



PLANNING COMMITTEE

YOU ARE REQUESTED TO ATTEND A MEETING OF THE PLANNING COMMITTEE TO BE HELD IN THE PRINCIPAL COMMITTEE ROOM, THE DEANE HOUSE, BELVEDERE ROAD, TAUNTON ON WEDNESDAY 6TH SEPTEMBER 2006 AT 17:00.

AGENDA

1. Apologies.
2. Minutes of the meeting of the Committee held on 16 August 2006 (attached).
3. Public Question Time.
4. Declaration of Interests - To receive declarations of personal or prejudicial interests in accordance with the Code of Conduct.
5. BISHOPS HULL - 05/2006/022
ERECTION OF FOUR DWELLINGS WITH ASSOCIATED PARKING AND ACCESS AND REMOVAL OF CONDITION 14 (WHICH RELATES THE PERMISSION TO A NAMED HOUSING ASSOCIATION) ON PLANNING PERMISSION REF. 05/2005/011, ON LAND ADJACENT TO 18 NORTHFIELDS, BISHOPS HULL
6. CREECH ST MICHAEL - 14/2006/025
ERECTION OF SINGLE STOREY EXTENSION TO REAR AND SIDE AND ERECTION OF PORCH TO FRONT OF 12 HEATHFIELD CLOSE, CREECH HEATHFIELD,
7. KINGSTON ST. MARY - 20/2006/015LB
INSTALLATION OF WINDOW, 4 THE CONIES, KINGSTON ST MARY
8. NORTH CURRY - 24/2006/030
RETENTION OF COVERED LINK BETWEEN DWELLING AND GARAGE AT THE OLDE CANAL BARN, WRANTAGE, TAUNTON
9. TAUNTON - 38/2006/323
ERECTION OF SINGLE STOREY EXTENSION AT 6 HUMBER GROVE, TAUNTON
10. TRULL - 42/2006/014
ERECTION OF SINGLE STOREY EXTENSION TO WEST ELEVATION AND TWO STOREY EXTENSION TO NORTH ELEVATION AT FISHERMANS REST, SWEETHAY LANE, TRULL
11. WELLINGTON (WITHOUT) - 44/2006/015
RETENTION OF MANEGE AND STABLES AT SOUTHEY FARM, WRANGWAY, WELLINGTON

12. Planning Appeals - Appeals received and the latest decisions (attached).

Appeals

G P DYKE
Member Services Manager
29 August 2006

Tea for Councillors will be available from 16.45 onwards in Committee Room No.1.

Planning Committee Members:-

Councillor Mrs Marie Hill (Chairman)
Councillor Mrs Marcia Hill (Vice-Chairman)
Councillor Mrs Allgrove
Councillor Bowrah
Councillor Miss Cavill
Councillor Croad
Councillor Denington
Councillor Floyd
Councillor Guerrier
Councillor Henley
Councillor C 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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Website: www.tauntondeane.gov.uk (Council, Executive, Review Board & Review Panel Agenda, Reports and Minutes are available on the Website)

Planning Committee – 16 August 2006

Present: Councillor Mrs Marie Hill (Chairman)
Councillor Mrs Marcia Hill (Vice-Chairman)
Councillors Mrs Allgrove, Bowrah, Miss Cavill, Croad, Floyd, Guerrier,
Henley, C Hill, House, Lisgo, Phillips, Mrs Smith, Stuart-Thorn and
Wedderkopp

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

(The meeting commenced at 5.00 pm.)

95. Apologies

Councillors Denington and Hindley (the Mayor).

96. Minutes

The minutes of the meeting held on 26 July 2006 were taken as read and
were signed.

97. Declarations of Interest

Councillor Stuart-Thorn declared a personal interest in agenda item No 17,
application No 46/2006/013.

98. Applications for Planning Permission

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

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

08/2006/011

**Conversion of garage to play room and erection of conservatory
to rear of 50 Standfast Place, Nerrols Farm, Taunton**

Conditions

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

Reason for granting planning permission:-

The proposed development would harm neither visual nor residential amenity, nor would it be damaging to the character of the main dwelling. Accordingly, the proposal did not conflict with Taunton Deane Local Plan Policies S1, S2, H17 and H18.

38/2006/274

Retention of two flats (1 No two bedroom and 1 No three bedroom) at 14 Greenway Road, Taunton

Conditions

- (a) Prior to the commencement of works on site, details of the proposed cycle racks incorporating no less than parking facilities for 4 cycles shall be submitted to, and approved in writing by, the Local Planning Authority. Such cycle parking shall be provided on the site prior to the occupation of the accommodation hereby permitted and shall thereafter be retained;
- (b) Prior to the commencement of works on site, details of the provision of external refuse storage shall be submitted to, and approved in writing by, the Local Planning Authority. Such facilities shall be provided on site prior to the occupation of the accommodation hereby permitted and shall thereafter be retained.

(Note to applicant:- Applicant was advised that permitted development rights would not be applicable to flats.)

Reason for granting planning permission:-

The proposed development would not give rise to any adverse impact on visual or residential amenity, or road safety and would not therefore conflict with Taunton Deane Local Plan Policies S1, S2, H2 and M4.

