



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 22ND NOVEMBER 2006 AT 17:00.

(RESERVE DATE : THURSDAY 23RD NOVEMBER 2006 AT 17:00)

AGENDA

1. Apologies.
2. Minutes of the meeting of the Committee held on 1 November 2006 (TO FOLLOW).
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 LYDEARD - 06/2006/051
ERECTION OF ONE DETACHED DWELLING WITH INTEGRAL DOUBLE GARAGE AND EXTENSION TO EXISTING COTTAGE WITH DETACHED DOUBLE GARAGE AND LANDSCAPE GARDENS, LAND ADJACENT TO NORTH SIDE OF PIFFENS LANE, BEHIND 1 - 4 CHURCH STREET, BISHOPS LYDEARD
6. NYNEHEAD - 26/2006/005
CHANGE OF USE OF BARNS TO COMMERCIAL USE (B1, B2 AND B8) AND FORMATION OF HARDCORE PARKING AREA, POOLE FARM, NYNEHEAD
7. NYNEHEAD - 26/2006/012
SITING OF TEMPORARY AGRICULTURAL WORKERS DWELLING, GRANGE FARM, NYNEHEAD AS AMENDED BY
8. OAKE - 27/2006/019
SITING OF ONE MOBILE HOME AND ONE TOURING CARAVAN FOR SINGLE GYPSY FAMILY AND ERECTION OF STABLES, LAND TO EAST OF KNAPP FARM (OS PARCEL 6769), HILLFARRANCE
9. PITMINSTER - 30/2006/043
RETENTION OF USE OF LAND AS GARDEN WITH TIMBER SHEDS TO REAR OF FLINTSTONES AND GLENGARRY, BLAGDON HILL
10. RUISHTON - 31/2006/020
ERECTION OF TWO STOREY EXTENSION TO PROVIDE 24 ADDITIONAL BEDS AND ERECTION OF 20 CLOSE CARE HOMES AT RUISHTON COURT NURSING HOME, HENLADE, RUISHTON (AMENDED DESCRIPTION)

11. RUISHTON - 31/2006/021LB
ERECTION OF TWO STOREY EXTENSION TO PROVIDE 24
ADDITIONAL BEDS AT RUISHTON COURT NURSING HOME,
RUISHTON (AMENDED DESCRIPTION).
12. STAPLEGROVE - 34/2006/029
ERECTION OF NEW BOUNDARY FENCE AT 10 RHODES CLOSE,
TAUNTON
13. TAUNTON - 38/2006/360
ERECTION OF TWO FLATS ON LAND ADJOINING 29 CRANMER
ROAD, TAUNTON
14. TAUNTON - 38/2006/419
ERECTION OF DETACHED DWELLING AT 120 NORMANDY DRIVE,
TAUNTON
15. TAUNTON - 38/2006/434
ERECTION OF DWELLING ON LAND TO REAR OF 16 STATION
ROAD, TAUNTON (REVISED SCHEME)
16. TAUNTON - 38/2006/450
PROPOSED RESIDENTIAL DEVELOPMENT OF ERECTION OF 5
TOWN HOUSES INCLUDING PARTIAL DEMOLITION OF BUILDING
AND CONVERSION BACK TO SINGLE DWELLING AT
WOODSTOCK HOUSE, 91 STAPLEGROVE ROAD, TAUNTON A
17. TAUNTON - 38/2006/476
ERECTION OF TWO STOREY BUILDING TO FORM ONCOLOGY
CENTRE AND ASSOCIATED PARKING AT MUSGROVE PARK
HOSPITAL, TAUNTON (REVISED SCHEME)
18. TRULL - 42/2006/037
ERECTION OF TWO STOREY EXTENSION TO FORM GRANNY
ANNEXE AND GARAGE AT FARTHING COTTAGE, COMEYTROWE
LANE, TRULL
19. WELLINGTON - 43/2006/112
DEMOLITION OF CAR SHOWROOM AND FIRST FLOOR FLAT AND
FORMATION OF ACCESS ROAD AND RESIDENTIAL
DEVELOPMENT CONSISTING OF 6 NO. FLATS AND 7 NO.
DWELLINGS, 58 - 60 MANTLE STREET, WELLINGTON AS
AMENDED BY LETTER DATED 30TH OCTOBER, 2006 WITH
ACCOMPANYING DRAWING NOS. 0434/29E, 35A, 36C AND 38B
AND BAT SURVEY AND FURTHER AMENDED BY LETTER DATED
6TH NOVEMBER, 2006 WITH ACCOMPANYING DRAWING NOS.
0434/34A, 37D AND PATTERN OF DEVELOPMENT PLAN
20. WELLINGTON - 43/2006/113CA
DEMOLITION OF CAR SHOWROOM AND FIRST FLOOR FLAT AND
2 NO WORKSHOPS TO THE REAR, 58-60 MANTLE STREET,
WELLINGTON AS AMENDED BY LETTER DATED 30TH OCTOBER,
2006 WITH ACCOMPANYING DRAWING NOS. 0434/29E, 35A, 36C
AND 38B AND BAT SURVEY AND FURTHER AMENDED BY

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:



Tel: 01823 356410
Fax: 01823 356329
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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 – 1 November 2006

Present:- Councillor Mrs Marcia Hill (Vice-Chairman) (In the Chair)
Councillors Mrs Allgrove, Bowrah, Miss Cavill, Croad, Denington,
Henley, Hindley, House, Phillips, Mrs Smith, Stuart-Thorn and
Wedderkopp

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

Also present:- Councillor Bishop

(The meeting commenced at 5.00 pm.)

128. Apologies

The Chairman (Councillor Mrs Marie Hill) and Councillors Floyd, Guerrier,
C Hill and Lisgo.

129. Minutes

The minutes of the meetings held on 27 September and 2 October 2006 and
on 11 October 2006 were taken as read and were signed.

130. Declarations of Interest

Councillor Stuart-Thorn declared a personal interest in Agenda Item No 19,
application No 46/2006/022, and left the meeting during consideration of this
item.

131. 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:-

09/2006/007

Erection of agricultural livestock building at Hele Vale Farm, Waterrow

Conditions

- (a) C001A – time limit;
- (b) C101 – materials;
- (c) C201 – landscaping;
- (d) Prior to the commencement of the building hereby approved, the proposed earthwork levels shall be inspected on site and agreed in writing by the Local Planning Authority.

(Note to applicant:- Applicant was advised that there appears to be planting adjacent to the footpath. The applicant will be responsible for ensuring that the vegetation is kept back from the footpath and that it is free from obstruction at all times.)

Reason for granting planning permission:-

The proposal was considered not to have a detrimental impact upon visual amenity, residential amenity or the landscape character of the area and was therefore considered acceptable and, accordingly, did not conflict with Taunton Deane Local Plan Policies S1, S2, S7 and EN12.

09/2006/008

Retention of temporary agricultural worker's dwelling at Hele Vale Farm, Waterrow (Resubmission of 09/2005/006)

Conditions

- (a) The caravan hereby permitted shall be removed and the land restored to its former condition on or before 1 November 2009;
- (b) C102A - materials;
- (c) C201 – landscaping;
- (d) C401 – agricultural tying condition;
- (e) The proposed access over the first 8m 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;
- (f) Plans showing a parking area providing for two vehicles shall be submitted to, and approved in writing by, the Local Planning Authority, before the development is commenced. This area shall be properly surfaced and drained before the use commences or the building is occupied and shall not be used other than for the parking of vehicles in connection with the development hereby permitted;
- (g) Prior to the commencement of the building hereby approved, the proposed earthwork levels shall be inspected on site and agreed in writing by the Local Planning Authority.

(Notes to applicant:- (1) Applicant was advised that there appears to be planting adjacent to the footpath. The applicant will be responsible for ensuring that the vegetation is kept back from the footpath and that it is free from obstruction at all times; (2) Applicant was advised that the mobile home currently on the holding should be moved to the approved position as early as possible to avoid enforcement action being instigated by the Local Planning Authority.)

Reason for granting planning permission:-

The proposed mobile home for an agricultural worker had a proven functional need in connection with a viable business and, as such, provided suitable justification for its location outside the limits of a settlement. The proposal was considered not to have a detrimental impact upon visual amenity, residential amenity or the landscape character of the area. The scheme therefore accorded with Taunton Deane Local Plan Policies S1, S2, S7, H12, EN12 and M4.

20/2006/026

Conversion of building into two units for holiday lets and removal of conditions 05 and 06 of planning permission 20/2000/025, Swallows Barn, Parsonage Lane, Kingston St Mary

Conditions

- (a) C001A – time limit;
- (b) The external surfaces of the development hereby permitted shall be of materials as indicated in the application form, as amended by email dated 23 October 2006, and no other materials shall be used without the written consent of the Local Planning Authority;
- (c) C413 – restriction of occupation for holiday lets in permanent buildings;
- (d) P001A – no extensions;
- (e) P003 – no ancillary buildings;
- (f) P006 – no fencing;
- (g) Conditions 05 and 06 of planning permission 20/2000/025 shall only be considered to be removed in the event that the building is occupied as holiday lets and does not revert to office use.
(Notes to applicant:- (1) N111 – disabled access; (2) N112 – energy conservation; (3) N115 – water conservation.)

Reason for granting planning permission:-

The building was adequately screened and the proposal was not considered to be harmful to the landscape and had good access to the highway network. In addition, the visual and residential amenity of the area would not be detrimentally affected and therefore the proposal was compliant with Taunton Deane Local Plan Policies S1, S7 and EC6.

23/2006/029CA**Demolition of garages at Queensmead, Silver Street, Milverton****Condition**

C002C – time limit – conservation area.

Reason for granting conservation area consent:-

It was considered that the part demolition of the building and its replacement building would preserve or enhance the wider conservation area and, as such, the proposal complied with Taunton Deane Local Plan Policies S1, S2, EN14 and EN15 and Somerset and Exmoor National Park Joint Structure Plan Review Policy 9 and guidance with Planning Policy Guidance Note No 15.

31/2006/022**Erection of detached two-storey 20 bedroom block at land west of Premier Travel Inn (Ruishton Lodge), Ruishton Lane, Ruishton****Conditions**

- (a) C001A – time limit;
- (b) C101 – materials;
- (c) C201 – landscaping;
- (d) C208 – protection of trees to be retained;
- (e) The area allocated for parking on the submitted plan, shall be property consolidated, surfaced, drained and marked out before the use commences or the building hereby permitted is occupied and shall not be used other than for the parking of vehicles in connection with the hotel business within the red line on the location plan.

(Notes to applicant:- (1) With regard to condition (c), applicant was advised that details of improvement to the western boundary screening should be submitted. Also there would appear to be scope for further specimen tree planting; (2) Applicant was advised that surface water should be kept separate from foul drainage. If soakaways are proposed, these should not interfere with tree roots.)

Reason for granting planning permission:-

The principle of expanding an existing business use outside defined settlement limits was considered acceptable and was considered not to have a detrimental impact upon visual amenity, residential amenity or the landscape character of the area and was therefore considered acceptable and, accordingly, did not conflict with Taunton Deane Local Plan Policies S1, S2, M4, EN6, EN12 and EC2.

34/2006/014

Erection of two new semi-detached dwellings at land between 17 and 21 Cresswell Avenue, Taunton

Conditions

- (a) C001A – time limit;
- (b) C101 – materials;
- (c) C201 – landscaping;
- (d) C215 – walls and fences;
- (e) Plans showing a parking area providing for two vehicles shall be submitted to, and approved in writing by, the Local Planning Authority before the development is commenced. This area shall be properly consolidated, surfaced and drained before the use commences or the building(s) are occupied and shall not be used other than for the parking of vehicles in connection with the development hereby permitted;
- (f) 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;
- (g) The access, hereby permitted, shall not be brought into use until drop kerbs have been installed at the carriageway edge and a vehicle crossover constructed across the footway fronting the site, for the width of the access;
- (h) Before the development hereby permitted is occupied, unobstructed visibility shall be provided above a height of 300 mm from adjoining carriageway level across the full site frontage for a depth of 3m measured from the nearside edge of the adjoining carriageway. Such visibility shall thereafter be maintained to the satisfaction of the Local Planning Authority;
- (i) The recommendations of the survey for Protected Wildlife Species, dated April 2006, shall be carried out prior to the completion of the development hereby approved to the satisfaction of the Local Planning Authority. Any variation to the recommendations shall be agreed, and approved in writing by, the Local Planning Authority;
- (j) Work shall not commence until details of a strategy for the protection of the badgers and their habitat within the development 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;
- (k) No site clearance works or development (or specified operations) shall take place between 1 March and 31 July without the prior written approval of the Local Planning Authority;
- (l) P001A – no extensions;
- (m) P003 – no ancillary buildings;
- (n) The proposed first floor windows on the east and west elevations shall be glazed with obscure glazing and fitted with restricted openers in accordance with details to be submitted to,

and approved in writing by, the Local Planning Authority which shall thereafter be maintained.

(Note to applicant:- Applicant was advised that the consent of the County Highways Authority may be required to connect into the highway and/or to lower the kerb.)

Reason for granting planning permission:-

The proposal, for residential development, was located within defined settlement limits where new housing was encouraged and the development would not have a detrimental impact upon visual or residential amenity and would not detrimentally harm protected trees or wildlife species. Therefore, the scheme accorded with Taunton Deane Local Plan Policies S1, S2, H2, EN5, EN6 and M4.

38/2006/382

Erection of a detached dwelling and double garage on land south-west of Savery Row, Taunton

Conditions

- (a) C001A – time limit;
- (b) C101 – materials;
- (c) The windows hereby approved shall be timber only and recessed a minimum 80mm from the front wall unless otherwise agreed in writing by the Local Planning Authority;
- (d) C215 – walls and fences;
- (e) C206A – existing and proposed levels;
- (f) 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;
- (g) The forecourt turning area, shown on the submitted plan, shall be properly consolidated and surfaced prior to completion and kept clear of obstruction at all times, with no gates or obstruction erected at any time. The turning area shall be kept clear during construction for the turning of vehicles;
- (h) The treatment of the parking area shall be of permeable construction unless otherwise agreed in writing by the Local Planning Authority;
- (i) The first floor windows in the south-west and north-east elevations shall be glazed with obscure glass which shall thereafter be retained. There shall be no alteration or additional windows in the these elevations without the prior written consent of the Local Planning Authority;
- (j) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order without modification), no windows/dormer windows (other than those expressly authorised by this planning permission) shall be constructed on any elevation;

- (k) P001A – no extensions;
- (l) C203 – landscaping;
- (m) C927 – remediation investigation/certificate;
- (n) C208E – protection of trees to be retained;
- (o) No construction work shall be carried out on the site other than between 0800-1800 hours Mondays to Fridays and 0800-1300 hours on Saturdays;
- (p) No site clearance works or development (or specified operations) shall take place between April or September without the prior written approval of the Local Planning Authority.
(Notes to Applicant:- (1) N126 – ground contamination; (2) N040A – drainage/water; (3) N114 – meter boxes.)

