 a.m. and 2.45 p.m. – 3.45 p.m. The main noise contributor will be traffic associated with the construction phase however overall hours of operation will be limited to reasonable times.

The existing footpath that runs along the west border will be temporarily diverted around the field boundary with Jews Lane and then realigned in a similar position and route as existing. The County Rights of Way department have agreed in principle to the changes to the footpath.

In terms of drainage again the main impact is from rainwater runoff from the construction site. A detailed Sustainable Urban Drainage system has been designed

to minimise flows into the Hillfarrance Brook to those expected of a normal greenfield. These measures include a network of ditches, culverts, reed beds and attenuation ponds. The surface water runoff created by the treatment works buildings will be less than existing as the green roof captures 70% of runoff.

It appears that there are no protected species on the site although the network of important hedgerows is identified as a suitable habitat for protected species. A condition is therefore proposed to provide a 2m buffer adjacent to the hedgerows. The small section of hedgerow to be removed will be replanted on completion. There is limited archaeological interest although a watching brief will be undertaken.

In conclusion the construction site will have a landscape impact. However, the works are considered essential for the continued supply to 200,000 people. Nevertheless the applicants have proposed extensive measures to minimise the visual impact of the development. In terms of the finished water treatment works the visual and traffic impact will be less than the existing site.

RECOMMENDATION

Permission be GRANTED subject to conditions of time limit, materials, phased landscaping, buffer zones for hedges, traffic management plan as submitted, surface water drainage measures as submitted, archaeological watching brief, reinstatement of contractors site and all temporary areas, implementation and maintenance of green sedum roofs, recommendations of the flood risk assessment and no works outside 7 a.m. – 7 a.m. Monday - Saturday and no works on Sunday or public/bank holidays.

REASON(S) FOR RECOMMENDATION:- The principle of the development outside defined settlement limits is considered acceptable and the proposal is considered not to harm visual or residential amenity and is therefore considered acceptable and, accordingly, does not conflict with Taunton Deane Local Plan Policies S1, S2 and S7.

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

CONTACT OFFICER: 356469 MR R UPTON

NOTES:

49/2006/018

MAGNA HOUSING ASSOCIATION

ERECTION OF 20 DWELLINGS, WIDENING OF EXISTING ROAD, FORMATION OF NEW ACCESS AND NEW FIELD ACCESS WITH ASSOCIATED WORKS AT LAND NORTH OF PLAIN POND, WIVELISCOMBE AS AMENDED BY

307984/128407

FULL

PROPOSAL

The proposal provides for the erection of 20 dwellings together with the widening of the existing road, formation of a new access and field access and associated works. The dwellings comprise 6 three bed houses, 9 two bed houses, 4 one bed flats and 1 disabled person's bungalow. Apart from the bungalow, the buildings will be of two storey construction, with some with reduced eaves level. The application has arisen as a result of the Housing Needs Survey dated March 2005 and discussions with the Housing Officers over the last two years. It is submitted under the Rural Exceptions Policy. A Design and Planning Statement was submitted with the application.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY the proposal site is outside of the development limit for Wiveliscombe and generally a recommendation for refusal would be forthcoming on such a development. However I am aware that under Policy H11 of the Taunton Deane Local Plan, there are exceptions whereby small affordable housing schemes which meet the local community's needs for affordable housing will be permitted on sites where housing would not otherwise be permitted, either within or adjoining the identified limits of villages and rural centre providing they meet the appropriate criteria. Therefore it must be a matter for the Local Planning Authority, however providing that the proposal meets this criteria set out by this Policy H11, it may be unreasonable to raise a Highway Objection. However there are no visibility splays indicated on the submitted plan at the junction of Plain Pond and North Street. The Highway Authority would be seeking splays of 4.5 m x 90 m in each direction at this junction to ensure highway safety for all road users. Visibility to the north of the junction appears to be impaired by the hedge between the two footways between plots 1 and 7. Visibility to the south of the junction, is restricted by the roadside boundary wall in front of no. 1 Plain Pond. As the application stands and without adequate visibility splays, which are essential in the interests of highway safety I recommend refusal of this application. I would be more than happy to discuss the matter further with the Planning Officer and Agent to discuss what may be achievable and acceptable from a Highway perspective. The proposed layout gives rise to a possible future extension of carriageway/dwelling numbers off the end of the turning head between Plot 12 and the private parking court to the west. A type 4 carriageway, like the one being proposed, can serve up to 100 dwellings. Should any future extension take place, I have additional concerns about the suitability of the existing junction of the unclassified carriageway with North Street. Various