42/2006/017

Erection of dwelling at 7 Orchard Close, Trull

Conditions

- (a) C001A – time limit;
- (b) C101 – materials;
- (c) The area allocated for parking 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;
- (d) The proposed 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;

- (e) There shall be no obstruction to visibility greater than 600mm above adjoining road level in advance of a line drawn 2m back from the carriageway edge on the centre line of the access and extending to a point on the nearside carriageway edge 23m to the south of the access;
- (f) Such visibility shall be fully provided before works commence on the erection of the dwelling hereby permitted and shall thereafter be maintained at all times;
- (g) Any entrance gates erected shall be hung to open inwards;
- (h) 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;
- (i) C201 – landscaping;
- (j) All fenestration hereby permitted shall be recessed to match that of neighbouring bungalows;
- (k) P001A – no extensions;
- (l) P003 – no ancillary buildings;
- (m) P005 – no garages;
- (n) C215 – walls and fences;
- (o) The proposed access shall incorporate splays (with no obstruction to visibility greater than 600mm above adjoining road level) on both its sides to the rear of the existing footway based on the enclosed plan.

(Notes to applicant:- (1) Applicant was advised that the soakaways should be constructed in accordance with Building Research Digest 365 (September 1991); (2) N061A – Highways Act – Section 184 permit; (3) Applicant was advised to agree with Wessex Water prior to the commencement of any works on site, connections onto Wessex Water infrastructure.)

Reason for granting planning permission:-

The proposed development would not adversely affect visual amenity, residential amenity or road safety and therefore did not conflict with Taunton Deane Local Plan Policies S1, S2 and H2.

47/2006/008

Erection of conservatory at Ivy Cottage, West Hatch

Conditions

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

Reason for granting planning permission:-

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

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

41/2006/007

Erection of poultry building at Glebe Farm, Tolland, Phase 1 (revised application 41/2006/003)

Reason

The proposed development would constitute an undesirable intrusion into an attractive area of open countryside to the detriment of the visual amenities of the locality and character and appearance of the Brendons Landscape Character Area. As such, the proposal is contrary to Taunton Deane Local Plan Policies S1, S2, S7 and EN12.

Reason for refusing the application contrary to the recommendation of the Development Control Manager:-

The Committee felt that the proposal would harm the visual amenity and rural character of the area.

41/2006/008

Erection of poultry building at Glebe Farm, Tolland (Phase 2)

Reason

The proposed development would constitute an undesirable intrusion into an attractive area of open countryside to the detriment of the visual amenities of the locality and character and appearance of the Brendons Landscape Character Area. As such, the proposal is contrary to Taunton Deane Local Plan Policies S1, S2, S7 and EN12.

Reason for refusing the application contrary to the recommendation of the Development Control Manager:-

The Committee felt that the proposal would harm the visual amenity and rural character of the area.

46/2006/013

Erection of glazed canopy to rear courtyard and porch to entrance at The Stable House, Manley's House, West Buckland

Reason

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

Reason for refusing the application contrary to the recommendation of the Development Control Manager:-

The Committee felt that the proposed porch would have a detrimental impact on the appearance of the dwelling.

- (3) That the following application be **deferred** for the reason stated:-

19/2006/020

Demolition of garage and erection of new dwelling with attached garage, land adjacent to Ivy Cottage, Hatch Beauchamp

Reason

To enable a full flood assessment to be completed.

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

10/2006/017

Replacement stables and garages with ancillary accommodation on first floor at Hunters Lodge Barn, Churchinford

20/2006/017

Removal of conditions 05 and 06 of planning approval 20/2000/025 to permit the use of the building for warden accommodation, reception, office and storage in connection with holiday cabin development at Swallows Barn, Parsonage Lane, Kingston St Mary (revision 20/2006/010)

99. **Demolition of buildings, earthworks, highway construction, surface water and foul drainage, new services to serve residential and commercial development areas subject to further reserved matters applications (Phase 1) at Taunton Trading Estate, Norton Fitzwarren (25/2006/012)**

Reported this application.

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

- (1) Applicants attention is drawn to the conditions of planning permission No 25/2002/018 which must be complied with before development commences; (2) NO51B – health and safety; (3) NO61 – Highways Act – Road Opening Notice; (4) NO75 – Section 106 Agreement; (5) Applicant was advised that any oil storage facility of 200 litres or more must include a bund and comply with the Oil Storage Regulations (“The Control of Pollution (Oil Storage) (England) Regulations 2001”); (6) Applicant was advised that the use, handling or

storage of any hazardous substance should have regard to the Schedule to the Planning (Hazardous Substances) Regulations 1992;

(7) Applicant was advised that the Back Stream is a salmonid stream and therefore all works likely to impact on the watercourse channel must be undertaken outside the period when fish are spawning;

(8) Applicant was advised that an appropriate river corridor survey should be undertaken to establish the presence or otherwise of protected species;

(9) Applicant was advised that from a conservation perspective, the general arrangement for the new bridge in drawing AIP – 2 shows the course of the Back Stream realigned. As a result of fluvial processes, the stream will almost certainly revert to its natural course. The bridge structure, as it is piled, will not be threatened by the watercourse and therefore the Environment Agency does not consider it necessary to disturb the stream structure and ecology as proposed;

(10) Applicant was advised that where the culvert is being removed, the plans show proposed reinforcement of the banks with gabions. The Environment Agency is of the view that it should be possible to provide any necessary bank reinforcement with a softer solution, for example re-inforced earth. Such a solution would eventually allow the establishment of natural cover. This will provide natural reinforcement and ecological value unlike the gabions and have less requirement for long term maintenance/replacement;

(11) Applicant was advised of a number of pollution prevention measures recommended by the Environment Agency which should be adopted where applicable during construction.