Reason for granting planning permission:-

The proposal was considered to be the suitable reuse of a brown field site and to be in compliance with Taunton Deane Local Plan Policies S1, S2 and H2 and material considerations did not indicate otherwise.

38/2006/388T

Application to carry out management work to one Elder tree, the subject of a Tree Preservation Order on land between Savery Row and Holland Mews, Taunton

Conditions

- (a) C019 – time limit - trees;
- (b) Work shall be carried out in accordance with British Standard BS3998:1989.
(Note to applicant:- Applicant was advised that all British birds, their nests and eggs are protected under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and, if discovered, must not be disturbed.)

42/2006/034

Erection of entrance canopy to front elevation of Menevia, 7 Patricks Way, Staplehay

Conditions

- (a) C001A – time limit;
- (b) C102 – materials;

Reason for granting planning permission-

The proposed porch would have no material impact on neighbours or the street scene and complied with Taunton Deane Local Plan Policy H17.

46/2006/022

Erection of porch, The Stable House, Manleys Farm, West Buckland

Conditions

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

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.

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

332006/002

Erection of six units of holiday let accommodation and associated stabling on land adjacent to the Greyhound Inn, Staple Fitzpaine

Reasons

- (a) The proposed development would constitute a new build proposal in the countryside outside settlement limits, contrary to Taunton Deane Local Plan Policies S7, EC23 and EC7(C) and Somerset and Exmoor National Park Joint Structure Plan Review Policy STR6;
- (b) The proposal would adversely affect the openness and character of the conservation area to the rear of the listed building contrary to Taunton Deane Local Plan Policies EN14 and EN16 and Somerset and Exmoor National Park Joint Structure Plan Review Policy 9;
- (c) The increased use of the existing substandard access, which does not incorporate the necessary visibility splays, such as would result from the proposed development would be prejudicial to road safety. As a consequence, the proposed development would be contrary to Somerset and Exmoor National Park Joint Structure Plan Review Policy 49.

- 132. **Erection of dwelling and double garage on land to the side of 8 Fairfield Terrace, Milverton (Revised Scheme of 23/2005/026) (23/2006/031)**

Reported this application.

RESOLVED that subject to the receipt of no adverse views from the County Highways Authority, 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) C102 – materials;
- (c) C111 – materials – for drives;
- (d) 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 the development. The agreed details shall be fully implemented before the building is occupied;
- (e) The area allocated for parking and turning to the front and rear on the attached plan, shall be kept clear of obstruction and shall not be used other than for the parking and turning of vehicles in connection with 8 Fairfield Terrace and the development hereby permitted;
- (f) The dwelling hereby permitted shall not be occupied until the access, parking and turning area on the attached plan is properly consolidated and surfaced to the satisfaction of the Local Planning Authority. Such access, parking and turning space shall be kept free from obstruction at all times;
- (g) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order), the use of the garages hereby permitted shall be limited to the parking of vehicles only and shall not be used for any other purpose whatsoever;
- (h) The windows on the west and east elevations shall be glazed with obscure glass which shall thereafter be retained. There shall be no alteration or additional windows in these elevations without the prior written consent of the Local Planning Authority.

(Notes to applicant:- (1) N024 – development in accordance with approved plans; (2) N040A – drainage/water; (3) N118A – disabled access; (4) N112 – energy conservation; (5) N115 – water conservation; (6) N114 – meter boxes; (7) Applicant was advised to contact Wessex Water prior to the commencement of any works to agree connection points onto the Wessex Water system; (8) Prior to the commencement of works, applicant was advised to contact Wessex Water regarding the necessary easement and protection measures to its public surface water sewer; (9) Applicant was advised that the footpath to the side of your property is a public right of way and should not be obstructed at any time during the construction phase; (10) Applicant was advised that any building to be undertaken, on or over the footpath, may require permission from Somerset County Council's Rights of Way Officer.)

Reason for planning permission, if granted:-

The proposal was considered to be acceptable having regard to the location within the settlement limits and it would have no adverse affects on the amenities of neighbouring properties. It was therefore considered to accord with Taunton Deane Local Plan Policies S1, S2 and H2.

133. **Erection of five detached dwellings and three low cost ownership dwellings and access at land off White Street, North Curry (24/2006/040)**

Reported this application.

RESOLVED that subject to:-

- (1) the views of the Secretary of State under the Departure Procedures; and
- (2) the applicants entering into a Section 106 Agreement in respect of the following:-
 - (i) the provision of affordable housing;
 - (ii) the timing of the provision of affordable housing in relation to the provision of the market housing;
 - (ii) the timing of the provision of recreational facilities; and
 - (iv) the provision of satisfactory access proposals,

the Development Control Officer be authorised to determine the application in consultation with the Chairman and, if outline planning permission was granted, the following conditions be imposed:-

- (a) C005 – outline – reserved matters;
- (b) C009 – outline – time limit;
- (c) C014 – time limit;
- (d) C013 – site levels;
- (e) C010 – drainage;
- (f) C101 – materials;
- (g) C111 – materials – for drives and courtyards;
- (h) C112 – details of guttering, downpipes and disposal of rainwater;
- (i) C416 – details of size, position and materials of meter boxes;
- (j)
 - (i) Before any part of the permitted development is commenced, a landscaping scheme which shall include details of the species, siting, numbers to be planted, details of the existing hedgerow and any necessary reinforcement planting shall be submitted to, and approved in writing by, the Local Planning Authority;
 - (ii) The scheme shall be completely carried out within the first available planting season from the date of commencement of the development, or as otherwise extended with the agreement in writing of the Local Planning Authority;
 - (iii) For a period of five years after the completion of the planting scheme, the trees and shrubs shall be protected and maintained in a healthy, weed free condition to the satisfaction of the Local Planning Authority and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of similar size and species,

or the appropriate trees or shrubs as may be approved in writing by the Local Planning Authority;

- (k) C207A – existing trees to be retained;
- (l) C208E – protection of trees to be retained;
- (m) C208B – protection of trees – no service trenches;
- (n) The existing hedges, other than those internal hedges shown on the illustrative plan, on all the boundaries of the site shall be retained (except at the point of access), to the satisfaction of the Local Planning Authority;
- (o) C209 – protection of hedges to be retained;
- (p) C215 – walls and fences;
- (q) C224 – children’s play area;
- (r) Prior to the commencement of works on site, a full wildlife survey shall be undertaken following the appropriate, standard protocol for the species by a qualified environmental consultant and a report submitted to, and approved in writing by, the Local Planning Authority. The survey and report shall include an identification of species present, an impact assessment and mitigation/avoidance measures in order to safeguard protected species in accordance with the law;
- (s) 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;
- (t) Prior to the felling of, or works to, any of the trees on the boundary of White Street, all the trees shall be surveyed by a licensed bat ecologist for the presence of bats and a written report of the findings and, if appropriate, mitigation measures that may be necessary for any bats shall be submitted to, and approved in writing by, the Local Planning Authority. All agreed mitigation works shall be undertaken in full compliance with the agreed details;
- (u) Development shall not commence until details of a scheme for the retention of Swallows/Swifts/House Martin nesting sites (or the provision of new nesting sites) 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 March 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;
- (v) C323 – parking;
- (w) C326 – garage – domestic use only;
- (x) C331 – provision of cycle parking;
- (y) P001A – no extensions;
- (z) P003 – no ancillary buildings;

- (aa) P006 – no fencing.
(Notes to applicant:- (1) With regard to Condition (p), applicant was reminded that particular care will need to be taken when proposing a boundary treatment with Thatchers (a Grade II listed building) in order to protect and maintain its setting; (2) Applicant was advised that protected species such as bats, badgers, dormice, nesting birds and amphibians may be present on the site and you are reminded that it is an offence to disturb, remove or harm these and their habitats at any time. In the event that any of these are seen on the site you are advised to contact Natural England for further advice immediately; (3) N110 – design; (4) N100 – design; (5) N111 – disabled access; (6) N112 – energy conservation; (7) N114 – meter boxes; (8) N116 – disabled access; (9) N117 – crime prevention; (10) N115 – water conservation.)

Reason for outline planning permission, if granted:-

Notwithstanding the location of the site outside the development limits of North Curry, the need for both low cost housing and additional recreational facilities for the village was such as to warrant permission being granted.

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

The Committee recognised the need for both low cost housing and additional recreational facilities in the village of North Curry and, in the exceptional circumstances that existed, decided to grant permission.

134. **Change of use of agricultural land to recreational use at land off White Street and Stoke Road, North Curry (24/2006/041)**

Reported this application.

RESOLVED that subject to the applicants entering into a Section 106 Agreement to provide for a satisfactory access to the recreational facilities, the Development Control Manager would be authorised to determine the application in consultation with the Chairman and, if outline planning permission was granted, the following conditions be imposed:-

- (a) C005 – outline – reserved matters;
- (b) C009 – outline – time limit;
- (c) C014 – time limit;
- (d) C013 – site levels;
- (e) C010 – drainage;
- (f) C101 – materials;
- (g) (i) Before any part of the permitted development is commenced, a landscaping scheme, which shall include details of the species, siting, numbers to be planted, details of the existing hedgerow and any necessary reinforcement planting shall be submitted to, and approved in writing by, the Local Planning Authority;
- (ii) The scheme shall be completely carried out within the first available planting season from the date of commencement of

- the development or as otherwise extended with the agreement in writing of the Local Planning Authority;
- (iii) For a period of five years after the completion of the planting scheme, the trees and shrubs shall be protected and maintained in a healthy, weed free condition to the satisfaction of the Local Planning Authority and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of similar size and species, or the appropriate trees or shrubs as may be approved in writing by the Local Planning Authority;
 - (h) C207A – existing trees to be retained;
 - (i) C208E – protection of trees to be retained;
 - (j) C208B – protection of trees – no service trenches;
 - (k) The existing hedges, other than those internal hedges shown on the illustrative plan, on all the other boundaries of the site shall be retained (except at the point of access) to the satisfaction of the Local Planning Authority;
 - (l) C209 – protection of hedges to be retained;
 - (m) C215 – walls and fences;
 - (n) C224 – children’s play area;
 - (o) Prior to the commencement of works on site, a full wildlife survey shall be undertaken following the appropriate, standard protocol for the species by a qualified environmental consultant and a report submitted to, and approved in writing by, the Local Planning Authority. The survey and report shall include an identification of species present, an impact assessment and mitigation/avoidance measures in order to safeguard protected species in accordance with the law;
 - (p) Prior to the commencement of works on the provision of the tennis courts, the Badger sett entrances indicated on the submitted wildlife survey shall be monitored for reoccupation. In some areas, where the site is overgrown, undergrowth shall be cut back by hand carefully between mid August and 30 November and, if any holes are found, works shall cease immediately and Natural England and Michael Woods Associates informed. A full report of the monitoring and site investigation shall be submitted to, and approved in writing by, the Local Planning Authority;
 - (q) 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;
 - (r) Prior to the felling of, or works to, any of the trees on the boundary of White Street, all the trees shall be surveyed by a licensed bat ecologist for the presence of bats and a written report of the findings and, if appropriate, mitigation measures that may be necessary for any bats shall be submitted to, and approved in writing by, the Local Planning

- Authority. All agreed mitigation works shall be undertaken in full compliance with the agreed details;
- (s) No removal works to the existing hedgerows or trees shall take place between 1 March and 31 August without the prior written approval of the Local Planning Authority ;
 - (t) Prior to the commencement of works on site, full details of a road to the recreation field, turning area to serve the recreation area and adjacent housing development and parking area for the recreation field use shall be submitted to, and approved in writing by, the Local Planning Authority;
 - (u) C331 – provision of cycle parking;
 - (v) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order), there shall be no artificial lighting of the application site or part thereof unless an application for planning permission in that behalf is first submitted to, and approved in writing by, the Local Planning Authority.
- (Notes to applicant:- (1) Applicant was advised that in order to minimise the impact of the proposal on the wider landscape the Local Planning Authority considers that the tennis courts should be located closer to the changing rooms as indicated on your illustrative scheme; (2) Applicant was advised that the sports facilities should meet the relevant standards in terms of their size and layout. The football pitch should be drained and levelled and the Sports Turf Institute consulted prior to any work starting on the site. The changing room/store room must meet the standards laid down by the Football Foundation. Access to the tennis courts must be via a hardsurfaced pathway and the courts must be laid out to the Lawn Tennis Association standards for hard courts; (3) Applicant was advised that protected species such as bats, badgers, dormice, nesting birds and amphibians may be present on the site and you are reminded that it is an offence to disturb, remove or harm these and their habitats at any time. In the event that any of these are seen on the site you are advised to contact Natural England for further advice immediately; (4) N110 – design; (5) N100 – design; (6) N111 – disabled access; (7) N112 – energy conservation; (8) N114 – meter boxes; (9) N116 – disabled access; (10) N117 –crime prevention; (11) N115 – water conservation.)

Reason for outline planning permission, if granted:-

The need for additional recreational facilities for the village of North Curry was such as to warrant permission being granted.

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

The Committee recognised the need for additional recreational facilities in the village of North Curry and, in the exceptional circumstances that existed, decided to grant permission.

135. **Redevelopment comprising erection of 21 houses, conversion of listed building to two dwellings and conversion of main building to offices at former SCAT annexe, Staplegrave Road, Taunton (38/2006/362)**

Reported this application.