detailed points are raised. In the event that planning permission is granted recommend conditions re visibility splays, hard surfacing of first 8m of new field access, submission of sectional drawings for widening of highway, estate roads, properly consolidated footway/road, construction of service road, condition survey of existing highway, gradient of proposed access road not to exceed 1 in 20, no discharge of surface water onto highway. COUNTY EDUCATION whilst this number is below the normal threshold of 50 units referred to in the adopted Local Plan, to which Policy C1 applies, there are particular circumstances in Wiveliscombe that would warrant an educational contribution in this case. The Local Plan Inspector indeed acknowledged in his report that some smaller developments may also attract educational contributions and that the figure of 50 units should be used as a guideline only. Furthermore, this application follows soon after the submission of another planning application for a residential development of 35 dwellings in Wiveliscombe (Ref 49/2006/013) and the combined total of 55 dwellings would exceed the Council's guide. The combined impact of both schemes being implemented would, of course, be no different to that of a single development of 55 dwellings. Somerset County Council has a statutory responsibility to ensure that there are sufficient places in pre-school provision for 3-4 year olds. Provision for 2 year olds may become statutory in the near future. The Government's Ten Year Strategy for Early Years & Childcare also promotes greater choice and flexibility for parents and advocates flexible childcare for all families with children up to 14 who need it. The Ten Year Strategy also signalled the Government's intention to legislate to give local authorities the statutory duty to ensure a sufficiency of childcare. Pre-school places may be provided by a range of organisations e.g., pre-schools, nurseries, childminders etc. and these can be either voluntarily or privately run. The County Council has responsibility to ensure the establishment and designation of such centres and in doing so may well also be responsible for their construction. Wiveliscombe is a location for the provision of a new Children's Centre, which would include pre-school care. Wiveliscombe has been identified as the site of a Children's Centre as a result of consultations with a range of childcare and other support agencies. Of the 144 wards in Somerset, Wiveliscombe ranks 32nd in terms of social and economic deprivation. There is a shortage of qualified daycare for children aged 0 to 5 years old in the locality and the demand for services to be provided from the centre is already high. Somerset County Council currently anticipates a class of 30 primary school pupils to be generated by 150 new dwellings (1 pupil per 5 dwellings). If one assumes an average number per year group, and there are 7 year groups in a primary school, there must be 4.3 per group for each 150 dwellings. If one were then to extrapolate this to early years provision, on the assumption that there are 4 year groups in pre-school provision, this would equate to 17.2 per 150 dwellings, or about 1 child per 9 dwellings. The current proposal at Plain Pond would therefore be expected to generate the need for places for about 2 pre-school age children. If one applies the DfES Basic Need Cost Multiplier to this number, a total contribution of £20,330 (or about £1,016 per dwelling) can be calculated and this is the sum that the County Council would seek through the completion of a Section 106 agreement. The local primary school is currently full with numbers on roll exceeding capacity, but there is likely to be sufficient capacity in the longer term through demographic change and reducing numbers of primary school-age children to accommodate additional children moving into the area. On the other hand, whilst Wiveliscombe Kingsmead secondary school is also at capacity, pupil numbers are expected to remain high for the foreseeable future. Applying the normal calculation,

20 dwellings would generate the need for 3 additional secondary- aged pupil places. The DfES Cost Multiplier for secondary places is £15,531 per pupil and the contribution sought should therefore be £46,593, or £2,329 per dwelling. The total contribution sought by the County Council under the provisions of Policy C1 of the adopted Local Plan would therefore be £66,923. WESSEX WATER the development is located within a foul sewer area. Points of connection onto the system for the satisfactory disposal of foul flows will be necessary. There are no existing surface water sewers in the vicinity of the site so the developer is advised to investigate alternative methods of disposal, eg soakaways. The site is in close proximity to Wiveliscombe Sewage Treatment Works and is located on the edge of the sewage treatment works protection zone. However on the basis of the previous use of the site, the historical complaint data and Wessex Water's knowledge of the process, do not anticipate any issues with regard to odour and noise nuisance. Request that the developer is made aware of the possibility of odour nuisance. The proposal must not be seen as a precedent for future development within close proximity of the sewage treatment facilities. There is a public water supply main crossing the site. Wessex Water normally requires a minimum 3m easement width on either side of its apparatus, for the purpose of maintenance and repair. Diversion or protection works may need to be agreed. An informative referring to this should be included on any consent. SOMERSET WILDLIFE TRUST concerned that the area the subject to the application appears to be outside the Wiveliscombe development limits, on a greenfield site. Believe development on this site would not be fully justifiable given these circumstances and would be disappointed to see the plans go ahead. If the Authority were minded to accept the proposal however, would recommend that the Authority give consideration to seeking a developer contribution towards enhancement of local green spaces as compensation. SOMERSET ENVIRONMENTAL RECORDS CENTRE no statutory & no-statutory sites & species at the application site. One or more legally protected species, 3 County Wildlife Sites, 3 County Geological Sites and one or more 1990's badger data found within 1 km of the site.