Reason for approving detailed plans, if granted:-

The proposal was considered to be compatible with National and Local Planning Policies which encouraged sustainable, mixed use development on previously developed land and, in particular, the proposals met the requirements contained in Taunton Deane Local Plan Policies T4 – T7.

100. Erection of 11 No flats at 1 Victoria Street, Taunton (38/2006/237)

Reported this application.

RESOLVED that subject to:-

- (1) The receipt of no further representations raising new issues by 23 August 2006; and
- (2) The applicants entering into a Section 106 Agreement for the provision of off-site play 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) C101 – materials;
 - (c) C112 – details of guttering, down pipes and disposal of rainwater;

- (d) A sample brick panel indicating the mortar detailing shall be constructed on site and agreed in writing by the Local Planning Authority prior to any walls being erected and the building shall thereafter be constructed as per the panel details;
 - (e) Any meter boxes shall be provided internally to the building;
 - (f) The new windows 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;
 - (g) The windows hereby approved shall be of a vertical sliding sash design unless alterations are agreed in writing by the Local Planning Authority;
 - (h) The windows hereby permitted shall be recessed a minimum 80mm in the wall;
 - (i) Detailed proposals for the disposal of surface water 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;
 - (j) Details of secure cycle storage shall be submitted to, and agreed in writing by, the Local Planning Authority and the bin and cycle stores shall be provided prior to occupation of the flats;
 - (k) C911 – aerials – combined system.
- (Notes to applicant:- (1) N075 – Section 106 Agreement; (2) N111 - disabled access; (3) Applicant was recommended to agree with Wessex Water, prior to the commencement of any works on site, a connection onto Wessex Water infrastructure. The integrity of Wessex Water systems should also be protected and any arrangements for the protection of infrastructure crossing the site should be agreed prior to the commencement of works.)

Reason for planning permission, if granted:-

The proposal complied with Taunton Deane Local Plan Policies S1, S2, H2, M4 and C4 and material considerations did not indicate otherwise.

Also RESOLVED that should the Section 106 Agreement not be completed by 29 August 2006 the Development Control Manager, in consultation with the Chairman, be authorised to refuse planning permission due to the proposal being contrary to Taunton Deane Local Plan Policy C4 or to grant planning permission with an additional condition requiring the applicant to enter into a Section 106 Agreement prior to the commencement of development.

101. Erection of 36 (30 No two bed and 6 No three bed) affordable homes, 36 parking spaces and associated road works at land adjacent to Cobb Castle and Castle Cottages, Ham, Chelston (46/2006/006)

Reported this application.

RESOLVED that subject to:-

- (1) The views of the Secretary of State under the Departure Procedures;
- (2) The receipt of a satisfactory unilateral undertaking under Section 106 of the Town and Country Planning Act to ensure that the proposed dwellings would remain affordable and meet local housing needs in perpetuity; and
- (3) The receipt of a satisfactory wildlife survey, 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) C101 – materials;
- (c) C201 – landscaping;
- (d) C205 – hard landscaping;
- (e) C207A – existing trees to be retained;
- (f) C208E – protection of trees to be retained;
- (g) C208B – protection of trees – service trenches;
- (h) C209 – protection of hedges to be retained;
- (i) C210 – no felling or lopping;
- (j) C301 – highways – in accordance with the County Highway Authority’s booklet;
- (k) C302 – highways – roads, footpaths and turning spaces to be surfaced;
- (l) C324 – parking;
- (m) C416 – details of size, position and materials of meter boxes;
- (n) P005 – no garages;
- (o) P007 – no fencing in front of dwellings.

(Notes to applicant:- (1) N118 – disabled access; (2) N112 – energy conservation; (3) N115 – water conservation; (4) N113 – street names; (5) N114 – meter boxes; (6) N051B – health and safety; (7) N075 – Section 106 Agreement; (8) In line with Government policy, applicant was advised to contact Wessex Water to see if any of the on-site or off-site drainage systems could be adopted; (9) Applicant was advised that noise emissions from the site during the construction phase should be limited to the following hours if nuisance is likely at neighbouring premises:- Monday to Friday 0800 – 1800 hours; Saturdays 0800 – 1300 hours. At all other times, including public holidays, no noisy working.)

Reason for planning permission, if granted:-

Whilst not strictly in accordance with Taunton Deane Local Plan Policy H11, which required that exception affordable housing schemes should be either within or adjoining the identified limits of villages and rural centres, the site was immediately adjacent to existing residential areas, accessible to regular bus services and close to a well established business park. In view of this and the urgent need for affordable housing in the area, the proposal was considered to be acceptable.