RESOLVED that subject to:-

- (1) The applicants entering into a Section 106 Agreement to cover acceptable affordable housing contributions, children's play and playing field contributions and highway requirements;
- (2) The receipt of no adverse views from the Conservation Officer; and
- (3) The receipt of no further representations raising new issues on the amended plans,

the Development Control Officer 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) Notwithstanding the submitted details or samples of the materials to be used, full details of the materials to be used on all the external surfaces of the buildings 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) Prior to the construction of the new buildings hereby permitted commencing, samples of the following shall be provided on site for the approval of the Local Planning Authority and thereafter implemented and maintained strictly in accordance with the samples:- natural slate, hip treatment, panel of brickwork (including sill), window head, banding and soffit and panel of stonework (including capping);
- (d) All windows and external doors in the new build hereby permitted shall be of timber only, specific details of which shall first be approved in writing by the Local Planning Authority and thereafter implemented and maintained strictly in accordance with the approved details;
- (e) Prior to commissioning, specific details of the following for the new build hereby permitted shall be submitted to, and approved in writing by, the Local Planning Authority and thereafter implemented and maintained strictly in accordance with the approved details;- all venting (including roofs, kitchens and bathrooms), external doors, architraves, windows and gates;
- (f) All windows (including blind) and doors shall be recessed a minimum of 900 mm and thereafter maintained at such depth;
- (g) Prior to the occupation of any of the new build dwellings hereby permitted, the works sanctioned under Certificate 38/2006/365LB and 366CA and the conversion of the extant SCAT buildings to offices for which permission is hereby granted, shall be fully implemented;
- (h) C911 – aerials – combined system;

- (i) C917 – services – underground;
- (j) P001A – no extensions;
- (k) P003 – no ancillary buildings;
- (l) P005 – no garages;
- (m) P006 – no fencing;
- (n) P010 – no further windows;
- (o) Details of the positions of all meter boxes to be installed in connection with the development hereby permitted shall first be agreed in writing by the Local Planning Authority;
- (p) C201 – landscaping;
- (q) C927 – remediation investigation/certificate;
- (r) Noise emissions from the site during the construction phase shall be limited to the following hours if nuisance is likely at neighbouring premises:- Mondays – Fridays 0800-1800 hours; Saturdays 0800-1300 hours. At all other times, including public holidays, no noisy working;
- (s) The parking spaces shown on the submitted plan shall be properly consolidated, surfaced, drained and marked out before the use commences or the buildings are occupied and shall not be used other than for the parking of vehicles in connection with the development hereby permitted;
- (t) C331 – provision of cycle parking;
- (u) After the demolition of buildings on site, but prior to the commencement of development on site, additional soakaway tests shall be undertaken in accordance with Building Research Digest 365 and the results submitted to, and agreed in writing by, the Local Planning Authority. In the event that these indicate permeability of the ground then details of an on-site surface water drainage scheme shall be submitted to, and approved in writing by, the Local Planning Authority. The agreed scheme shall be fully implemented prior to the occupation of any dwelling and maintained thereafter;
- (v) The ridge height of the terrace of properties fronting Linden Grove shall be in strict accordance with heights shown on the submitted plan and shall not be higher than indicated on the approved drawing in any case;
- (w) The proposed estate roads, footways, footpaths, cycleways, bus stops/bus lay-bys, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking, street furniture and tactile paving shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose plans and sections, indicating as appropriate the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority;
- (x) C416 – details of size, position and materials of meter boxes.
(Notes to applicant:- (1) Applicant was advised that the landscaping required in condition (p) should combine details of the additional landscaping shown on Plan 765/01/D with the agreed detail of Plan SPP/10228/2; (2) With regard to condition (u), applicant was

advised that on-site options including the provision of a source control such as a drainage pavement system for the parking areas may be suitable; (3) N117 – crime prevention; (4) N112 – energy conservation; (5) N111 – disabled access; (6) N126 – ground contamination.)

Reason for Planning Permission, if granted:-

The proposed development was considered to be in accordance with Somerset and Exmoor National Park Joint Structure Plan Review Policy STR4, Policy 9 and Policy 49 and Taunton Deane Local Plan Policies S1, S2, H2, EN14 and EN16.

136. Enforcement action in relation to 15 Eastbourne Gate, Taunton

Reported that in 1998 a dormer window had been installed into the rear roof of 15 Eastbourne Gate, Taunton without planning permission.

When challenged, the owner of the property claimed that he had been informed by a Council employee that planning consent for the development was not required despite the property backing on to, and being within 20m of, a highway.

Although a retrospective application was submitted by the owner in an attempt to regularise the situation, this was refused and subsequently upheld on appeal.

An enforcement notice which required the removal of the dormer window was then served and an appeal against this notice was also dismissed.

In 2000, the owner was prosecuted in the Magistrates Court for failing to comply with the enforcement notice and was found guilty. Noted that a number of other attempts had been made to resolve the situation including the submission of a further planning application in 2004 which was again refused and dismissed on appeal.

Further reported that the Council had instituted injunction proceedings earlier in the year seeking a Court Order that the dormer window should be removed.

The application had recently been heard and in a reserved judgement, the application was refused on the grounds that the Court considered that the owners had genuinely thought that he did not need planning permission and that the cost of carrying out remedial work to the roof of 15 Eastbourne Gate, Taunton (£40,000) would be disproportionate given the owner was a householder of modest means. The Court had also taken into account the time that had elapsed since the original infringement.

Noted that the Court's decision was discretionary and an appeal on the merits of the decision was therefore unlikely to be successful. The enforcement notice however would remain as a Local Land Charge registered against the property and would be disclosed if the property was sold in the future.

RESOLVED that the outcome of the injunction proceedings be noted.

137. Craig Lea, Taunton – Compulsory Purchase Order

Reference Minute 121/2003, reported that a Compulsory Purchase Order had been made in respect of a small area of land which linked the cul-de-sac of Craig Lea, Taunton to an adjacent footpath/cycleway. A public inquiry into the Order had been held over three days during July 2006.

The Secretary of State's decision letter had recently been received and this had endorsed the decision of the Inquiry Inspector not to confirm the Order.

The main findings of the Secretary of State were that any benefits of reopening the footpath would be limited. The key issues identified were the possibility of a greater incidence of anti-social behaviour and that the layout of the path did not conform to good design practice. It was also felt that the Council had overstated the likely benefits of re-opening the footpath and there was therefore no compelling need to acquire the land.

RESOLVED that the Secretary of State's decision be noted.

138. Mobile home on land at 39 Whitmore Road, Taunton

Reference Minute 68/2006, reported that following the meeting of the Committee on 14 June 2006, the owners of 39 Whitmore Road, Taunton had instructed solicitors to act for them in relation to this matter.

A lengthy exchange of correspondence had subsequently taken place, however, this had not changed the view of the Council that planning permission to retain the mobile home was required.

Accordingly, an enforcement notice seeking the removal of the mobile home had been served on 3 October 2006.

Noted that objections to the service of the notice had been raised on the following grounds:-

- there was an error with one of the dates in the Notice which rendered it invalid; and
- the Council had not given consideration to a proposal that the owner should apply for a personal planning permission based on the needs of those who would be occupying the mobile home.

The notice had therefore been withdrawn, due to the error but it had also been agreed that the Committee should be given the opportunity to reconsider its decision to take enforcement action in the light of the personal circumstances of the occupiers. A letter from the solicitors acting on behalf of the occupiers of the mobile home, together with a doctor's letter, were submitted for information.

In view of this further information, Members were asked to consider whether it was still expedient to enforce or whether there was a likelihood that a personal planning permission would be granted. Noted that in the view of the Development Control Manager the circumstances of the occupiers of the mobile home would not currently justify the grant of a personal permission.

During the discussion of this item, the Committee was informed that it appeared that the mobile home could remain in its present position without planning permission, provided it was used in a manner ancillary to the main property, 39 Whitmore Road, Taunton. This would mean that provided the mobile home was not used as a separate, self-contained unit of accommodation it could remain on site.

If the Committee wished a further enforcement notice to be served, it could only seek to stop any unauthorised use of the mobile home by the current occupiers.

Member were very unhappy that there appeared to be no action which could be taken to seek the removal of the mobile home from the land and asked whether further advice could be sought to confirm this situation.

RESOLVED that the matter be deferred to enable Counsel's opinion to be sought with regard to the positioning of the mobile home on land at 39 Whitmore Road, Taunton.

(The meeting ended at 9.48 pm.)

06/2006/051

PAUL TROLLOPE

ERECTION OF ONE DETACHED DWELLING WITH INTEGRAL DOUBLE GARAGE AND EXTENSION TO EXISTING COTTAGE WITH DETACHED DOUBLE GARAGE AND LANDSCAPE GARDENS, LAND ADJACENT TO NORTH SIDE OF PIFFENS LANE, BEHIND 1 - 4 CHURCH STREET, BISHOPS LYDEARD

316783/129675

FULL

PROPOSAL

The proposal provides for the erection of one 3 bedroom dwelling with integral double garage, the erection of an extension to an existing cottage on Piffin Lane and the erection of a detached double garage for the cottage and No. 4 Church Street, together with landscaped private gardens with new tree planting. An existing double garage is to be demolished. The proposed materials are to be self coloured lime render with a course red sand aggregate for the walls and clay pantiles for the roofs, with plain tiles for the dormers. Windows and doors are to be green/grey timber. The site is located at the centre of Bishops Lydeard, adjacent to the churchyard and accessed from Piffin Lane off Church Street. There has been three previous applications at the site, two for the erection of two dwellings and in 2005 an application with the same constituent parts as the current proposal. That application was refused and a subsequent appeal dismissed.

The applicant concludes the following from the Appeal Inspector's Report:- (i) a dwelling continuing the frontage development along Piffin Lane and set back from the site boundary would be appropriate; (ii) the window arrangement and cill level need to reflect that of the existing cottage – a large area of blank wall on the front elevation would exaggerate the difference; (iii) the number, arrangement and prominence of the dormers are alien to the Conservation Area. The Inspector's report also states that there would be some advantage to have an appropriately designed new house in this location. He also pointed out the following positive aspects:- (i) the low ridge and eaves line of the proposal attempt to reflect the scale of the adjacent cottage; (ii) the overall size and bulk of the extension to the cottage is not excessive; (iii) felling trees as proposed would not have an unacceptable impact on the general amenity value of the trees at the site; (iv) although the development of the site would limit views of the church, it would not obscure them and given that the site is at the end of a lane the change to the conservation area as a whole would be limited; the character of these views would not be harmed by the proposal; (v) the development back from the Piffin Lane frontage would be appropriate in relation to the general development pattern of the village; (vi) additional traffic generated by a new dwelling would not unacceptably affect highway safety or disrupt use of the lane.

A Design Statement has been submitted with the application. This sets out the planning history of the site, description of the site, relevant planning policies, criteria

for development, analysis of the Inspector's report and a description of the proposed development. It indicates that important views will be preserved. Existing features that detract from the character of the Conservation Area, including a free standing garage block, a conservatory, garden structures, recent retaining walls and exotic planting and trees except where shown are to be removed. The small scale and irregular nature of the development references the early cottages, although internal spaces are planned and arranged to match contemporary patterns of living. The new house is to be built on the existing building line of Piffin Lane to allow for the continuation of cottage style housing along the lane and so that the new development does not dominate the view from Church Street. Existing trees and shrubs adjacent to the site and the churchyard are to be retained and new planting proposed at the higher garden level. All new building is to be at the lower access level from Piffin Lane, thereby keeping visual intrusion from rooflines to a minimum.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY no objection. As on previous proposal, request conditions re parking, turning and garages not to be used other than for the parking of vehicles. Note current submission contains the provision of a walled garden area to the front of the proposed dwelling. Although Piffin Lane is a private road, would suggest that a condition be imposed to ensure that the height of this area be no higher than 900 mm. This will ensure that adequate visibility is provided at the point of access for the new development so that other traffic resulting from existing dwellings on the lane can see and be seen. WESSEX WATER points of connection for water supply and foul drainage to be agreed.

LANDSCAPE OFFICER subject to protection of existing trees during construction it should be possible to integrate the proposals into the local landscape and conservation area. CONSERVATION OFFICER this scheme appears to address the concerns and hence reasons for dismissal of the appeal for application 06/2005/033. I therefore support the scheme in principle. The submission cites improvements, eg removal of conservatory, etc, but the latter and other elements lie outside the red line. The dormers are reduced in size and number (in accordance with the Inspector's observations) but the face of these would appear to comprise wany-edge timber boarding, which is not characteristic of the Conservation Area and should be revisited. Subject to amendments/clarification on the above points, I would be happy to support the application. If permission is recommended, should include conditions re time limit, materials, samples of clay pantiles and plain tiles, sample panels of stonework and limewashed rendered block, no bellcasts, recessed windows and doors, details of roof venting. DRAINAGE OFFICER soakaways should be constructed in accordance with Building Research Digest 365 (September 1991).

FIVE LETTERS OF OBJECTION have been received raising the following issues:- proposal is basically the same as the previous refusal which was dismissed on appeal, identical footprint, and contravenes Policies EN14 and 15 in a Conservation Area; Piffins Lane is an historic lane containing an attractive old cottage and an historically important listed building, the oldest inhabited building in Bishops Lydeard; proposal contains a house which is very similar to that refused previously; large inappropriate extension to a small cottage; position and design of dwelling, extension

and garages would be overpowering and lead to the formation of a dark alleyway which would not enhance the existing setting; obtrusive and detrimental to the area and would do nothing to enhance or preserve the conservation area; the uninterrupted view of the church tower would probably be obliterated; close to and overpowering in relation to adjacent properties; the openness of the site would be vastly diminished; despite minor changes, the overall design is clearly inappropriate for this location; very large and sprawling size of proposed house cannot possibly be considered to be a smaller cottage style design; the dwelling would dwarf the existing cottage and the inappropriate dormer style windows and their levels would not sit comfortably with the neighbouring cottage; the applicant has neglected the site for the past six years, he could deal with existing landscaping/planning issues without the need for development; cottage has been left empty; proposed dwelling could not possibly be an 'unobtrusive integration' (claimed by applicant) because of its size; cannot be regarded as enhancing existing views as it would totally obscure the view of the church from Piffin Lane; references to framing Little Orchard from Church Street are ridiculous; would not compliment existing historic fabric; loss of privacy; size of dwelling would be an overbearing intrusion on adjacent property; loss of privacy from extension to existing dwelling and proposed landscaping features; this area is one of historical importance in a conservation area; will only leave a small area of undeveloped ground; the lane invariably becomes extremely congested at the junction with Church Street, sometimes making the lane inaccessible, with vehicles parked badly and illegally, making visibility poor – particularly for pedestrians, which is becoming a serious road safety issue; additional vehicles will only add to what is already a serious congestion problem; will seriously restrict adjacent access; construction work will compromise access to existing properties; would completely destroy a quintessential English landscape, the beauty of which can be appreciated from numerous vantage points; will be a blot on the landscape; tantamount to countryside pollution.