LANDSCAPE OFFICER this is a significant development that will have an equally significant landscape impact. The impact is likely to be greatest from the Langley Road, where passing traffic will see the proposed development just behind the existing hedgerow and trees as well as losing the existing view east. Travelling south towards the site the impact will be significant as it reduces views across the landscape and town, but at least the view will be mainly of housing against housing. Views north from the access road will dramatically reduce those to open countryside. There are views from existing public rights of way to the south that will also be detrimentally affected. Main concerns are that given the size of the development and departure from the development plan, there is no separate Landscape Assessment. The western boundary housing is very close to the existing trees. Given the slope of the ground, it would be difficult to build in places and also difficult to maintain longer term. Moving the buildings back 3-5m would ease this issue. The hedgerow and tree planting along the northern and eastern boundaries should help to significantly reduce any landscape impact. Question who will be responsible for their management. The tree planting may work better if it was not so uniform. NATURE CONSERVATION & RESERVES OFFICER main concern is that badgers may traverse the site and recommend that a survey is done to establish if badgers are using the site to forage. The site is an arable field with remnants of hedgerows

that are unsuitable for dormice. Trees bounding the site are not suitable for bat roosts. If planning permission is granted, would recommend that the landscape proposals ensure that the site is enhanced for wildlife with the creation of robust new native species hedgerows and copses. ENVIRONMENTAL HEALTH OFFICER no observations to make. DRAINAGE OFFICER soakaways should be constructed in accordance with Building Research Digest 365. LEISURE DEVELOPMENT MANAGER the proposed development is in a poor location for family dwellings in relation to existing children's play areas. A play area is therefore required on site in accordance with Policy C4. In addition a playing field contribution of £777 per dwelling totalling £15,540 to be used to address the needs relating to Wiveliscombe recreation ground should be sought. Would also request that in accordance with Local Plan Policy C6, which recognizes the importance of sports centres to the population, a built sports facilities contribution of £12,234, to be used to address the needs of formal sports associations within the town, be requested. HOUSING OFFICER supports this application in its entirety. This is an exception site for 20 affordable housing units. There will be a good mix of social rented and shared ownership. Homes will be provided for general need, single persons and disabled accommodation. Full support is given to this application in an area of proven need.

PARISH COUNCIL support.

SEVEN LETTERS OF OBJECTION (FROM SIX ADDRESSES) have been received raising the following issues:- proposed development is outside the Local Plan for Wiveliscombe, which aims to secure sustainable development providing necessary homes, jobs and services in a way that protects and enhances the best qualities of our existing market towns, villages and rural environment; the very recent Local Plan did not consider this greenfield site necessary for homes and therefore chose to protect it; PPG also stresses the Government's commitment to re-use previously developed land for housing to minimize the amount of greenfield land taken for development; PPG3 does state that an exception policy enables the authority to grant planning permission for small sites within and adjoining existing villages, which may be subject to policies of restraint, which the Local Plan would not otherwise release for housing, in order to provide affordable housing to meet local needs in perpetuity; however, the Local Plan has already considered this and it states that brownfield sites must be developed before greenfield areas; Wiveliscombe still has brownfield sites yet to be developed, such as those already in the planning process (an application for 35 dwellings at Stacey's Yard in Station Road and 14 units on the Old Brewery Site; The Local Plan also allocates an area of land north of Burges Lane /Style Road for future housing, supporting approximately 70 additional homes; the development does not meet the criteria laid out in the Local Plan housing policy, other than being on a bus route - this is not a site being redeveloped, it is not a site which would support local services such as schools or shops which would become unviable without some modest growth as Wiveliscombe is already a thriving, diverse, commercial community, with over-subscribed schools; the development is unnecessary to meet local housing needs or to ensure a diverse mix of housing – other sites under construction or committed or allocated must be in place before any new greenfield site can be considered; the site is a green wedge that separates Wiveliscombe and Langley Marsh and helps to give a physical distinction to what are two separate and thriving communities in their own right – if the two settlements are eventually joined, this will destroy the character and individuality of both; although