102. **Retail sales and display of sheds and play equipment at the former poultry house, A38, Bathpool, Taunton**

Reported that an area of land in front of the former poultry house, adjacent to the A38 at Bathpool, Taunton was currently being used by Ashwood Timber Products and Activity Toys to display its products. Noted that various other works including the creation of a hard standing had also been undertaken on the site. The business had very recently relocated from Taunton Trading Estate at Norton Fitzwarren which was scheduled for re-development.

The owner of the business had been advised that the development which had taken place at Bathpool was a change of use that required planning permission.

To date no application had been received and the unauthorised use of the site continued.

Further reported that complaints had also been received about unauthorised banner signs and advertising material displayed at the site which required advertisement consent.

RESOLVED that:-

- (1) Enforcement action be taken to stop the unauthorised use of the land in front of the former poultry house, adjacent to the A38 at Bathpool, Taunton for the display of sheds and play equipment and retail sales; and
- (2) Subject to being satisfied with the evidence, the Solicitor to the Council institute legal proceedings should the enforcement notice not be complied with.

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

The Chairman reported that she had certified that the item covered by Minute No 104 below should be dealt with as an urgent matter.

104. **Redevelopment to provide 48 sheltered housing apartments for the elderly with community amenity space, car parking and access at 2 and 4 Compass Hill, Taunton (38/2005/422)**

Reported that this application had been refused by the Planning Committee at its meeting on 14 December 2005.

An appeal had been lodged which was due to be considered on 6 and 7 September at a public inquiry.

The application had originally been recommended for approval subject to a Section 106 Agreement to secure an off-site contribution towards affordable housing in the sum of £350,000.

Initially the appellants intended to deal with this contribution by way of a unilateral undertaking to be tabled at the inquiry. However, following discussions between the respective solicitors it had been agreed that a Section 106 Agreement would be preferable to secure this contribution if the appeal was successful.

RESOLVED that the Solicitor to the Council be authorised to enter into a Section 106 Agreement with the appellants to secure the payment of an off-site affordable housing contribution in the event that the appeal was successful.

(The meeting ended at 8.50 pm.)

05/2006/022

REDLAND HOUSING ASSOCIATION

ERECTION OF FOUR DWELLINGS WITH ASSOCIATED PARKING AND ACCESS AND REMOVAL OF CONDITION 14 (WHICH RELATES THE PERMISSION TO A NAMED HOUSING ASSOCIATION) FROM PLANNING PERMISSION REF. 05/2005/011, ON LAND ADJACENT TO 18 NORTHFIELDS, BISHOPS HULL

320968/124351

REMOVAL OF ONEROUS CONDITIONS

PROPOSAL

The development is for 4 dwellings with access road and associated parking on land adjacent to No 19 Northfields. Permission was granted at Committee on 20th April, 2005 for this development. One of the conditions made the development personal to Redland Housing Association. Thus should the housing association change its name/amalgamate with another Housing Association or otherwise change its name, the applicants would be in breach of the condition. The current application proposes to remove this condition and enter into a Section 106 agreement to have the permission related to a Registered Social Landlord.

CONSULTATIONS AND REPRESENTATIONS

HOUSING OFFICER supports.

1 LETTER OF OBJECTION has been received raising the following issues:-loss of light to existing dwelling on Wellington New road; and noise from the new dwellings.

OBJECTION FROM WARD COUNCILLOR until the legal issues are corrected regarding the illegal transfer of land from a Council Tenant's Secured Tenancy I would suggest the Council are not in a position to approve the application.

POLICY CONTEXT

Taunton Deane Local Plan Policies S1 General requirements, H9 Affordable Housing. There is a need to provide affordable type of housing on suitable sites. The previous application (05/2005/011) met the relevant policies.

ASSESSMENT

The site is within the developed area, and the details were acceptable to Committee as a housing site. The scope and detail of the housing development is not at issue and not subject to change. The issue is the naming of a particular Housing Association on the decision certificate. It is considered acceptable to delete this condition as the legal agreement will result in the assurance that the dwellings will be available as affordable dwellings in perpetuity.

RECOMMENDATION

Permission be GRANTED subject to a condition that the applicants enter into a Section 106 Agreement to ensure the site is owned by a Registered Social Landlord. Note re all conditions on 05/2005/011 still apply, apart from Condition 14.

REASON(S) FOR RECOMMENDATION:- The site is within the settlement limits of Taunton Deane Local Plan and is in accordance with Policies S1 and H9, and the removal of the previous condition 14 and replacement by an appropriately worded Section 106 Agreement to tie the dwellings to a registered social landlord is acceptable.

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

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

NOTES:

14/2006/025

MR J ROLLINGS

ERECTION OF SINGLE STOREY EXTENSION TO REAR AND SIDE OF DWELLING AND ERECTION OF PORCH TO FRONT OF 12 HEATHFIELD CLOSE, CREECH HEATHFIELD

327816/127066

FULL

PROPOSAL

The extension to the side replaces an existing temporary structure. The extension is designed with a flat roof and extends up to the adjacent boundary. Materials are stated on the plans as render/brick. The rear extension projects 4.0 m from the rear of the dwelling, measures 5.8 m in width and has a ridge height of 4.7 m. Materials are stated as bricks/concrete tiles to match the existing. The porch to the front of the dwelling is minimal in scale measuring 2.5 m in width and 1.1 m in depth.