POLICY CONTEXT

Policy STR1 of the County Structure Plan sets out criteria for sustainable development. Policy 9 requires that the character or appearance of a conservation area should be preserved or enhanced. Policy S1 of the Taunton Deane Local Plan sets out general requirements for new developments and includes a wide ranging set of criteria against which planning applications are assessed. Policy S2 sets out the broad parameters against which the design of all proposals will be assessed. Policy S4 defines Bishops Lydeard as a rural centre. Policy H2 sets out specific criteria against which new housing will be considered. It is considered that the criteria are met with the current proposal. Policy H17 states that extensions to dwellings will be permitted provided certain criteria are met. Subject to receipt of the required amended plan, I consider the criteria are met with the proposal. Policy EN14 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. It is considered that the proposal meets the requirements of this policy. This is consistent with PPG15.

ASSESSMENT

Although the previous application was dismissed on appeal, the Inspector accepted that in principle a dwelling continuing the frontage development along the lane would reflect the historical settlement pattern and be appropriate for this location. I consider that the applicant has satisfactorily addressed the detailed concerns raised by the Inspector. The Conservation Officer is supportive of the scheme subject to deletion of the timber boarding on the dormers

RECOMMENDATION

Subject to the receipt of satisfactory amended plans, the Development Control Manager in consultation with the Chair/Vice Chair be authorised to determine and permission be GRANTED subject to conditions of time limit, materials, rainwater goods, samples of clay pantiles and plain tiles, sample panels of stonework and limewashed rendered block, no bellcasts, specific details of doors and windows, recessed windows and doors, details of roof venting, landscaping (hard and soft), protection of retained trees, no service trenches beneath trees, no felling/lopping, means of enclosure, parking, turning, garages not to be used other than for the parking of vehicles, meter boxes, no increase in site levels, wall around frontage not to exceed 900 mm in height, timber doors and windows, archaeology, underground services and removal of GPDO rights for extensions, ancillary buildings, walls/fencing and doors/windows. Notes re disabled access, energy/water conservation, meter boxes, compliance, CDM regulations, soakaways and contact Wessex Water.

REASON(S) FOR RECOMMENDATION:- The site is within the settlement limits and the proposed development will not have an adverse impact on the historic development/settlement pattern and will preserve or enhance the character and appearance of the Conservation Area and will therefore comply with Taunton Deane Local Plan Policies H2, EN14 and BL

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:

26/2006/005

MR & MRS I CUBITT

CHANGE OF USE OF BARNs TO COMMERCIAL USE (B1, B2 AND B8) AND FORMATION OF HARDCORE PARKING AREA, POOLE FARM, NYNEHEAD

314768/121900

FULL

PROPOSAL

The proposal provides for the conversion of an existing complex of barns into four commercial units. The application also includes for a new car parking area and the widening of the existing track. The barns are of traditional construction built in stone and brick, with a clay tile roof. A wildlife survey and structural appraisal have been submitted with the application.

A previous application (26/2005/004) was withdrawn.

The application is only before Committee as the agent is related to a member of staff.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY on the basis of improvements to access no objection. Conditions to be imposed are:- no unit occupied until road widening constructed; no unit occupied until priority signage approved and erected. CHIEF FIRE OFFICER means of escape, access for appliances and fire precautions will be dealt with at the Building Regulations stage.

LANDSCAPE OFFICER subject to details of native hedgerow should be possible to integrate proposals into local landscape. NATURE CONSERVATION AND RESERVES OFFICER further emergence survey work to be undertaken and conditioned, a condition for protection and provision of swallows, a note should be added to inform of for need of a DEFRA licence. ENVIRONMENTAL HEALTH OFFICER conditions to monitor and restrict noise, and contaminated land. DRAINAGE OFFICER details of surface water to be submitted, percolation tests for septic tank, Environment Agency consent required to discharge.

PARISH COUNCIL no objection subject to concern of Highway Authority being satisfied.

POLICY CONTEXT

Policy S1 of the Taunton Deane Local Plan sets out general requirements for new developments. Policy S7 of the same 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 provided certain criteria are met. Policy EC6 of the Taunton Deane Local Plan states that outside the

defined limits of settlements, the conversion of buildings to small scale business, industrial, warehousing, tourism, recreation, community, commercial or other employment generating use will be permitted provided that certain criteria are met. It is considered that the criteria are met with the current proposal.

ASSESSMENT

The barns are of traditional design and construction forming a courtyard within an existing farm complex. The buildings are structural sound and meet the requirements of policy EC6, allowing for the conversion.

Widening part of the existing track and providing priority signs have now overcome previous concerns from the County Highway Authority.

The proposed use of the barns is not considered to detrimental harm the amenity of the adjoining dwellings, both of which are within the ownership of the applicant.

RECOMMENDATION

Permission be GRANTED subject to conditions of time limit, materials, guttering, schedule of works, landscaping, hard landscaping, percolation tests, details of surface water, no unit occupied until road widening complete and priority signage erected, timber windows and doors only, obscure glazing to ground floor window on north elevation, emergence survey, protection of swallows, noise restrictions, contaminated land, remove permitted development for fences and enclosures. Notes re compliance, contact Wessex water, disabled access, energy/water conservation, DEFRA licence, consent to discharge.

REASON(S) FOR RECOMMENDATION:- The building is suitable for conversion and the proposal is not considered to be harmful to the landscape and has good access to the highway network, the visual and residential amenity of the area would not be detrimentally affected and therefore the proposal is compliant with Taunton Deane Local Plan Policies S1, S7 and EC6.

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:

26/2006/012

MR M PERSEY

SITING OF TEMPORARY AGRICULTURAL WORKERS DWELLING, GRANGE FARM, NYNEHEAD AS AMENDED BY

314374/123596

FULL

PROPOSAL

The proposal relates to the siting of a temporary agricultural workers dwelling.

The dwelling (mobile home) measures 10 m x 3 m x 3 m in height, and will be sited next to a livestock building that is yet to be constructed. Access to the dwelling will be via an existing farm track.

Submitted with the proposal is an agricultural appraisal that states there is sufficient justification for a dwelling to be located on site, based on livestock rearing, with free range broilers, and also rearing pedigree heifers where heifers will be reared, and put in-calf and kept on farm until a couple of days after calving when the heifer returns to the dairy herd. The appraisal also shows evidence that the enterprise will be financially viable.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY objections raised on sustainability grounds however it is a matter for the Local Planning Authority to decide whether there is an overriding agricultural need. Should the application be recommended for approval the following condition would need to be imposed, provision to be made on site for the disposal of surface water. COUNTY ARCHAEOLOGIST no objection. WESSEX WATER disposal of foul and surface water to be agreed with Council; points of connection to be agreed to connect to water main.

LANDSCAPE OFFICER the mobile home is too high up the field and would be better sited further south in parallel with the existing barn. DRAINAGE OFFICER details of surface water to be submitted; percolation tests if septic tank used; Environment Agency consent to discharge.

PARISH COUNCIL objects - concerned about the impact of the continued development of this land on the surrounding area; not convinced by the agricultural case for the dwelling.

ONE LETTER OF OBJECTION has been received raising the following issues:- why was whole scheme not submitted to council?; why does Lloyd Maunder protocol require dwelling to be seen by road?; visual impact, tree stands behind mobile home and has no impact; concern over future size and design of permanent dwelling, can there be assurance that dwelling is appropriate to requirements of business and farm worker, not a more palatial design; have other authorities had experiences of Mr

Persey and what experiences have they had; how will poultry unit affect others in the parish?, in the event of disease will the whole parish be affected?; concern regarding the number of vehicles visiting the site (HGVs); night sky is undervalued, will there be any permanent lighting?; how much waste will be produced?; control of smells/flies; any benefit to people of parish.

ONE LETTER OF REPRESENTATION from Open Spaces Society:- complaints received about smell from walkers on footpath WG 8/12; smell sometimes reaches village; thoroughly unpleasant pollution of the air.

POLICY CONTEXT

Somerset & Exmoor National Park Joint Structure Plan Review – Policy STR1 on sustainable development requires that development minimises the need to travel, Policy STR6 states that development outside towns, rural centres and villages should be strictly controlled and restricted to that which benefits economic activity, maintains or enhances the environment and does not foster growth in the need to travel.

Taunton Deane Local Plan - the following policies are considered especially relevant:- Policy S1 (general requirements), Policy S2 requires development to be of a good design. Policy S7 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. These criteria include that it is for the purpose of agriculture, it is necessary to meet a requirement of environmental or other legislation and that it supports the vitality and viability of the rural economy in a way which cannot be sited within the defined limits of a settlement. Policy H12 states that dwellings for agriculture or forestry workers will be permitted outside the limits of settlements provided there is a proven functional need for the dwelling there and the farm or forestry unit for which it is sought is proven to be financially viable. Policy EN12 requires that the distinct character and appearance of Landscape Character Areas should be maintained.

ASSESSMENT

An agricultural appraisal has been submitted with the application that shows that the proposal meets the financial and functional requirements of PPS7. This concludes that there is clear evidence of a firm intention and ability to develop the enterprise, the free-range broilers are on site at the moment and a livestock building has been granted planning permission this year and there is an essential functional need for a dwelling to be located on the site.

The Parish Council have objected to the impact on the surrounding area, and not being convinced of the need of the dwelling. The dwelling is located near to existing and proposed new farm buildings, forming a group of buildings. Furthermore, the dwelling is sited next to an existing hedgerow and amended plans are being sought to locate the dwelling further south, on lower land. Open Countryside Policy S7 promotes agricultural development and where development accords with a specific planning policy. Specifically, Policy H12 supports proposals for new agricultural

dwelling in rural areas and therefore the principle of a new enterprise in this location would appear acceptable.

The objection letter refers to concerns that are not issues for the proposed dwelling. The agricultural activity (free range broilers) is already taking place and can do so without the benefit of planning permission, the proposed application is to determine whether there is a proven need for the dwelling on the site. The issue of smell from the poultry is not a consideration for this application.

The Highway Authority has raised concerns regarding the sustainability of the proposal. However Policy S7 that promotes agricultural developments in rural locations overcomes this objection. No objection has been raised regarding vehicle numbers, as agricultural vehicles would enter the site regardless of whether the dwelling was there.

RECOMMENDATION

Subject to the receipt of satisfactory amended plans the Development Control Manager in consultation with the Chair/Vice Chair be authorised to determine and permission be GRANTED subject to conditions of 3 year temporary permission, materials, landscaping, agricultural tie, consolidation of access, parking details, details of foul and surface water disposal, percolation tests. Notes re compliance, point of connection with Wessex water, contact County Highway Authority, contact Environment Agency to discharge.

REASON(S) FOR RECOMMENDATION:- The proposed mobile home for an agricultural worker has a proven functional need in connection with a viable business and as such provides suitable justification for its location outside the limits of a settlement. The proposal is considered not to have a detrimental impact upon visual amenity, residential amenity and the landscape character of the area. The scheme therefore accords with Taunton Deane Local Plan Policies S1, S2, S7, H12, EN12 and M4.

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:

27/2006/019

MS SALLY TUCKER

SITING OF ONE MOBILE HOME AND ONE TOURING CARAVAN FOR SINGLE GYPSY FAMILY AND ERECTION OF STABLES, LAND TO EAST OF KNAPP FARM (OS PARCEL 6769), HILLFARRANCE

317584/124729

FULL

PROPOSAL

The proposal provides for the siting of a mobile home and touring caravan for a gypsy family and the erection of stables. The proposed stables measures 8 m x 4 m with height to ridge of 2.9 m. The land is currently agricultural land. The applicant states that members of her family have lived in the Taunton area for generations and has been living on a friend's private site near Taunton, but will soon have to leave as their own family members will be returning. She has two pre-school age children and also regularly attends Musgrove Park hospital for treatment. A letter from the Devon Racial Equality Council submitted with the planning application confirms that the applicant is a romany gypsy and therefore has gypsy status.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY views awaited.

LANDSCAPE OFFICER the site is well screened to the north by the existing hedgerow but open to the south both to short views from the main line railway but also middle distant views from higher ground. If the highway visibility splay requirements can be met the existing hedgerow should be maintained and managed to provide longer term screening. If it has to be removed to meet requirements the site would be considerably opened up. There may be some scope to soften the impact to the south but it would have to be substantial and would take at least 5 years to achieve. The site appears large for a single family. The stables will also require landscape mitigation if allowed. DRAINAGE OFFICER soakaways should be constructed in accordance with Building Research Digest 365. 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 would be required. HOUSING OFFICER no observations to make.

PARISH COUNCIL objects on the grounds that it is unsuitable.