the Design Statement refers to the development benefiting from existing local transport links which reduces the reliance on the car, there is parking provision for 32 cars; North Street, which is congested with parked cars, will struggle to cope with another 32 cars using it as an access route; the widened access road would still form a junction with a fast and narrow stretch of road; building materials will need to be brought to the site and the only access routes are either narrow country lanes or the heavily congested North Street, past a school and developments for the elderly and disabled; this is pure greenfield land; property values will be reduced owing to restricted views; will set precedent for further dwellings; drainage channels are frequently overloaded and considerable surface water occurs with sheets of water visible across the entire field; the field has been successfully used for farming; there has already been a lot of new houses built in Wiveliscombe, causing the schools, doctors, dentist and other services to be put under extreme pressure; traffic is already bad around the primary school and more houses in the close vicinity will make it even worse; Wiveliscombe and the surrounding area should remain a tranquil and beautiful place to live.

POLICY CONTEXT

Policy S1 of the Taunton Deane Local Plan sets out general requirements for new developments. Policy S2 of the same plan provides guidelines for the design of new developments. Policy S7 of the Taunton Deane Local Plan states that outside defined settlement limits new building will not be permitted unless it maintains or enhances the environmental quality and landscape character of the area and meets certain criteria. It is considered that the criteria are met with the current proposal. Policy H11 states that small affordable housing schemes which meet the local community's needs for affordable housing will be permitted on sites where housing would not otherwise be permitted, either within or adjoining the identified limits of villages and rural centres provided that certain criteria are met. It is considered that the criteria are met with the current proposal.

ASSESSMENT

The development will provide additional affordable dwellings for Wiveliscombe. The proposals have been designed to complement and enhance the existing local vernacular. There will be use of brick details, stonework, render and pitched natural slate and clay double roman tiles. A landscaped bund is proposed to the northern and eastern boundaries to act as a screen and soft boundary enclosing the site. It is not considered that the proposal will result in significant erosion of the gap between Wiveliscombe and Langley Marsh. Neither the Environment Agency nor the Drainage Officer raises any objection to the proposal. The Housing Officer considers that there is a need for the proposed development and on the basis of it providing for affordable housing is considered acceptable on this exception site adjacent to the settlement. It is close to local facilities and amenities. The various points raised by the County Highway Authority and the Landscape Officer have been forwarded to the applicant's agents and amended plans have been requested. The application elsewhere for development elsewhere in Wiveliscombe, referred to by County Education, has now been withdrawn. Given the threshold of 50 dwellings for sites to be required to contribute towards additional education facilities, it is considered that it would be unreasonable to require such contributions in this instance.

RECOMMENDATION

Subject to the receipt of satisfactory amended plans and the applicants entering into a Section 106 Agreement to provide for all the dwellings to be affordable housing to meet local needs and a playing field contribution of £15,540 and a built sports facilities contribution of £12,234, the Development Control Officer in consultation with the Chair/Vice Chair be authorised to determine and permission be GRANTED subject to conditions of time limit, materials, landscaping, levels, protection of trees to be retained, no service trenches beneath trees, no felling or lopping, children's play area, landscape completion check, visibility splay, hard surfacing of field access, estate road, surfacing, gradient, badgers, parking, site levels, meter boxes and removal of GPDO rights for garages and walls/fences forward of dwellings. Notes re disabled access, energy/water conservation, meter boxes, CDM Regulations, S106 Agreement, highways permit, highways licence, sections for highway authority approval, no surface water sewers in area, points of connection for Wessex Water apparatus, soakaways and proximity to sewage treatment works

REASON(S) FOR RECOMMENDATION:- The proposal is considered to accord with Taunton Deane Local Plan Policies S1, S2 and H11 and material considerations do not indicate otherwise.