The application is before Members as the Agent is a member of staff.

CONSULTATIONS AND REPRESENTATIONS

WESSEX WATER no objections. The developer should investigate the alternative methods for the disposal of surface water from the site. Surface water should not be discharged to the foul sewer.

DRAINAGE OFFICER: No objections.

PARISH COUNCIL support the proposal.

POLICY CONTEXT

Taunton Deane Local Plan Policies S1 - General Principles, S2 – Design, H17 – Extensions to dwellings.

ASSESSMENT

The proposed extensions are considered subservient in scale and design and due to their scale, design and siting will not cause harm to the amenity of adjacent dwellings or the street scene.

RECOMMENDATION

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

REASON(S) FOR RECOMMENDATION:- The scale and design of the extensions is considered to be acceptable and it is not thought that they will harm the

appearance of the street scene or neighbouring amenity. Therefore, the scheme accords with Taunton Deane Local Plan Policies S1, S2 and H17.

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

CONTACT OFFICER: 356468 MR M HICKS

NOTES:

20/2006/015LB

JOHN MICHAEL PAGE

INSTALLATION OF WINDOW, 4 THE CONIES, KINGSTON ST MARY

322034/129651

LISTED BUILDING CONSENT-WORKS

PROPOSAL

The proposal comprises the installation of a window in the west elevation of the property, which is listed. The proposed materials are a hardwood frame and obscure double-glazing.

CONSULTATIONS AND REPRESENTATIONS

PARISH COUNCIL no objections, the proposed window should be compatible with other windows in the vicinity. In addition to these comments the Parish Council said in view of the large number of assorted plastic and double glazed windows in the vicinity already, they do not consider that this window should be subject to such onerous conditions.

CONSERVATION OFFICER recommendation of refusal due to the following reasons (1) The location in which it is proposed to site this window (i.e. adjacent to a chimney breast) is atypical and will appear somewhat peculiar in terms of the character of the room. (2) It is proposed to install double-glazing, which is incompatible with, and harmful to the historic character of listed buildings. (3) Use of obscured glass will further draw attention to this alien feature. (4) The submitted window design lacks adequate detail. (5) I believe the scheme to which reference is made in the attached letter was superseded and is any case irrelevant to consideration of a window sited at another location within the property. (6) While I acknowledge the room is a little dark this can to some extent be explained by the ill judged placement of the extension. PPG15 3.13 highlights the cumulative impact indifferent alterations can have and is relevant here. I doubt that insertion of a window at this location will provide much extra light in any case. What I would point out is that consent appears to have been given to roof lights in the extension. Installation of these will make some difference to light levels within the room in question (though a non Velux brand cast conservation roof light would be ideal as the former contain plastic elements).

POLICY CONTEXT

The policies relevant to this application are Planning Policy Guidance 15.

Somerset & Exmoor National Park Joint Structure Plan Review Policy 9 (The Built Historic Environment).

Taunton Deane Local Plan Policies S1 (General Requirement), S2 (Design), EN16 (Listed Buildings) and EN17 (Changes to Listed Buildings).

ASSESSMENT

While other buildings that are unlisted in the vicinity may have an assortment of modern window types and materials, it is considered the design, situation and materials of the proposal do not compliment the listed building and are unsympathetic to the age, character and appearance of the building.

The aim of the proposal is to provide more light into the lounge and it is thought the insertion of a window in this location will not provide much extra light. Consent has previously been given for roof lights in the extension, which have not been installed, but would make a difference to light levels in the room in question.

RECOMMENDATION

Permission be REFUSED as the proposal will have a detrimental impact on the character and appearance of the listed building due to its situation, design and materials, which is contrary to Taunton Deane Local Plan Policy EN17.

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

CONTACT OFFICER: 356569 MISS C NUTE

NOTES:

24/2006/030

MR & MRS E ATKINS

**RETENTION OF COVERED LINK BETWEEN DWELLING AND GARAGE AT THE
OLDE CANAL BARN, WRANTAGE, TAUNTON**

330787/122503

RETENTION OF BUILDINGS/WORKS ETC.

PROPOSAL

The proposal is retrospective and seeks permission for the retention of a covered link between converted barn and dwelling. The proposal is a resubmission of application 24/2005/053, which was presented to Committee on 25th January, 2006, where it was resolved to refuse permission on the basis of loss of outlook and light to the neighbouring property (contrary to officer recommendation).

CONSULTATIONS AND REPRESENTATIONS

WESSEX WATER recommends notes.

POLICY CONTEXT

Policies S1, S2 and H17 of the Taunton Deane Local Plan seek to safeguard, inter alia, visual and residential amenity, road safety, and the character of buildings.