13 LETTERS OF OBJECTION have been received raising the following issues:- proposal does not comply with the requirements of Circular 01/2006; the site is not adjacent to a main road system and is reached by narrow lanes which are entirely unsuitable for caravans and larger vehicles; the nearest public transport is well over a mile away from the site; the nearest school is also over a mile distant; the nearest medical facilities are a considerable distance from the proposed development; recent problems encountered by householders in North Curry where intimidation and

aggressive behaviour appeared to be regular occurrences; a successful application will not be in the interests of the local community; there is no shop or post office nearby; the site borders the railway line and would therefore be very unsafe for small children; will make the land residential, setting a precedent for landowners in area to develop their land in the same way; preferential treatment for one section of society is seen as discriminatory, promotes tension and causes disruption and conflict – hope that TDBC will seek to avoid this; Circular 01/2006 charges LPAs with delivering adequate good quality sites for travellers and gypsies; proposal will be an ad hoc arrangement in an unsuitable environment without regard to the interests of the settled community in Hillfarrance; majority of the population of Hillfarrance are opposed to the application; reference to development and a mobile home in the adjacent field; applicant misled vendor of field when purchasing the land in stating that the land was to be used for stables and horses, which leads to mistrust of the applicant and the case set out; proposal is clearly contrary to both national policy and the Council's own policies regarding gypsy and traveller sites; application form inaccurate and defective; inappropriate development in open countryside in a remote location miles from the nearest local services; clearly visible from the public highway and footpaths in the vicinity, a nearby dwelling and from the main railway line; no independent evidence submitted in regard to medical circumstances or close family ties with the area; children are below school age and not attending a local school; applicant has not followed the pre-application procedure set out in the Circular; there are no human rights issues arising from the applicant's case; there is a real possibility that the granting of planning permission would have an adverse impact on the quiet enjoyment and value of adjacent dwelling contrary to human rights legislation; bottom part of the field is liable to flooding; if granted, would set precedent for further gypsies and travellers on the land; the North Curry experience has demonstrated that the travelling community cannot be trusted to respect the environment, the law, property or persons – the best way to avoid trouble is to keep them out; the Council's future avoidance of strife and conflict should be a paramount consideration in the decision process; the Authority's inability to control or enforce conditions in their jurisdiction is already proven and clearly shows that further development, however illegal, would be beyond control; the applicant's declared interest in promoting gypsies rights suggests that suspicion of future enlargement of the site may be well founded; positive discrimination; the road both sides of the entrance to the site has a history of flooding; not in keeping with the existing buildings and structures in the surrounding area; contrary to the Local Plan policy covering Oake; extremely dangerous exit onto highway; our precious countryside is being destroyed by countless changes; increase in traffic and noise in a tranquil location; would be better suited in an urban area where suitable services and housing area available; will make it impossible to sell adjacent dwelling; will result in loss of good farmland contrary to government advice; environmental impact – water emissions, soil pollution and impact on the habitat of wildlife; no evidence to suggest that the applicant has looked at alternative sites to meet her needs which would not require a negative environmental impact; contrary to the aims of Natural England; the area does not have the infrastructure to support the proposal; lack of utilities; adverse affect on the appearance and character of the landscape; site is remote from services and offers no opportunity for travel by public transport, cycling or walking; the country roads are unlit and would be dangerous for cyclists and pedestrians – car travel would therefore be inevitable, contrary to central and local government sustainability policies; County Structure Plan states that the provision of

sites for gypsies and other travelling people should be made where the site is within reasonable distance of a settlement providing local services and facilities; Hillfarrance is a small hamlet set in attractive open countryside which under national and local planning policy should be protected for its own sake; the field is open and prominent in the landscape over long distances and will detract from the rural character of the area; concerned about the cumulative consequences of small parcels of agricultural land being sold off and then being developed in a manner which detracts from the appearance and quality of this attractive rural area; family connections with the area should not be taken at face value; contrary to the provisions of the Local Plan so should be advertised as a departure from the Local Plan; proposal does not replicate a gypsy way of life; applicant's needs could be met almost anywhere and certainly in a more sustainable location and where attractive countryside would not be so seriously threatened; since submitting the application, the applicant has connected water and electricity and carried out planting.

LETTER SIGNED BY 5 PERSONS (NO ADDRESSES) makes a number of the points as set out above.

ONE LETTER OF SUPPORT the specific needs of the applicant and her family are such that it warrants exception to local planning policies. The site complies fully with Circular 1/2006 Planning for Gypsy and Traveller Caravan Sites and would provide reasonable access to suitable education, health and welfare services within the area without causing any strain on any existing service. Proposed landscaping by the applicant appears sufficient to minimise any effect on the character of the area.

POLICY CONTEXT

Policy 36 of the County Structure Plan states that the provision of sites for gypsies and other travelling people should be made where the site is within reasonable distance of a settlement providing local services and facilities

Policy H14 of the Taunton Deane Local Plan states that sites for gypsies or non-traditional travellers will be permitted outside the defined limits of settlements provided certain criteria are met.

ODPM Circular 01/06 'Planning for Gypsy and Traveller Sites'. The circular has the following stated aims:- (i) To create communities where there is respect between the travelling and settled communities; (ii) To reduce the number of unauthorised encampments and developments; (iii) To significantly increase the number of gypsy and traveller sites in appropriate locations; (iv) To protect traditional ways of life whilst respecting the interests of the settled community; (v) To stress the need for regional assessments of need and for local authorities to develop strategies to ensure that needs are dealt with fairly and effectively; (vi) To make provision for sites where need is identified; (vii) To ensure that Development Plan Documents include fair, realistic and inclusive policies; (viii) To promote more private gypsy and traveller site provision through the planning system; (ix) To help avoid gypsies and travellers becoming homeless through eviction from unauthorised sites.

Rural sites are acceptable in principle and local authorities are encouraged to be realistic about the availability or likely availability of alternatives to the car in accessing local services.

ASSESSMENT

I consider that the applicant is a bona fide gypsy within the definition of ODPM Circular 01/06.

Since the Taunton Deane Local Plan was adopted, Central Government Guidance has changed significantly and there is now a much greater obligation on Local Planning Authorities to assist gypsies to find land and for Local Authorities to find sites. The new Circular, ODPM Circular 01/06 came into effect in February 2006 and replaces Circular 1/94. The new Circular contains revised guidance for Local Planning Authorities, including a requirement for sites to be allocated in Local Development Frameworks for gypsies and travellers, which will need to be taken into account in due course. The Circular also amends previous guidance concerning the circumstances in which gypsy and traveller sites may be acceptable and emphasises that private sites are to be encouraged. The Human Rights Act refers to the question of proportionality and the weighing up of the harm which could be caused by permitting the applicants to occupy the land as against the harm which could be caused to them and their families by refusing permission. Circular 01/06 states that rural settings, where not subject to special planning constraints, are acceptable in principle and that landscaping and planting with appropriate trees and shrubs can help sites blend into their surroundings, give structure and privacy, and maintain visual amenity. It goes on to say that applications should not be rejected if they would only give rise to modest additional daily vehicle movements and/or the impact on minor roads would not be significant. It also states that Local Planning Authorities should not refuse private applications solely because the applicant has no local connection.

The site is 1½ miles from the village of Norton Fitzwarren and slightly further from Oake. The gypsy way of life, being nomadic, inevitably involves travel by private transport. Circular 01/2006 accepts that, in principle, gypsy sites can be appropriate in rural areas where there is often a need for some travel by private vehicle. I therefore do not consider that the site is unacceptable simply on the basis that it involves the need for travel by private vehicles. The site occupies only part of the field and the proposed mobile home would be located over 200 m from the boundary with the railway. The Enforcement Officer is looking into the position of development on the adjacent field. The application form has been amended. There is good screening from the adjacent lane due to the existing roadside hedge. The public footpath is at the bottom of the field close to the railway line.

RECOMMENDATION

Permission be GRANTED subject to conditions of accommodation for gypsies only, no more than one mobile home and one touring caravan, no business activities unless agreed, no open storage in connection with any business activities, personal to applicant and children, landscaping, percolation tests, retention of hedges and

removal of GPDO rights for means of enclosure. Note re Environment Agency consent to discharge to an underground strata required and soakaway guidance.

REASON(S) FOR RECOMMENDATION:- It is considered that the proposal will have limited impact on the visual amenity of the rural area and furthermore the proposal is in line with Central Government advice contained in ODPM Circular 01/06.

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:

30/2006/043

MR & MRS D PERRATT & MR & MRS J KELLY

RETENTION OF USE OF LAND AS GARDEN WITH TIMBER SHEDS TO REAR OF FLINTSTONES AND GLENGARRY, BLAGDON HILL

321059/118046

RETENTION

PROPOSAL

The proposal is to retain an area of land to the rear of two existing properties, formerly paddock, as grassed garden area, together with two timber sheds and with landscape planting to the boundary with the Area of Outstanding Natural Beauty.

CONSULTATIONS AND REPRESENTATIONS

LANDSCAPE OFFICER my main concern is that the proposed retention of the gardens sheds extend the domestic character of the properties towards the AONB and open countryside see Policies EN10 and EN12.

PARISH COUNCIL objects for the following reasons:- the proposed retention of the development constitutes an undesirable extension of residential development beyond the recognised limits of the existing settlement, and this has had a detrimental impact on the character and appearance of the open countryside and on the setting of the adjoining Area of Outstanding Natural Beauty. The proposal is contrary to Taunton Deane Local Plan Policies S1 and EN10 and Somerset and Exmoor National Park Joint Structure Plan Review Policies 3 and STR6. The proposed retention of the development will set an undesirable precedent and will be likely to encourage similar proposals in respect of other land in the vicinity, which might then be difficult to resist and the cumulative effect would further detract from the character and appearance of this Area of Outstanding Beauty. If allowed, it would send a strong signal to this parish and other communities that by carrying out development that has already been refused, and then applying for retention, the decision will be reversed. This would then have the effect of degrading the planning system. The applicants were aware when purchasing their dwellings that an application had been made and refused for planning permission for change of use from agricultural to residential land.

1 LETTER OF OBJECTION has been received raising the following issues:- breach of the building line on the edge of the AONB; the sheds are an eyesore and use would set precedent that bodes ill for Blagdon Hill.

POLICY CONTEXT

Taunton Deane Local Plan Policies S1 – General Requirements, S7 – Outside Settlement Limits, EN9 – Tree Planting, EN10 – Areas of Outstanding Natural Beauty, EN12 – Landscape Character Areas.

ASSESSMENT

The proposal is to retain an area of land as garden with two timber sheds for mower storage to the rear of two new properties granted permission in 2004. Previous permission for change of use of the land was refused in 2005 on the basis of detrimental impact on the appearance of the countryside and AONB and precedent.

The current application proposes additional native landscape planting to the boundaries to provide a natural buffer between the site and the AONB. The current site lies outside the AONB but also outside the village settlement limit. The proposed planting would secure a native planting boundary to the site and it is not considered that the proposal would cause harm to the character of the rural area or the adjacent Area of Outstanding Natural Beauty and it is considered in line with Policies EN10 and EN12 of the Local Plan.

The area of land concerned is adjacent to a paddock area which lies outside the settlement boundary but also outside the AONB. It is the only area of land with this status on the western side of the village and the applicants are willing to accept a condition preventing further built development on this land. This would protect the character of the area and is not considered to cause any harm. Concern has been raised over the paddock land to the south. However this is in separate ownership and lies outside the village boundary whereby any form of built development will require planning permission. The approval of the current application is therefore not seen as a precedent for allowing future built development in this location.

RECOMMENDATION

Permission be GRANTED subject to conditions of landscape planting and removal of rights for further buildings or enclosures on the land.

REASON(S) FOR RECOMMENDATION:- The proposal is not considered to adversely harm the setting of the village, the AONB or the amenity of neighbours and is considered to comply with Taunton Deane Local Plan Policies S1, EN10 and EN12 and material considerations do not indicate otherwise.

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:

31/2006/020

THE PROPRIETORS OF RUISHTON COURT NURSING HOME

ERECTION OF TWO STOREY EXTENSION TO PROVIDE 24 ADDITIONAL BEDS AND ERECTION OF 20 CLOSE CARE HOMES AT RUISHTON COURT NURSING HOME, HENLADE, RUISHTON (AMENDED DESCRIPTION)

326134/124462

FULL

PROPOSAL

The application site is located outside settlement limits for Taunton and is located directly to the south of the A358 from which vehicular access is also gained. The site is bound by open countryside to the east, south and west and by the A358 to the north.

The site consists of a relatively large, late Victorian, Grade 2 Listed country mansion with associated coach house set within relatively spacious grounds consisting of domestic curtilage, and adjoining paddocks. The building is currently used as a nursing home containing 30 beds.

The proposal consists of two main elements; the erection of a two storey extension to the rear of the Listed Building to provide 24 additional beds, a living room and dining room and the erection of 20 single storey close care homes which are detached from the Listed Building.

The proposed extension is located to the rear of the Listed Building and comprises of an L shaped two storey element linked to the Listed Building which steps down through a one and a half storey element to a single storey L shaped link. The extension projects a total of 32.5 metres from the rear elevation of the Listed Building before turning through 90 degrees in an south westerly direction. Viewed from the south east (looking at the rear of the Listed Building) the extension measures 29.0 metres in width (two storey element) with the addition of the single storey link measuring 7.5 metres.

In terms of height the extension is stepped down from the existing listed building measuring 8.6 metres to the ridge. The proposed materials re stated on the plans to match the existing (plain clay tiles, red bricks, timber windows and timber doors).

The close care units are located to the rear of the Listed Building and proposed extension extending over an area of existing curtilage measuring approximately 95 by 62metres at its widest point. This area of curtilage is defined by hedgerow with some significant trees to the south east, south west and north east boundaries. The proposed site is predominantly laid to lawn . However it includes a significant area of dense vegetation consisting of shrubs, scrub and trees at its southern end.

The proposed single storey units are laid out predominantly around the perimeter of the sites boundaries in a mixture of terraces, semi detached and detached formations. Vehicular access, 15 visitor parking spaces and communal landscaping are located to the centre of this arrangement.

The individual units measure approximately 10.8 x 6.0 m in footprint (three unit terrace 32.1 m x 6.0 m) with a ridge height of 4.6 m. The proposed materials on the submitted plan are stated to match those used in the extension to the Listed Building.

The final element of the proposal involves the creation of a vehicular access running in a south easterly direction from the existing drive to the front of the site, through the adjacent paddock, in order to gain access to the close care units to the rear of the Listed Building. The access point for the access from the existing drive is located in beneath two chestnut trees subject to tree preservation orders.

The proposal is considered to have an impact on existing TPO trees and significant non TPO trees. However the application is submitted without tree or wildlife surveys.

The application is accompanied by an economic viability assessment which provides economic justification for the development.

Previous applications (31/2006/008LB) for conversion of former coach house from ancillary residential accommodation to nursing home accommodation and construction of link building was granted and 31/1995/007 for conversion of former coach house from ancillary residential accommodation to nursing home accommodation and construction of link building was also granted.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY the proposal would almost double traffic generation from the site using the existing direct access onto the A358. Whilst visibility is good the layout of this existing access is considered inadequate to cater for any increased traffic movements. The A358 carries a very high volume of traffic which is interrupted by turning movements and during the last five years three injury accidents have been recorded at the access that involved turning movements. Therefore I recommend the application be refused for the following reasons:- (1) The increased use of the existing access together with the generation of additional conflicting traffic movements, such as would result from the proposed development, would be prejudicial to road safety and the free flow of traffic. (2) The proposal is contrary to Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review since the proposed development derives direct access from a National Primary Route/County Route and no overriding special need or benefit has been substantiated for the proposed development on this specific site. WESSEX WATER the proposals are being assessed and comments will be submitted shortly. HIGHWAYS AGENCY additional information is requested.