Should the S.106 Agreement not be completed by 30th May, 2006 the Development Control Manager in consultation with the Chair/Vice Chair be authorised to determine and permission be REFUSED as contrary to Taunton Deane Local Plan Policy C4 or an additional condition be added requiring the applicant to enter into a S.106 Agreement prior to the commencement of development.

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

CONTACT OFFICER: 356461 MR J HAMER

NOTES:

49/2006/020

MR & MRS J THORMAN

ERECTION OF TIMBER BALCONY, 48 NORDENS MEADOW, WIVELISCOMBE

308800/127882

FULL

PROPOSAL

Permission is sought for the erection of a first floor timber balcony attached to supporting pillars. The proposal would involve the replacement of existing fenestration and the insertion of French doors at first floor.

CONSULTATIONS AND REPRESENTATIONS

PARISH COUNCIL supports the proposal.

COUNTY HIGHWAY AUTHORITY no observations.

ONE LETTER OF OBJECTION has been received raising the following issues:- not in keeping with other properties; if it is a first floor balcony the proposal would overlook and appear more dominating to adjoining occupiers.

POLICY CONTEXT

PPS1 (Delivering Sustainable Development)

Somerset & Exmoor National Park Joint Structure Plan Review Policy STR1 (Sustainable Development).

Taunton Deane Local Plan Policies S1 (General Requirements), S2 (Design) and H17 (Extensions to Dwellings).

ASSESSMENT

The pertinent issues in the determination of this application concern the impact upon the amenity of adjoining residents and secondly the visual impact of the proposed extension upon the character and appearance of the dwelling and the wider area.

It is considered that given the position of the proposed balcony, which would be sited to the front of the house and positioned away from neighbouring occupiers, there would be no direct overlooking. Indeed any views would be extremely oblique. The roof of the existing integral garage would also reduce any overlooking. It is therefore considered the proposal would not give rise to any unreasonable loss of privacy as to warrant refusal of the application on these grounds.

The main concern to the proposal relates to the design of the balcony and its supporting structure. It is considered the proposal would take the form of a 'bolted

on' appearance and as such appear an incongruous addition to the main facade of the dwelling which is prominent to public view from across the public open space. As such the proposal would have a harmful impact upon the visual amenity of the area.

It is therefore considered that permission be refused.

RECOMMENDATION

Permission be REFUSED for the following reason that the proposed development, by reason of its prominent position, design and form would appear an incongruous addition to the main facade of the dwelling and would as a result harm the visual amenity of the area. As such the proposal is contrary to Somerset & Exmoor National Park Joint Structure Plan Review Policy STR1 and Taunton Deane Local Plan Policies SI, S2, H17& EN12.

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

CONTACT OFFICER: 356586 MR A PICK

NOTES:

51/2006/004LB

GILLARDS FARM LTD

CHANGE OF USE AND CONVERSION OF PUMPING HOUSE TO DWELLING AT ALLERMOOR PUMPING STATION, BURROWBRIDGE

35781/30554

LISTED BUILDING CONSENT-WORKS

PROPOSAL

The proposal comprises the change of use, conversion and partial demolition and extension, of a former pumping station of late C19th date, to a 2 bedroomed dwelling. The building is listed Grade II, and comprises the original Victorian pumping engine, which would be retained, and a 1924 boiler, which would be removed and transferred to Westonzoyland Pumping Station.

Planning application 51/2006/007 accompanies the listed building application and is also reported on this agenda.

CONSULTATIONS AND REPRESENTATIONS

CONSERVATION OFFICER 1. No justification in accordance with paragraph.4 of PPG15 would appear to have been submitted. 2. Principle of conversion acceptable. Plans would appear to retain existing roof structure, with new insulated roof over - such should be included explained, in required justification, 1 above, as should impact of new openings, introduction of mezzanine floor etc. 3. Existing, 'modern', flat roofed extension to SW, of no merit and indeed detrimental to complex. This said, the proposed replacement structure, (again not justified), in my opinion, does not complement the character of the original building, in that the roof pitch is too shallow. The latter should be replaced by a pair of pitched roofs, which would be more in keeping and also reduce the impact on 'side', 'front' and 'rear' elevations. (Question affect on current roof structure needed, see 1 above). 4. Number of proposed roof lights excessive. Those to the sleeping gallery and associated staircase, not necessary. General review of number of roof lights, required. 5. Escape window to sleeping gallery required by Building Regulation - impact? 6. Direct access to exterior required from ground floor bed, in order to comply with Building Regulations i.e. escape via high risk fire area of lounge, not acceptable. Impact? 7. In the course of pre application discussions with potential purchasers, it was made clear that, the important industrial machinery for the pump room, had to remain in-situ and that any approved conversion proposals, would require an undertaking to relocate extant, relocated, machinery to another site (I believe Westonzoyland Pumping Station has agreed, in principle, to accept these) and that a 'memory' of the extant boiler, should be retained, via the retention and approved resiting of the existing firebox and gauges. Such undertaking and detailed plans of the same, does not form part of the current application and I therefore cannot support the scheme in its current form.