ASSESSMENT

The issues to be addressed are the impact on the integrity and character of the former barn buildings, and the impact on the neighbouring property, the Canal Inn. In respect of the first issue, namely design, the link building clearly has some impact, but given that the building is of a temporary nature insofar as the walls are constructed of timber, and given that it is not visible from public view, it is not considered that the character or integrity of the barns would be adversely affected.

With regard to the second issue, namely impact on residential amenity of the Canal Inn, only the ground floor windows to the lounge of the pub would be affected, and this only very marginally, and it is not considered justifiable to resist either on this basis, or in terms of loss of outlook which is not an issue normally addressed with planning applications. There has been no neighbour objections received to the current application.

RECOMMENDATION

Permission be APPROVED. Note re unauthorised building and drainage.

REASON(S) FOR RECOMMENDATION:- The development does not adversely affect the character of the buildings, or visual or residential amenity and therefore does not conflict with Taunton Deane Local Plan Policies S1, S2 or H17.

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

CONTACT OFFICER: 356465 MR J GRANT

NOTES:

38/2006/323

MR & MRS C WOOD

**ERECTION OF SINGLE STOREY EXTENSION AT 6 HUMBER GROVE,
TAUNTON**

324560/124296

FULL

PROPOSAL

Permission is sought to erect a single storey extension to form facilities for a disabled person. The extension will measure 2.8 m x 4.2 m and will be positioned on the side (west) elevation. The existing property is semi detached and is constructed of a buff coloured brick under a tiled roof. Materials will match the existing property. A 2 m high fence encloses the garden to the side and rear and there is planting to the front.

The application is before Members because the agent is a Council employee.

CONSULTATIONS AND REPRESENTATIONS

None received

POLICY CONTEXT

Taunton Deane Local Plan Policies S1 – General Requirements, S2 – Design, H17 - Extensions to dwellings.

ASSESSMENT

The single storey extension will be constructed of materials to match the existing property, is subservient and does not adversely affect neighbours and complies with policy H17.

RECOMMENDATION

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

REASON(S) FOR RECOMMENDATION:- The proposed single storey extension will have no material impact on neighbouring amenity and complies with 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:

42/2006/014

MR L JANES

ERECTION OF SINGLE STOREY EXTENSION TO WEST ELEVATION AND TWO STOREY EXTENSION TO NORTH ELEVATION AT FISHERMANS REST, SWEETHAY LANE, TRULL
320619/121336

FULL

PROPOSAL

The site consists of detached barn conversion measuring 7.8 m x 5.5 m, two storey with natural stone walls and slate roof. The existing door/window openings consist of doors to the front and rear elevation, one rooflight to the front, one rooflight to the rear, one ground floor and the first floor window in both side elevations.

The proposal is for a two storey extension to the side 3.5 m x 5 m and a single storey extension to the front 6.8 m x 3 m. The two storey element is almost the full height and width of the building and will have stone walls and render roof. The single storey element is to be built using the existing wall adjoining the barn and will be stone with a glass roof.

CONSULTATIONS AND REPRESENTATIONS

PARISH COUNCIL supports application.

1 LETTER OF REPRESENTATION has been received raising the following issues:- no objection but would like garage and workshop to be retained as such.

POLICY CONTEXT

Taunton Deane Local Plan Policies S1 General requirements, S2 Design, H7 Conversion of rural buildings, H17 extension to dwellings, SPG rural building conversions.

ASSESSMENT

The proposed extensions will significantly affect the appearance of the barn and result in the barn losing its intrinsic character and original shape. The simplicity of the original scale and form of the barn would be lost amongst this development. Although the dwelling is small there is garaging and storage in the large outbuilding within the curtilage. Although the single storey element will be built along the existing stone wall, and therefore not prominent from the road, it will still detract from the form and character of the dwelling.

RECOMMENDATION

Permission be REFUSED for the reason that the existing dwelling results from the conversion of a former agricultural building which it is in the policy of the Local

Planning Authority to retain without material alteration to its external appearance. The proposed extension would be detrimental to the architectural integrity and traditional character of the building in its rural setting and thereby contrary to Taunton Deane Local Plan Policies S1, Se and H17 and Taunton Deane Supplementary Planning Guidance on Rural Building Conversions.

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

CONTACT OFFICER: 356313 MRS F WADSLEY

NOTES:

44/2006/015

ALAN PARAMORE

RETENTION OF MANEGE & STABLES AT SOUTHEY FARM, WRANGWAY, WELLINGTON

312120/117709

RETENTION OF BUILDINGS/WORKS ETC

PROPOSAL

Permission is sought for the retention of a riding arena and stabling to the west of Southey Farm, near Wrangway. The manege measures 40.0 m x 20.0 m with the surface covered with graded sand and rubber chips. The manege is enclosed by a post and rail timber fence. No floodlighting is proposed.

In addition permission is sought for the retention of two blocks of stables sited on a concrete slab to the rear of the site. The stables feature softwood shiplap boarding painted dark green with profiled roof sheeting of the same colour.