LANDSCAPE OFFICER the required felling of a TPO tree or the detrimental impact on two TPO trees of the proposed access route; the visual impact of the proposals on the surrounding countryside, especially as seen from the existing public footpaths

to the south and west; no landscape mitigation is submitted; no tree survey has been submitted but it is my opinion that existing boundary trees not under TPOs would be affected by the close care homes; landscape impact on the setting of the Listed Building. CONSERVATION OFFICER this proposal has not been appropriately justified and it is difficult for me to see how the impact of this proposal on the listed building and its setting could possibly be justified in the terms required by PPG15. The character of this building is neatly defined as a moderately sized country mansion with gardens in a setting of fields/paddocks. The gardens and setting are here an essential component of the designed 'package' and with the house collectively define the character of the site. The identity of the site is still intact if use itself has changed, though radical expansion of institutional use will have a devastating impact. The proposal will see the house marginalized and subordinated in a context approaching that of a themed holiday camp. In terms of size and massing the 'extension' (in effect a separate building) competes with the house while appearing a shrunken pastiche diluting the quality of its context. Architecturally speaking there is no logical historical foundation for this scheme. It fills a large chunk of the grounds and leads to sacrifice of an interesting (neglected) greenhouse. The close care units relate even less to context than the extension further destroying the grounds of the house and divorcing it from its broader landscape context. ECONOMIC DEVELOPMENT OFFICER the project creates a number of new jobs; the project reflects the changes that are taking place within the care industry, and responds to current legislation that is making it increasingly difficult for 'small' nursing homes to continue to operate viable businesses. It is therefore likely that individual units will have to expand significantly to arrive at a position where they can generate sufficient income to cover increased costs. This application demonstrates this trend, and we believe creates an innovative and attractive business development proposition; we are comforted by the proposed layout, in that the bulk of the new building will be single storey, and constructed to the rear of the existing buildings. This we feel retains the visual cohesion of the main house. DRAINAGE OFFICER no objections subject to standard notes regarding surface drainage and soakaways. FOOTPATH OFFICER the public footpath T22/18 passes within the western curtilage of Ruishton Court. Views from adjoining public ways would be impinged upon by such a large development proposal.

PARISH COUNCIL object to the application; concern was expressed over additional traffic onto the A358, the proximity of the proposed park and ride and the size of the development.

FOUR LETTERS OF SUPPORT have been received raising the following issues:- the proposal will provide much needed jobs in the area; the close care units are an excellent idea and surely must be the way forward for the future; the close care units are so designed that they would suit and help preserve what is an attractive listed building; the Nursing Home employees ages range between 15 - 63, many within walking distance so the traffic impact would be minimal; the proposal would have no visual impact as the new buildings would not be seen from the road; the close care homes would be a wonderful opportunity for couples to stay in their own homes; the Mount Somerset Hotel has recently has permission for a large extension which would involve a large increase in traffic.

POLICY CONTEXT

PPS1- Delivering Sustainable Development sets out the overarching principles of the planning system. Of relevance Paragraph 5 states that one of the Government's objectives for the planning system is that planning should facilitate and promote sustainable urban and rural development by protecting and enhancing the natural and historic environment and the quality and character of the countryside. Of significance Paragraph 13.iii states:- "design which fails to take the opportunities for improving the character and quality of an area should not be accepted"

PPG15- The Historic Built Environment - Paragraph 3.3 of PPG15 states:- 'While the listing of a building should not be seen as a bar to all future change, the starting point for the exercise of listed building control is the statutory requirement on local planning authorities to "have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses" (S.16 Planning (LBCA) Act 1990). This reflects the great importance to society of protecting listed buildings from unnecessary demolition and from unsuitable and insensitive alteration and should be the prime consideration for authorities in determining an application for consent."

PPS9 – Biodiversity and Geological Conservation.

RPG10 now called the Regional Spatial Strategy (RSS) and forms part of the adopted Development Plan. The South West Regional Assembly is currently preparing a revised RSS which is currently within its formal consultation period. The following policies are considered relevant to the consideration of this application:- Policy EN1 - Landscape and Biodiversity; EN3 - The Historic Environment; EN4 - Quality in the Built Environment; EC1 - Economic Development; TRAN 7 - The Rural Areas.

Somerset and Exmoor National Park Joint Structure Plan Review. This document was adopted in April 2000 and thus predates the inclusion of the RSS as part of the Development Plan Documents and recent Government Guidance. The following policies however, remain relevant for this application:- Policies STR1- Sustainable Development; STR6- Development Outside Towns, Rural Centres and Villages; Policy 1- Nature Conservation; Policy 5- Landscape Character; Policy 9- The Historic Built Environment; Policy 49- Transport Requirements of New Development.

Taunton Deane Local Plan Policies S1 - General Principles; S2 - Design; S7 - Development outside settlements; EC2 - Expansion of existing firms on land subject to restrictive policies; EN5 - Protected Species; EN6 - Protection of trees, woodlands, orchards and hedgerows; EN16 - Listed Buildings; EN17 - Changes to Listed Buildings. Policy S1 of the Taunton Deane Local Plan sets out general requirements for new developments. Policy S2 requires development to be of a good design. Policy S7 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 provided certain other criteria are met. Policy EC2 supports the expansion of existing firms on land subject to restrictive policies provided that the economic benefits outweigh any harm to the objectives of the relevant policy. Policy EN6 seeks to protect trees, woodlands, orchards etc that are of value to the areas landscape character or wildlife. Policies EN16 and 17 state that

development that would harm a listed building, its setting or any features will not be permitted, in addition any extensions must be sufficiently limited in scale so as not to dominate the original building or adversely affect its appearance.

ASSESSMENT

The overall requirements of the Development Plan are that most development should be directed towards sustainable locations, and that good access is available to public transport facilities and that the countryside should be protected. Where development is to take place in the countryside it should benefit the economy and maintain or enhance the natural environment. Further, that any new development proposals within the countryside should be appropriate in scale, form, impact, character and siting of the surrounding area; do not cause demonstrable harm to flora and fauna and that proposals affecting Listed Buildings should preserve and enhance the character, integrity and setting of those buildings.

The Development Plan therefore does not necessarily preclude any such development in this location. However any economic benefit must be weighed against the harm (visual amenity, nature conservation, Listed Buildings) etc.

The application is justified on the basis of economic viability, i.e. that the development is needed for the applicant to continue to run a profitable business. The Commercial Viability Assessment state that the care industry in general in the UK is facing challenging times. Specific to Ruishton Court it states that:- “the current viability of the care home is marginal with profits made only on the last three of the current thirty beds. Over the past twelve months there were two periods of six weeks when five or six beds were empty. When beds are empty there is no reduction in staff hours or running costs, such that the business was running at a loss for some 20% of the last year”; “with the care home being one of the smallest in the area, prices have to be set higher than most homes, which has made it difficult to remain competitive. Over the past 18 months the fee price has been reducing, with costs rising must faster than inflation. This is unsustainable and must be addressed”; “it has therefore been proposed to develop the care home with an extension to provide an additional 24 beds, increasing the capacity to 54 beds, considered to the minimum level at which the home can operate effectively and viably. In addition 20 close care bungalows will be erected in the grounds to allow clients to live as independently as they choose”.

It is noted that the Economic Development Officer supports the application on the basis of the economic benefits outlined in the justification.

However it is concluded that it has not been demonstrated that a development of the size and scale proposed should override the aims of the countryside policies of the Development Plan which seek to limit development in the countryside and only permit proposals that require to be in a rural location and are of an appropriate scale, form, impact, character and siting to its countryside location.

The size of the proposed extension is excessive and will undoubtedly have an adverse impact on the character and setting of the Listed Building. It is noted that the Conservation Officer objects to the scheme on the basis that the extension will

compete with the existing Listed Building and that the 'shrunken pastiche' design of the extension will further dilute the quality of the Listed Building and its context.

In addition the close care units will have a detrimental impact on the character and setting of the Listed Building. The Conservation Officer maintains that the identity of the site is defined by the 'package' of the house together with its gardens. The close care units will have a significant adverse impact on this historical setting which has retained its historic identity to the present day.

In addition the proposal will have an adverse impact on various trees, two of which are located to the front of the house are subject to Tree Preservation Orders. The two trees form an important part of an avenue of trees lining the driveway to the Listed Building. Other trees within the curtilage are likely to be adversely affected by the development and their loss will have an adverse impact on the setting of the Listed Building.

As such the proposal would fail to meet the tests of the Local Plan Policies EC2, S1, S2, EN16 and EN17, which seek to protect the character and setting of historic buildings and the advice contained within Planning Policy Guidance Note 15 – 'Planning and the Historic Environment'.

The Landscape Officer expresses concern that the application is submitted without a tree survey and that the development is likely to cause demonstrable harm to significant trees within the site. It is also noted by the Landscape Officer that the close care units are likely to damage existing trees which are generally located on the sites southern boundaries.

Views from an adjacent footpath to the west and south of the site will be affected. In addition the proposal is considered to be of a scale to affect views into the site from more distant vantage points to the south of the site. The scale, massing and extent of the development in close proximity to the existing site boundaries combined with loss of existing general soft landscaping and trees will cause demonstrable harm to landscape character and wildlife contrary to Local Plan Policies S1, EC2, EN6 and the guidance contained within PPS1; Delivering Development and PPS9; Biodiversity and Geological Conservation.

The County Highways Authority raise a strong objection to the application due to the significant increase in traffic movements that will result. The increase in vehicular movements will therefore result in detriment to highway safety contrary to the relevant development plan policies.

RECOMMENDATION

Permission be REFUSED for the reasons that that (1) The increased use of the existing access together with the generation of additional conflicting traffic movements, such as would result from the proposed development, would be prejudicial to road safety and the free flow of traffic. As such the proposal is contrary to Taunton Deane Local Plan Policy S1 and Somerset and Exmoor National Park Joint Structure Plan Review Policy 49. (2) The proposed development derives direct access from a National Primary Route/County Route and no overriding special

need or benefit has been substantiated for the proposed development as such the proposal is contrary to the Somerset and Exmoor National Park Joint Structure Plan Review Policy 49. (3) The proposed extension by reason of its design, form, style and excessive size and bulk will have an unacceptable dominating impact on the original listed building and will cause demonstrable harm to the character, age, appearance and setting of the listed building contrary to Taunton Deane Local Plan Policies S1(D), EN17(A), (C), (D) and EN16 and the advice contained within Planning Policy Guidance Note 15 – Planning and the Historic Environment. (4) The proposed close care homes by reason of their siting, layout, scale, orientation and design will have a detrimental impact on the character, integrity and setting of the adjacent listed building contrary to Taunton Deane Local Plan Policies S1(D), S2(A), EN17(C) and EN16 and the advice contained within Planning Policy Guidance Note 15 – Planning and the Historic Environment. (5) The proposed close care homes and vehicular access by reason of their siting and layout will have a detrimental impact on existing trees and wildlife within the site including two trees subject to tree preservation orders. The application is also submitted without a tree wildlife survey and as such the precise impact on trees, wildlife and protected species cannot be fully assessed. The proposal will therefore cause demonstrable harm to trees, wildlife local landscape character and the setting of the Listed Building. As such the proposal is contrary to Taunton Deane Local Plan Policies S1 (C), (D), S2 (A), (C), (F), EN3, EN5, EN6, and EN8 and the advice contained within PPS9; Biodiversity and Geological Conservation.

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

CONTACT OFFICER: 356468MR M HICKS

NOTES:

31/2006/021LB

THE PROPRIETORS OF RUISHTON COURT NURSING HOME

ERECTION OF TWO STOREY EXTENSION TO PROVIDE 24 ADDITIONAL BEDS AT RUISHTON COURT NURSING HOME, HENLADE, RUISHTON (AMENDED DESCRIPTION)

326134/124462

FULL

PROPOSAL

The application site is located outside settlement limits for Taunton and is located directly to the south of the A358 from which vehicular access is also gained. The site is bound by open countryside to the east, south and west and by the A358 to the north.

The site consists of a relatively large, late Victorian, Grade 2 Listed country mansion with associated coach house set within relatively spacious grounds consisting of domestic curtilage, and adjoining paddocks. The building is currently used as a nursing home containing 30 beds.

The proposal involves the erection of a two storey extension to the rear of the Listed Building to provide 24 additional beds, a living room and dining room and the erection of 20 single storey close care homes which are detached from the Listed Building.

The proposed extension is located to the rear of the listed building and comprises of an L shaped two storey element linked to the listed building which steps down through a one and a half storey element to a single storey L shaped link. The extension projects a total of 32.5 m from the rear elevation of the listed building before turning through 90 degrees in an south westerly direction. Viewed from the south east (looking at the rear of the Listed Building) the extension measures 29.0 m in width (two storey element) with the addition of the single storey link measuring 7.5 m.

In terms of height the extension is stepped down from the existing listed building measuring 8.6 m to the ridge. The proposed materials re stated on the plans to match the existing (plain clay tiles, red bricks, timber windows and timber doors).

CONSULTATIONS AND REPRESENTATIONS

CONSERVATION OFFICER this proposal has not been appropriately justified and it is difficult for me to see how the impact this proposal would have on the listed building and its setting could possibly be justified in the terms required by PPG15. The character of this building is neatly defined as a moderately sized country mansion with gardens in a setting of fields/paddocks. The gardens and setting are here an essential component of the designed 'package' and with the house collectively define the character of the site. The identity of the site is still intact if use

itself has changed, though radical expansion of institutional use will have a devastating impact. The proposal will see the house marginalized and subordinated in a context approaching that of a themed holiday camp. In terms of size and massing the 'extension' (in effect a separate building) competes with the house while appearing a shrunken pastiche diluting the quality of its context. Architecturally speaking there is no logical historical foundation for this scheme. It fills a large chunk of the grounds and leads to sacrifice of an interesting (neglected) greenhouse. The close care units relate even less to context than the extension further destroying the grounds of the house and divorcing it from its broader landscape context.

PARISH COUNCIL object to the application; concern was expressed over additional traffic onto the A358, the proximity of the proposed park and ride and the size of the development.