PARISH COUNCIL support.

SOMERSET INDUSTRIAL ARCHAEOLOGICAL SOCIETY advises, inter alia, they favour the re-use and adaptation of industrial buildings; the two engines should not be allowed to disappear given their historic importance but that an undertaking should be given by the owners to ensure their survival; the boiler has no place in the conversion scheme but some recognition should be given to its former role within the building; and that the proposal, if carefully implemented, offers what is probably the best solution for the future of this listed building.

POLICY CONTEXT

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

ASSESSMENT

Whilst the principle for conversion of this building is considered acceptable, the design details must respect its appearance and character. In this particular instance however, there are a number of unacceptable alterations, omissions and extension, all as listed within the Conservation Officer's observations. In simple terms it is considered that insufficient justification has been provided, the roof of the new build replacement extension is considered inappropriate, the number of rooflights is considered excessive, means of fire escape need to be addressed, and it should be made clear what the intentions are for the industrial machinery.

RECOMMENDATION

Consent be REFUSED for the reasons that insufficient details have been submitted to enable the Local Planning Authority to give proper and favourable consideration to the proposal. Accordingly the proposal is contrary to paragraph 3.4 of Central Government Planning Policy Guidance 15 - Planning and the Historic Environment and Notwithstanding the above refusal reason, the submitted conversion and extension details detract from the character and appearance of the listed building, and accordingly are contrary to Taunton Deane Local Plan Policies EN16 and EN17. Note re conversion to domestic acceptable.

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:

51/2006/007

GILLARDS FARMS LTD

**CONVERSION OF PUMPING HOUSE TO SINGLE DWELLING, ALLERMOOR
PUMPING STATION, BURROWBRIDGE**

335780/130554

FULL

PROPOSAL

The proposal comprises the change of use, conversion and partial demolition and extension, of a former pumping station of late C19th date, to a 2 bedroom ed dwelling. The building is listed Grade II, and comprises the original Victorian pumping engine, which would be retained, and a 1924 boiler, which would be removed and transferred to Westonzoyland Pumping Station.

Listed building application 51/2006/004LB accompanies the planning application and is also reported on this agenda.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY recommends conditions. COUNTY ARCHAEOLOGIST no objections. WESSEX WATER the site is in close proximity to Burrowbridge Sewage Treatment Works and is located within our sewage treatment works protection zone. Whilst the site is located within the area identified as having the potential for odour nuisance, on the basis of the previous use of the site, the historical complaint data and our knowledge of the process we do not anticipate any issue with regard to odour and noise nuisance. ENGLISH NATURE there are no statutory sites in the immediate vicinity. Do not have any records of any protected species at this location. English Nature should be consulted if any protected species are found to be present or likely to be affected by the development.

PARISH COUNCIL support.

POLICY CONTEXT

Taunton Deane Local Plan Policies S1 and S2 seek to safeguard, inter alia, the character of buildings, and visual and residential amenity. Policy H2 accepts residential development within settlement limits, provided, inter alia, no adverse impact on visual or residential amenity.

ASSESSMENT

Whilst the principle for conversion of this listed building is considered acceptable, design details must clearly respect its appearance and character. In this particular instanced however, the design is considered unacceptable, with particular regard to the excessive number of proposed rooflights, and the proposed roof to the new build

replacement extension. Accordingly, it is considered that both the character of the building, and visual amenity, would be adversely affected.

RECOMMENDATION

Permission be REFUSED for the reason that the proposed conversion details, with particular regard to the excessive number of rooflights and to the roof of the new build replacement extension, would be out of keeping with the character and appearance of this listed building and with the visual amenities of the area. Accordingly, the proposal is considered contrary to Taunton Deane Local Plan Policies S1 and S2. Note re conversion to domestic acceptable.