The applicant states that the all weather riding arena was originally surfaced during the foot and mouth outbreak, where horses were confined to the farm area in 2000. The applicant also states that Southey Farm and the original stable block have been used for equestrian use for over a century.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY the roads leading to the site are substandard in both width and alignment and I would not wish to see a material increase in traffic. The application does not appear to seek regularisation or change of use to one of business/commercial use, only the retention of the ménage and stables. On this basis it was considered by the Highway Authority, that providing there would be no material increase in traffic movements, it would be unreasonable to raise a highway objection. If however, the business/commercial use of the stables is unauthorised then this would be of concern, as the Highway Authority has never had the opportunity to assess the likely traffic implications with such a use.

LANDSCAPE OFFICER no further landscaping required.

7 LETTERS OF OBJECTION have been received raising the following issues:- there are enough stables in the area; highway safety; roads blocked; number of horses kept commercially should be conditioned; the site is a commercial riding school; increase in horse droppings in the surrounding lanes; Southey's was wholly an agricultural unit until the early 1970's, not as stated; the riding arena was formally an orchard; roads not suitable for horse riding; site is located close to an area used previously (and remains listed) by RAF Chinooks for training exercises and as such a conflict of use; surface run off; unsightly development located in an Area of Outstanding Natural Beauty.

POLICY CONTEXT

RPG10 (Regional Planning Guidance for the South West), 2001.

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), Policy 3 (Areas of Outstanding Natural Beauty) and Policy 5 (Landscape Character)

Taunton Deane Local Plan Policies S1 (General Requirements), S2 (Design), S7 (Outside Settlements), C9 (Riding Establishments), EN10 (Area of Outstanding Natural Beauty) and EN12 (Landscape Character Areas).

ASSESSMENT

The pertinent issues with regards to the proposal relate to the visual impact on the rural character and appearance of the area, highway safety, amenity and assessment of the commercial element of the enterprise.

The site is located in open countryside and is designated as an Area of Outstanding Natural Beauty. As such special consideration should be given to preserving and enhancing the natural beauty of the Area. National guidance contained within 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.

It is considered that the ménage by reason of the existing dense boundary treatment around the site is well screened and not unduly prominent in the landscape. The stables themselves are tucked away to the rear (north) of the site and by reason of their size, timber cladding and low profile roof are considered to be acceptable without detriment to the visual amenity of the area. Moreover, the landscape officer is satisfied that no additional screening is required. The introduction of jumps/equestrian paraphernalia etc can be controlled by condition.

The applicant states that there is maximum space for twenty three horses on the site; however, a proportion of these are used for storage or tack rooms and the total in occupation for the stabling of horses is eighteen. Of these, eleven are privately owned by the applicant or applicant's family. Any future stables would require express planning consent.

One of the issues that arise from proposals for riding stables and riding arenas is the level of traffic generation and activity. The site is located off a minor road of limited width near the hamlet of Wrangway. The Highway Authority raises no objection subject to the proposal being for private use. However, the Highways Authority does not wish to see an intensification of traffic in this location. The use of the stables has been ongoing for the last six years with a mixture of private and commercial use. The applicant is not seeking a change of use to a commercial livery per se but would incorporate a percentage of horses for this use, in addition to the existing privately

owned horses stabled on site. It is considered that subject to conditioning the level of livery facilities on site and for the riding arena to be used solely by those horses stabled at the site the proposal would not intensify the existing level of traffic generation from the site.

It is considered by reason of the isolated position of the site and the existing separation distances to the nearest residential dwellings there would be no loss of amenity through noise or smell as a result of the proposal. Furthermore, there are appropriate powers to deal with such nuisance to local residents through the Environmental Health legislation. It should also be noted that the use has been in existence for six years without such problems being reported.

One of the objectors has raised the issue of the manege effectively stopping the RAF from landing in a nearby field and being of national importance. However, it is not considered that this could be substantiated as a reason to refuse the application. The field in question formed part of a private landing field for helicopters where farmers donate the use of a field for training purposes. However, there is no evidence put forward that the adjoining fields are required strategically. It would appear from evidence put forward by the applicant that following concerns from the local community the field has ceased been used for training activity at this time.

To conclude, it is recommended that for the reasons outlined in this report that permission be granted subject to the conditions attached below.

RECOMMENDATION

Permission be GRANTED subject to conditions of time limit, conditioning the use of the riding arena to those horses stabled on site and the number of horses stabled for livery purposes to not exceed fifty percent of the total number of horses kept on site, details for storage of jumps or related equipment to be submitted.

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, C9, EN10 and EN12 and Somerset & Exmoor National Park Joint Structure Plan Review Policies STR1, STR6, Policy 3 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

NOTES:

Taunton Deane Borough Council

Planning Committee – 6 September 2006

1. The following appeals have been lodged:-

Applicant	Date Application Considered	Proposal
Mr T. Klimpke (43/2006/018)	15/05/06	Demolition of buildings and erection of 1no. flat over new arch to existing business, 58 - 60 Mantle Street, Wellington
A. Kemp	-	Appeal against Enforcement Notice - Site at Higher House Farm, Helland Lane, Stoke St. Gregory
Glenmill Homes Ltd	-	Appeal against Enforcement Notice – Site at Maidenbrook Farmhouse, Cheddon Fitzpaine
Cardinal Developments Limited (10/2005/023)	18/01/06	Change of use, conversion and extension to form dwelling at The Pound House, Trents Farm, Churchinford
Christopher John Mogg (38/2006/016)	DD	Retention of raised decking area at 1 Trevett Road, Taunton

2. The following appeal decisions have been received: -

- (a) **Erection of a two storey extension at Yeomans, East Combe, Bishops Lydeard (06/2005/041)**

The main issue was the effect of the proposal on the special architectural and historic interest of the listed building.