POLICY CONTEXT

PPG15- The Historic Built Environment. Paragraph 3.3 of PPG15 states:- "While the listing of a building should not be seen as a bar to all future change, the starting point for the exercise of listed building control is the statutory requirement on local planning authorities to "have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses" (S.16 Planning (LBCA) Act 1990). This reflects the great importance to society of protecting listed buildings from unnecessary demolition and from unsuitable and insensitive alteration and should be the prime consideration for authorities in determining an application for consent."

RPG10 now called the Regional Spatial Strategy (RSS) and forms part of the adopted Development Plan. The South West Regional Assembly is currently preparing a revised RSS which is currently within its formal consultation period. The following policy are considered relevant to the consideration of this application:- Policy EN3- The Historic Environment.

Somerset and Exmoor National Park Joint Structure Plan Review. This document was adopted in April 2000 and thus predates the inclusion of the RSS as part of the Development Plan Documents and recent Government Guidance. The following policies however, remain relevant for this application:- Policy 9- The Built Historic Environment.

Taunton Deane Local Plan Policy S1 - General Principles, S2 – Design, EN16 - Listed Buildings, EN17 - Changes to Listed Buildings.

Policy S1 of the Taunton Deane Local Plan sets out general requirements for new developments. Policy S2 requires development to be of a good design. Policies EN16 and EN17 state that development that would harm a listed building, its setting or any features will not be permitted, in addition any extensions must be sufficiently limited in scale so as not to dominate the original building or adversely affect its appearance.

ASSESSMENT

It is considered that the size of the proposed extension is excessive and will have a significant adverse impact on the character and setting of the listed building. The Conservation Officer objects to the scheme on the basis that the extension will compete with the existing listed building and that the 'shrunk pastiche' design of the extension will further dilute the quality of the listed building and its context.

As such the proposal would fail to meet the tests of the Local Plan Policies S1(D), S2(A) EN16 and EN17 and the advice contained within Planning Policy Guidance Note 15 – Planning and the Historic Environment.

RECOMMENDATION

Permission be REFUSED for the reason that the proposed extension by reason of its design, form, style and excessive size and bulk will have an unacceptable dominating impact on the original listed building and will cause demonstrable harm to the character, age, appearance and setting of the listed building contrary to Taunton Deane Local Plan Policies S1(D), S2(A), EN17(A,C,D), EN16 and the advice contained within Planning Policy Guidance Note 15 – Planning and the Historic Environment.

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:

34/2006/029

AMANDA KIBBLE

ERECTION OF NEW BOUNDARY FENCE AT 10 RHODES CLOSE, TAUNTON

320941/126008

FULL

PROPOSAL

Permission is sought for the erection of a new boundary fence to further enclose the side garden of the application site. The proposal in essence would involve the repositioning of the existing fence a further 3.6 m to the south of the existing line. The proposed materials indicated on the application form would be to match the existing i.e. panel fencing. The fence would measure 1.8 m in height.

Permission was granted to enclose part of the side garden under planning reference 34/2006/026

CONSULTATIONS AND REPRESENTATIONS

PARISH COUNCIL supports the proposal.

2 LETTERS OF OBJECTION have been received raising the following issues:- proposal would make the garden excessive for the dwelling; loss of light; reduction in visibility when parking; out of character; create an alleyway.

POLICY CONTEXT

PPS1 (Delivering Sustainable Development)

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

Taunton Deane Local Plan Policies S1 (General Requirements) and S2 (Design).

ASSESSMENT

The main issues in the determination of this application concern the visual impact of the proposed development upon the character and appearance of the locality and secondly whether the amenity of local residents would be adversely affected.

Rhodes Close is characterized by its open plan layout, controlled through the removal of Permitted Development Rights for the erection of inter alia, fences. The proposed development would involve the continuation of the existing fence line towards the public footpath 3.6 m, but would not bound it. The fence would be set well back from the front elevation of the dwelling, however, it is considered that the existing open space to the side of the existing enclosure forms an important and integral role in the character of the estate and the extension of the fence line would

exacerbate its prominence within the street scene. Whilst the Parish Council raises no objection to the proposal it is considered that the fence would appear an incongruous feature detrimental to the visual amenities and would erode the open character of the estate. The extension of boundary enclosure if allowed would result in an expanse of fencing and would form a dominant feature within the street scene without any planting proposed to mitigate its impact.

It is considered that by reason of the proposed siting and the existing separation distances the extension would not appear so oppressive as to harm the residential amenity of local residents as to substantiate refusal on such grounds. However, the concerns of residents as to the scale and appearance are noted and are addressed above.

RECOMMENDATION

Permission be REFUSED for the reason that the proposed development by reason of its siting, height, extent and appearance would appear an incongruous and intrusive feature which would erode the open character of the estate and detract from the visual amenities of the area. As such the proposal would be contrary to Somerset & Exmoor National Park Joint Structure Plan Review Policy STR1 and Taunton Deane Local Plan Policies S1 and S2.

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

CONTACT OFFICER: MR A PICK Tel: 356586

NOTES:-

38/2006/360

MRS S MORRIS

**ERECTION OF TWO FLATS ON LAND ADJOINING 29 CRANMER ROAD,
TAUNTON**

323338/124783

FULL

PROPOSAL

The site comprises an existing semi-detached dwellinghouse on a corner plot located on the southern end of Cranmer Road where it joins Hugo Street. The property has a large grassed area to the side, an enclosed rear garden and a garage to the rear with access onto Hugo Street.

The proposal is to erect a two storey detached building on the corner of Hugo Street to provide two self-contained flats. A covered porch will link the proposed building to the existing dwelling. One parking space will be provided for each flat. The existing garage will be demolished and a new garage and 1 additional parking space will be provided for the existing dwellinghouse. The majority of windows will be on the south east and north east elevations. There will be one 1st floor window in the south west elevation and one ground floor window in the north west elevation. The building is rectangular in shape and the ridge height of the roof will be slightly lower than that of the existing building.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY no objection. ENVIRONMENT AGENCY flood risk standing advice that we have provided. WESSEX WATER applicant needs to agree points of connection onto system.

5 LETTERS OF OBJECTION have been received raising the following issues:- loss of privacy; eyesore for Hugo Street; impact on sewage system and drains; lack of parking; highway safety; potential leasing of property; the link to existing property is inappropriate design.

POLICY CONTEXT

Taunton Deane Local Plan Policy S1 – General Requirements, S2 – Design, H2 – Housing within Classified Settlements, H4 self-contained Accommodation and M4 – Residential Parking Requirements.

ASSESSMENT

The site is located within the central area of Taunton and as such the local plan supports the increase in density of an existing developed area. The site is a corner plot and considered large enough to accommodate a new building to provide two flats, parking for the flats and amenity space and parking for the existing dwelling.

The main considerations in respect of this proposal are impact on amenities of surrounding residential property, parking provision and design of the building.

The rear of the properties on Winchester Street and Eastbourne Gate that are visible from the site are considered sufficient distance away from the property to not be significantly affected in terms of loss of privacy or loss of light. In respect of Nos. 27 and 29 Cranmer Road the proposed building will only have one ground floor window on the northwest elevation which will have fixed obscure glazing to prevent overlooking.

Sufficient parking is proposed for both the flats and the existing dwelling. The proposed new garage for the existing property will not affect visual nor residential amenities. The proposal includes cycle parking provision in line with local plan requirements.

The design of the building is considered to be in keeping with the character and appearance of the area.

RECOMMENDATION

Permission be GRANTED subject to conditions of time limit, materials, landscaping, parking, garage use only, obscure glazing, cycle parking, storage areas.

REASON(S) FOR RECOMMENDATION:- The proposal, for residential development, is located within defined settlement limits where new housing is encouraged and the development would not have a detrimental impact upon visual or residential amenity and is therefore considered acceptable. Therefore, the scheme accords with Taunton Deane Local Plan Policies S1, S2, H2 and M4.

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:

38/2006/419

MR & MRS J WASE

ERECTION OF DETACHED DWELLING AT 120 NORMANDY DRIVE, TAUNTON

324501/124198

FULL

PROPOSAL

The proposal comprises the erection of a 2 bedroomed dwelling on land adjoining and within the curtilage of No. 120 Normandy Drive. The site is a corner plot at the junction with Bacon Drive. An existing driveway with 2 No. on-site parking spaces serves No. 120 Normandy Drive, and another existing driveway, off Bacon Drive, which serves a garage and 2 No. on-site parking spaces, would be utilised by the proposed dwelling.

Planning permission was refused in August 2006, reference 38/2006/266, for a differently designed 2 bedroomed dwelling, on the basis that the design does not reflect the design, character, and layout of surrounding properties.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY no objections.

LANDSCAPE OFFICER subject to no encroachment onto the root spread area of the existing off site Birch Tree, and details of landscape proposed, it should be possible to integrate the proposals into the local landscape. DRAINAGE OFFICER recommends note.

6 LETTERS OF OBJECTION have been received raising the following issues:- the proposal is less in keeping with surrounding properties than the previous applications; the dwelling would be used as a multiple occupancy dwelling; privacy will be lost; noise and disturbance would revert because of the increase in car usage; visibility would be obstructed at the junction, and road safety prejudiced; outlook would be lost; there is no need for another house; the proposed small garden would be out of character; a detached house would be out of character; parking problems would be exacerbated; the silver birch would inevitably be removed; the house should have been included in the original development; windows are proposed in the roof space which implies an intention to include a second floor, and; the dwelling would be overbearing.

1 LETTER OF SUPPORT has been submitted raising the following issues:- the proposal would provide much needed housing, and the new plans are more in keeping and improved.

POLICY CONTEXT

Taunton Deane Local Plan Policy H2 accepts development inside settlement limits, provided, inter alia, there would be no adverse impact on the character of the area, on road safety, or on visual or residential amenity. Policies S1 and S2 seek to safeguard the same principles.

ASSESSMENT

No neighbouring property would be adversely affected in terms of loss of light or privacy, there is sufficient on-site parking provision, a mature silver birch would be retained, and the site is capable of accommodating a modest dwellinghouse. The one concern relates to the design of the dwelling and whether it is in keeping with the character of the area, and I am now satisfied that this has now been achieved. Most importantly the architectural detailing reflects and mirrors that of neighbouring properties along Normandy Drive, and the previous refusal reason has therefore been overcome.

RECOMMENDATION

Permission be GRANTED subject to conditions of time limit, materials, landscaping, walls/fence to be approved, and removal of permitted development rights.

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

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

CONTACT OFFICER: 356465 MR J GRANT

NOTES:

38/2006/434

MR A ROUS

**ERECTION OF DWELLING ON LAND TO REAR OF 16 STATION ROAD,
TAUNTON (REVISED SCHEME)**

322563/125049

FULL

PROPOSAL

The proposal comprises the erection of a single detached one bedroom dwelling to rear of 16 Station Road on unused courtyard area at the rear of a commercial premises. A previous permission for a dwelling here was approved under delegated powers.

The revised scheme is before Members as the Agent is related to a staff member.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY no objection.

1 LETTER OF OBJECTION has been received raising the following issues:- the access door should not interfere with the doors to the rear of number 16 or the free access to the doors.

POLICY CONTEXT

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 33 – Housing,

Taunton Deane Local Plan Policies S1 – General Requirements, S2 – Design, H2 – Housing in Settlements, H4 – Self Contained Accommodation, M4 –Parking, EN23 – Areas of Archaeological Potential, EN28 – Flood Risk, EN32 – Contaminated Land.

ASSESSMENT

The site is an open yard area between the rear of the existing Station Road properties and the Beauty Salon in Black Horse Lane. Access would be off the Lane with no vehicular only cycle parking. Previous permission has also been given for a retail unit here as well as a dwelling. The revised scheme changes the position of the access door to the dwelling.

The site is in an area of flood risk and archaeological interest and these issues have been addressed by condition and the flood issue still needs to be addressed. With regard to neighbour impact the first floor bedroom has been provided with high level roof lights to address overlooking and no objections have been received.

The revised scheme is a suitable re-use of a brownfield site and the use here is considered acceptable and is recommended for approval.

RECOMMENDATION

Permission be GRANTED subject to conditions of time limit, materials, window design, windows recessed, floor level, obscure glazed window, bin and cycle store. Note re flood risk.

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

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:

38/2006/450

GADD HOMES LTD

PROPOSED RESIDENTIAL DEVELOPMENT OF ERECTION OF 5 TOWN HOUSES INCLUDING PARTIAL DEMOLITION OF BUILDING AND CONVERSION BACK TO SINGLE DWELLING AT WOODSTOCK HOUSE, 91 STAPLEGROVE ROAD, TAUNTON

322061/125205

FULL

PROPOSAL

The proposal is an alternative scheme following the refusal of 14 flats on the site in May this year. It includes the erection of a pair of semi-detached town houses to the west of Woodstock House, the demolition of the rear part of the main house and its conversion back to a single dwelling and the erection of a further pair of semis to the south of the house. The conversion of Woodstock House would involve the removal of the later 20th century extensions resulting in a balanced façade to both road frontages. The new building onto Woodstock Road is positioned in line with the adjacent building and the scale, massing and architectural aesthetics relate to properties in the area.

The semi-detached pair of dwellings fronting Staplegrove Road have been significantly set back from the existing building line of Woodstock House. The new building is a response to achieving a subservient position in relation to the existing house. As with the bungalow at 89 Staplegrove Road it is set back and furthermore it is masked by a high wall and mature planting along Staplegrove Road frontage.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY comments awaited. WESSEX WATER the development is within a sewered area with foul and surface water sewers available. Surface water should not be discharged to the foul sewer. Attenuation of flows may be required. Points of connection will need to be agreed at the detailed design stage. There is a public combined sewer crossing the site and there will need to be an easement or diversion and protection works may need to be agreed. A condition or informative should be placed on any consent to protect the integrity of Wessex systems.

LANDSCAPE OFFICER subject to protection of Tulip tree during construction and submission of landscape details it should be possible to integrate the proposals into the conservation area. CONSERVATION OFFICER I am happy with this revised scheme. Conditions should be imposed addressing materials and windows in order to ensure the quality of the new development. It's important a good job is made of repairing 91 once the wing is removed. I suggest you condition matching brick/bond as render would not work well on this building.