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:

52/2006/015

THE GOVERNORS, QUEENS COLLEGE

DEMOLITION OF TEMPORARY MAINTENANCE HUTS AND CONSTRUCTION OF TWO STOREY DETACHED ARTS AND DRAMA BUILDING, WITH COVERED GROUNDS MAINTENANCE AREA, QUEENS COLLEGE, TRULL ROAD, TAUNTON

321694/123213

FULL

PROPOSAL

The application site lies within the eastern edge of an Urban Open Space, created by the Queens school playing field. The proposal is for the erection of a two storey building located on the edge of the playing fields to the west of the existing school buildings for an art and drama classrooms with replacement maintenance accommodation on the ground floor adjacent to the playing fields. The building would replace the existing collection of sheds used to accommodate the maintenance equipment for the playing fields and be constructed on the site of the sheds and the surrounding hard surfaced area. The main school buildings lie to the east of the site on land that is approximately 2 – 3 m higher than the playing fields. As a result the upper floor of the new building will be level with the ground floor of the other school buildings and accessed, via walkways across to the higher level. The proposed building would improve existing facilities and would not add to total pupil numbers and there is no suggested change to either the access or parking as a result. The building would be purpose built with an exciting modern design and materials allowing for plenty of natural light to serve the art rooms and replicating the timber boarding used on other buildings in the complex. Proposed materials are dark Grey roof, cedar cladding to the upper storey and masonry on the lower level.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY no comments.

LANDSCAPE OFFICER subject to tree planting to the west, north and south of the proposed building it should be possible to integrate the development into the local landscape. CONSERVATION OFFICER no objection. ENVIRONMENTAL HEALTH OFFICER no objection.

POLICY CONTEXT

Taunton Deane Local Plan Policies S1(D) General Requirements, EN24 Urban Open Space, EN16 Listed Buildings.

ASSESSMENT

The proposed building would allow for the replacement of existing drama and art facilities with new accommodation purpose built to provide a good environment, with

high light levels and modern equipment. The maintenance accommodation will be provided on the ground floor, The dimensions of the accommodation would provide better space for its purpose. The proposed building would be located just within the Urban Open Space and it is essential to assess the impact of this proposal on the function of the Urban Open Space and to minimise any impact on the area. There are a variety of single storey sheds and workshops on the site at the present time, totalling 34 sq m, and these are surrounded by a tarmac and gravelled area to the west. The proposed building would increase the floor area to 126 sq m on the ground floor and this covers most of the existing gravel and tarmac floor area. The new building would be two storey and its visual presence, due to its design, will be greater than the existing sheds. However the impact of the new building will be reduced as its height will not exceed the existing building, so it will avoid breaking the skyline when viewed from the playing field. The use of timber will help it to blend in with the landscaping around the school site (largely to the south east of the building). It has been established that the proposed building and works will not effect the playing field or run off areas and therefore will enable the function of the area to continue. Proposal considered acceptable.

RECOMMENDATION

Subject to the receipt of no objections from the Conservation Officer the Development Control Manager in consultation with the Chair/Vice Chair be authorised to determine and permission be GRANTED subject to conditions of time limit, materials, landscaping, maintenance area kept for that purpose only.

REASON(S) FOR RECOMMENDATION:- The proposal will result in improved education facilities whilst maintaining the function of and minimising the visual impact on the Urban Open Space in accordance with the requirements of Taunton Deane Local Plan Policies S1(D) and EN24.

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 - 17 May 2006

Report of the Chief Solicitor

Proposed Enforcement Action – Foxmoor Nurseries, Haywards Lane, Chelston

Background

Members will recall that at the meeting on 30 March 2005, the Committee considered the situation that had arisen in relation to unauthorised uses that had evolved over a period of time at Foxmoor Nurseries. The current position on site was reported to Members together with the views of local people, the Economic Development Officer, the Traffic Examiner for Vehicle and Operator Services and the West Buckland Parish Council. Members were asked to consider whether it was expedient to take enforcement action and a course of action was recommended.

Based on that recommendation to Members, it was resolved to take enforcement action individually against the unauthorised B8 (storage and distribution) uses of units 2, 3, 5, 6, 7, 7a, 7b and 10 provided that at the date of service of the notice there was sufficient evidence of such B8 use. It was agreed that any notices served would allow six months for compliance in order to allow the businesses involved time to re-locate.