The proposed extension would be a large and bulky structure, at right angles to the main building, which would dominate views of the rear of the building and have a harmful effect on the general linear arrangement. In addition it would partially remove and obscure much of the important lean-to structure.

The Inspector acknowledged that the vegetation around the perimeter prevented public views of the rear of the building, however this did not prevent or mitigate the significant harm to the special architectural and historic interest of the listed building.

He concluded that the proposal would not preserve the special architectural and historic interest of the listed building and would conflict with the aims and objectives of Local Plan Policies.

The appeal was dismissed.

(b) Erection of one detached dwelling with integral garage, extension to No.1 Piffin Lane and erection of garages for Nos 1 and 4 Piffin Lane, land adjacent to north side of Piffin Lane behind 1-4 Church Street, Bishops Lydeard (06/2005/033)

The main issue was the effect on the character and appearance of the surrounding area, including the Conservation Area.

In principle, a dwelling continuing the frontage development would be appropriate for this location. However, the proposal would be considerably forward of the general line of building on this side of the road and would be unacceptably dominant in views from Church Street.

The adjacent cottage had a particularly small scale created by its overall size and window level and the low ridge and eaves height of the proposal attempted to reflect the scale of this cottage. However, the Inspector felt the window arrangement would be a dominant feature and the substantial difference in levels between the windows of the cottage and proposed new dwelling would be stark.

The church was an important feature of the village and the current views to it would be obscured by the proposal, but the Inspector considered the impact of this change on the Conservation Area as a whole would be limited and important views of the church from elsewhere would be unaffected.

The proposal would increase the amount of vehicles using Piffin Lane, but the Inspector did not consider that it would be enough to affect highway safety or disrupt use of the lane.

Overall he considered that the proposal would not preserve or enhance the character or appearance of the conservation of the area as a whole.

The appeal was dismissed.

(c) Display of illuminated fascia sign at 42 Bridge Street, Taunton (38/2006/046A)

The main issue was the visual impact of the fascia sign on the premises and within the surroundings.

The appeal frontage had been modernised, with a low height shop front being installed. The appeal fascia, was considerably below the level of the retained fascia panel. It was also considerably deep, which made it look awkwardly sited and top heavy on the frontage. This was emphasised by its bold colour scheme and protruding spotlights.

The Inspector accepted that the premises were not within a designated Conservation Area and that there was a wide variety of signs in the vicinity. However, for the most part these seemed to relate acceptably in terms and size and position on the frontages. He considered that the appeal sign stood out with undue assertiveness within the surroundings and concluded that the display of the appeal sign was detrimental to the interests of amenity.

The appeal was dismissed.

(d) Retention of a boundary fence at 1 Burch's Close, Comeytrowe (52/2005/033)

The appeal concerned a 1.2m high fence, which had already been erected along part of the eastern boundary of the residential property.

The Inspector noted that the existing houses had small open plan front gardens which provided a soft landscaped setting. He was, therefore, concerned that the fence represented a form of hard landscaping, which would erode the spacious character of the front garden and detract from the pleasant open character of the area.

He felt that approval of this proposal would establish a damaging precedent and make it difficult to resist proposals for similar enclosures at nearby properties, which would cause a significant cumulative harm to the character and appearance of the area.

The Inspector acknowledged the fact that in some instances the front gardens were partially enclosed by shrubs and other plants, however this did not have the same effect as a solid means of enclosure. The appellant argued that the fence was necessary to improve the security of the garden and prevented littering, however the Inspector felt a hedge of an appropriate type and density would achieve the same effect.

The appeal was dismissed.

**(e) Formation of access and driveway to 2 and 3 Burnshill Terrace,
Norton Fitzwarren (25/2005/033)**

The appellant argued that the proposal would remove a number of parked vehicles from the highway, which could be regarded as a benefit. However, the site was situated on a long sweeping bend in the road and the Inspector noted that visibility was impeded in both directions, by the presence of the parked vehicles. As there were no restrictions to prevent vehicles from parking in the road, the benefit of removing one or two parking vehicles was far outweighed by allowing an additional access on a road where visibility might be restricted at any time, in either or both directions.

The Inspector was also concerned that there was insufficient space for a vehicle to turn on the frontage of the site. Although a turning space could be provided in the rear garden, the drive to it would be a considerable, narrow length such that vehicles would not be able to pass each other. Vehicles might therefore need to reverse onto the highway if two vehicles met on the driveway, or if access to the rear was obstructed by another parked car.

The Inspector acknowledged that other properties had vehicular access onto the B3227, but this was not a reason to allow the appeal which would perpetuate and exacerbate a potentially hazardous situation.

The appeal was dismissed.

Contact Officer: Richard Bryant Telephone 01823 356414 or
e-mail r.bryant@tauntondeane.gov.uk