Members were also advised that there was disagreement between the Council and the landowner as to the extent to which B1 (light industrial) uses were permitted under the terms of the S106 Agreement relating to the site. It was therefore further resolved that negotiations should take place to try and agree amended wording to the S106 Agreement to clarify the type of B1 uses permitted and if this failed, a declaration should be sought from the Court.

However, it was subsequently identified that to take matters forward and in order to collect the evidence in a form that would substantiate the taking of enforcement action, assistance from outside the authority would be required.

A consultant dealing in enforcement investigations and the giving of evidence at inquiries was appointed, and in December 2005, the premises at Foxmoor Nurseries were visited by a team of enforcement officers who collected evidence of all the activities on site at that time.

It was found that the glasshouses had been subdivided into about 18 lock up units with a variety of B1 and B8 uses. There was also evidence of other breaches of planning permission within the curtilage of the glasshouses, including the stationing of portacabins, the parking of commercial vehicles and the use of part of the site for stationing a milk tanker.

Having collated and assessed the evidence, the consultant advised that a single enforcement notice should be served against the unauthorised change of use of the whole site to a mixed industrial use. This would ensure that all unauthorised activities wherever situated on the site would be caught by the notice, and would prevent the movement of unauthorised activities within the site. This could be done without the need to take any further action in relation to the S106 Agreement at the present time.

The present position

Members have already made a decision that it is expedient to enforce against unauthorised uses at this site and in the intervening period there has been no significant change of circumstances to warrant a re-consideration of that position. Indeed, if anything the number and extent of uses has intensified and complaints continue to be received on a regular basis.

The matter has been brought to the Committee for further consideration because of the need to authorise the action now recommended by the Council's consultant, which is significantly different.

However, when Members were considering the service of individual notices in 2005 it was agreed that a six month period for compliance would be sufficient to allow the businesses to re-locate. With the service of one notice requiring compliance across the whole site a twelve month period would be more appropriate given the large number of activities that will need to re-locate. In any event any steps to ensure compliance with the notice are likely to be delayed by an appeal against the same.

RECOMMENDATION

It is therefore **RECOMMENDED** that Members:-

1. Authorise the service of a single enforcement notice to be served against the unauthorised change of use of the Foxmoor Nurseries site at Haywards Lane, Chelston to the use of the site for mixed industrial use.
2. That the period for compliance with such a notice be twelve months.

Chief Solicitor

Contact Officer: Judith Jackson Telephone 01823 356409 or e-mail j.jackson@tauntondeane.gov.uk

PLANNING COMMITTEE - 17 MAY, 2006

Report of the Development Control Manager

ENFORCEMENT ITEM

Parish: Taunton

1. **File/Complaint Number** 38/2006/016 - E370/38/2005
2. **Location of Site** 1 Trevett Road, Taunton
3. **Names of Owners** Mr Mogg, 1 Trevett Road, Taunton
4. **Names of Occupiers** Mr Mogg, 1 Trevett Road, Taunton

5. **Nature of Contravention**

Provision of raised decking area.

6. **Planning History**

A complaint was received on 29 November, 2005 that a large raised deck area had been constructed at 1 Trevett Road, Taunton. A site visit was carried out on 7 December, 2005 where it was found that the decking area was located at first floor level between the dwelling and the detached garage. The owner was advised that a planning application was required for the structure as the property already had a large conservatory at the rear, which had used all the 'permitted development rights'. The application was registered on 18 January, 2006 and was subsequently refused under delegated powers on 13 March, 2006.

7. **Reasons for Taking Action**

The structure by reason of its siting, size, form and materials do not respect the form and character of the dwelling or locality. It is an incongruous feature on the dwelling causing demonstrable harm to its character and to the character and appearance of the street scene. The development by reason of its use, height and siting adjacent to the boundary with the adjacent private rear amenity space will result in a significant degree of overlooking and visual intrusion. It is therefore contrary to Taunton Deane Local Plan Policies S1, S2 and H17.

8. **Recommendation**

The Solicitor to the Council be authorised to commence Enforcement Action and prosecution proceedings, subject to satisfactory evidence that the notice has not been complied with.

In preparing this report the planning officer has considered fully the implications and requirements of the human rights act 1998.

Contact Officer: Mr J A W Hardy Tel: 356479