4 LETTERS OF OBJECTION have been received raising the following issues:- lack of provision for second cars or visitor vehicles adding to congestion in Woodstock Road; the building will cause a dark approach at the rear of the existing house and cause difficulty with maintenance; windows of plot 3 will cause loss of privacy as very close to boundary; wrong for a back garden and all it entails to back onto Woodstock Road, it should have adequate screening; Committee should be aware that the amount of development in the area is putting its whole identity in jeopardy; there is a need to preserve or enhance the character and appearance of the area; the proposal will create a parking problem in Woodstock Road that will not enhance the character of the area with the chance of another 20 cars; a garage space for each house is not sufficient for 3 and 4 bedroom houses; the access to Staplegrove Road has restricted visibility causing a problem; the demolition of the rear section Woodstock House was considered inappropriate before by the Conservation Officer and the application should be refused on grounds of increased traffic and parking (EN14), harm to the appearance of the street (S1D), erosion of the character of the area (H2E) and does not conform to EN15 due to the demolition of existing buildings.

1 LETTER OF SUPPORT has been received stating the proposal will fit into the area.

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, M4 – Residential Parking Requirements, EN6 – Protection of Trees, EN14 – Conservation Areas, EN15 – Demolition Affecting Conservation Areas.

ASSESSMENT

The proposal is a revised scheme following the refusal of flats on the site earlier this year. The scheme now involves the provision of two pairs of semi-detached dwellings as well as alteration of the original house back to a single dwelling. This follows work and discussion with the Conservation Officer who has been working on the character appraisal of the Conservation Area. Some form of in fill here, as well as removal of part of the rear section of the existing house is considered acceptable in principle.

The main considerations are the impact on the character of the conservation area, the impact on the amenity of neighbours, the parking provision and safety of the access.

There has already been an approval for a building to the west of the existing house and the current application provides a pair of semis set down in height from the adjacent property in Woodstock Road and projects 1.8 m to rear of this dwelling. The house design with traditional windows, chimneys and materials to reflect the character of the road is considered a significant improvement on the previous scheme and to be of a calibre that would enhance the character of the area. There was previously concern over the linkage of a new building to the main house with the loss of the gap to the south. This has been addressed by setting the new building back from the frontage and by designing it to reflect the character of the existing house. The Conservation Officer considers the provision of a building in this location to be suitable and the design is considered to reflect the original building and not to detract from the character of the conservation area. The demolition of the rear section of Woodstock House which is considered a later addition than the main building on the frontage is considered acceptable in terms of the character of the area subject to the making good of the demolition in matching materials. This is not the demolition of the whole building and Policy EN15 is not considered to be breached. An acceptable redevelopment scheme of the site as a whole is being proposed and the scheme is considered to accord with Policy EN14 as this preserves the character of the area.

The design of the new build plots 4 and 5 project 1.8 m to the rear of the adjacent dwelling in Woodstock Road and the rear windows face into the site with almost 11 m to the rear boundary with the bungalow to the south. Plots 2 and 3 similarly face into the site and there is 20 m to the existing residential boundary with the Woodstock Road property. The side of plot 3 is over 2 m from the boundary with the bungalow to the south and it is considered appropriate to condition no future windows on this side elevation to protect the privacy of the bungalow. The windows provided at the rear will be at an acute angle to the boundary and this is such that the impact on the amenity of the bungalow is considered an acceptable one. The new build development of plot 3 does encroach to the southern boundary than the existing development and it is set at a higher level. However, given the layout and orientation of the site the proposal is not considered to adversely affect the light and amenity of the neighbouring property such as to warrant refusal.

The proposal provides for parking within the site on a one for one basis and given the proximity to the town centre and the parking policy M4, this is considered adequate and acceptable. While concern has been raised over the potential for increased parking as a result of the development this is not considered sufficient grounds to refuse the proposal given the compliance with policy. The proposal provides a visibility splay onto Woodstock Road and an improvement to visibility on the Staplegrove Road junction. The formal comments of the Highway Authority are awaited but it is understood that these splays are acceptable and they are to be conditioned as part of any approval.

In summary the revised scheme for the development of this site to provide 5 dwellings is considered to respect the character of the area and subject to conditions to ensure the high quality of materials are provided to respect this the application is recommended for approval.

RECOMMENDATION

Permission be GRANTED subject to conditions re time limit, materials, sample panel, timber windows, design details of windows, recessed windows, repairs after demolition, drive materials, guttering details, garage use only, cycle parking, landscaping, protection of tulip tree during construction, visibility at access, visibility onto Staplegrove Road, no additional windows on plot 3 gable and no extensions. Notes re protection of Wessex infrastructure crossing site and energy conservation.

REASON(S) FOR RECOMMENDATION:- The proposal is considered to comply with Taunton Deane Local Plan Policies S1, S2, H2, M4 and EN14 and material considerations do not indicate otherwise.

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:

38/2006/476

AMEC DESIGN AND PROJECT SERVICES

ERECTION OF TWO STOREY BUILDING TO FORM ONCOLOGY CENTRE AND ASSOCIATED PARKING AT MUSGROVE PARK HOSPITAL, TAUNTON (REVISED SCHEME)

321344/124323

FULL

PROPOSAL

Outline permission was granted in August 2002 for the establishment of a new oncology department on land towards the northeastern corner of the hospital site. The site currently accommodates a children's unit which is to be demolished and relocated elsewhere on the site. A detailed approval for the building was granted in 2004. The current submission is a revised application to take into account design developments and the requirements of the amended Building Regulations.

The works will involve the loss of a car parking area. However this is made up for in the new multi-storey car park, thus avoiding one of the original conditions. The two storey oncology unit has a curved front and provides a day ward, out patients, consulting rooms, pharmacy, radiotherapy and reception at ground floor level with in patient ward, staff and admin accommodation above. The majority of the necessary plant is located in an enlarged space within the roof where it will be largely screened from public view.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY no objection as this is a resubmission of a previously approved scheme subject to previous requirements being met. WESSEX WATER the hospital has its own private drainage system that discharges to the public system. There should be no increase in flows to the public surface water sewer and attenuation may be required. There are no anticipated problems with regard to the capacity of the public foul system. There is a public surface water sewer crossing the site and an easement is normally required for maintenance and repair. Diversion or protection works may need to be agreed. An informative should be placed on any consent to ensure protection of Wessex infrastructure. There is water supply in the vicinity and connection can be agreed at detailed stage. Private pumping may be necessary and the developer should contact our development engineer to discuss further.

POLICY CONTEXT

Somerset and Exmoor National Park Joint Structure Plan Review Policies STR1 – Sustainable Development, STR4 – Development in Towns, POLICY48 – Access and Parking.

Taunton Deane Local Plan Policies S1 – General Requirements, S2 – Design.

ASSESSMENT

The principle of a building in this location has been established by the granting of outline consent. The main issue is the impact on neighbouring amenity. The main change from the previously approved scheme is the raising of a section of roof by 2 m to allow for the provision of plant within the roof space. The site backs onto rear gardens in Musgrove Road, however, distances of 7 - 10 m to rear garden boundaries and approximately 28 m to dwellings are such that no material loss of light will occur and the roof change does not materially affect this. Any windows facing this boundary will be obscure glazed, details of which are conditioned.

The design of the building is considered appropriate to its location, while details of the replacement car parking is also considered appropriate. A noise condition was previously imposed and this requirement is still considered necessary.

RECOMMENDATION

Permission be GRANTED subject to conditions of time limit, materials, landscaping, floodlighting, noise, obscure glazing. Notes re Wessex Water infrastructure, compliance, Part M, CDM Regs and fire safety.

REASON(S) FOR RECOMMENDATION:- The proposed building is of good quality design and will not detract from the character of the locality. The relationship with nearby dwellings is acceptable and will not cause harm to residential amenity. The proposal therefore complies with Taunton Deane Local Plan Policies S1 and S2.

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

CONTACT OFFICER: 356398 MR G CLIFFORD

NOTES:

42/2006/037

MR & MRS D COLEMAN

ERECTION OF TWO STOREY EXTENSION TO FORM GRANNY ANNEXE AND GARAGE AT FARTHING COTTAGE, COMEYTROWE LANE, TRULL

320081/122520

FULL

PROPOSAL

The proposal comprises the erection of a two storey side extension to form a granny annexe with integral double garage. The extension would be built on an area of the curtilage which is currently used to provide off-street parking facilities for this rendered semi-detached cottage.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY it is proposed to erect the extension/structure, on a public right of way, clearly this is not possible without the right of way being officially diverted. I assume that the District Council have consulted with the County Council's Rights of Way Team on this matter, who I presume, will comment and make a recommendation of refusal. Vehicles entering and exiting the garage will have to cross land that is neither highway or appears to be within the control/ownership of the applicant. I have enclosed an extract of map clearly showing the extent of the highway for information purposes. If the applicant does not have a right of way over this land it could result in issues of access and rendering the garage unusable, which will result effectively in a loss of parking and could lead to vehicles parking on the public highway. Given that the existing point of access is quite wide, open and away from the corner of the building, I believe that by extending the dwelling in the easterly direction, visibility for vehicles emerging from the proposed garage will be made worse. I would therefore recommend that the extension is get back 2m from the edge of the highway to ensure that a level of visibility is achieved for vehicles exiting the garage. RIGHTS OF WAY TEAM recommends notes.

DRAINAGE OFFICER recommends note.

POLICY CONTEXT

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

ASSESSMENT

The adjoining property would not be adversely affected in terms of loss of light or privacy. In addition, the extension would be subservient to the existing building and the pair of semis would not accordingly be imbalanced.

The contentious issue concerns road safety implications. The Rights of Way Officer has confirmed that vehicular access to and from the integral garage would not impose on the adjacent right of way. The County Highway Authority also confirm that the access would not be directly onto the public highway. Given therefore that the access would be onto land which is neither public highway, public highway and beyond the applicants control, the garage would consequently be unusable, and this would result in vehicles being parked on the public highway to the detriment of road safety. In addition, visibility for vehicles leaving the site would be worsened. Accordingly the proposal is considered unacceptable.

RECOMMENDATION

Permission be REFUSED for the reasons that (1) vehicles entering and exiting the proposed garage will have to cross land which is not within the control/ownership of the applicant. This would result in the garage being unusable, which would result in loss of on-site parking and vehicles parking on the public highway to the detriment of road safety. Accordingly the proposal is contrary to Taunton Deane Local Plan Policies S1 and H17 and Somerset and Exmoor National Park Joint Structure Plan Review Policy 49. (2) Visibility for vehicles emerging from the proposed garage would be worsened to the detriment of road safety and the proposal would accordingly conflict with Taunton Deane Local Plan Policies S1 and H17 and Somerset and Exmoor National Park Joint Structure Plan Review Policy 49.

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

CONTACT OFFICER: 356465 MR J GRANT

NOTES:

43/2006/112

MR T KLIMPKE

DEMOLITION OF CAR SHOWROOM AND FIRST FLOOR FLAT AND FORMATION OF ACCESS ROAD AND RESIDENTIAL DEVELOPMENT CONSISTING OF 6 NO. FLATS AND 7 NO. DWELLINGS, 58 - 60 MANTLE STREET, WELLINGTON AS AMENDED BY LETTER DATED 30TH OCTOBER, 2006 WITH ACCOMPANYING DRAWING NOS. 0434/29E, 35A, 36C AND 38B AND BAT SURVEY AND FURTHER AMENDED BY LETTER DATED 6TH NOVEMBER, 2006 WITH ACCOMPANYING DRAWING NOS. 0434/34A, 37D AND PATTERN OF DEVELOPMENT PLAN

313646/120322

FULL

PROPOSAL

The proposal provides for the demolition of the existing car showroom and workshops and existing first floor flat to create a new access road and residential development consisting of 6 two bed flats, 3 two storey two bed dwellings and 4 two and a half storey for bed dwellings. The site also takes in a yard area to the rear. The frontage of the site is located within the Conservation Area. The area of the site totals 0.12 ha. The proposed development will look to replicate the existing street scene with the introduction of a small two storey end of terrace house with the creation of an opening alongside to provide access to the rear of the site. The proposed property in Mantle Street will be rendered with stone keystone details above the windows and doors. The proposed properties within the site will be brick with brick details and banding to replicate that of the army cadets building opposite the site on Mantle Street. Natural slate roofs are to be used throughout the proposed development, as predominantly used in the surrounding areas. The existing boundary walls are to remain and will act as a screen and enclose the site. 16 car spaces are to be provided. In addition, a new garage and car space is to be provided within the scheme for no. 62 Mantle Street. A previous application for the demolition of the showroom and flat above and the erection of a flat over a new arch and access road to the rear was refused earlier this year on grounds that the proposed design was not of sufficiently high architectural standard for this prominent and important site within the Conservation Area and the development would detract from the architectural and historic character of the area. That refusal of permission is now the subject of an Appeal.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY various detailed points and requests for various amendments and points of clarification. COUNTY ARCHAEOLOGIST limited or no archaeological implications to the proposal, therefore no objection on archaeological grounds. WESSEX WATER points of connection for satisfactory disposal of foul and surface water flows generated by the proposal and water supply need to be agreed. There is a public combined sewer crossing the site. Wessex Water normally requires a 3 m easement width on either side of the apparatus for maintenance and

repair. Diversion or protection works may need to be agreed. An informative to this effect should be included on any approval certificate.

CONSERVATION OFFICER (initial plans) the principle of the scheme is good, but the design is not. The proposal does not respond to the character of the area except in rather superficial ways. The designs could be found anywhere and the layout of the development is based on no relevant local template. Courts and accesses running at right angles to the main street are a recurrent feature within the Conservation Area and most often have resulted from the high density linear development of plots. As such they are normally lined with terraced buildings, as seen in both Twyford Place and Champford Mews adjacent. A development incorporating terraced/conjoined buildings arranged in a linear fashion would have worked well here as it would have had precedent and relevance. The scheme will only satisfactorily create a new 'place' within the Conservation Area by setting sufficiently tall, solid automatic gates at the Mantle Street entrance or returning to the previously refused scheme and placing a solid automatic gate within the building over-sailing the entrance. Concern at design of the proposed dwelling on the Mantle Street frontage. The proposal to insert two small islands either side of the entrance to the development find no context. These will be two isolated blobs in the street which will appear very alien. (Amended plans) do not think that the design/appearance/layout of the scheme is particularly good. I see improvement in regard to the proposed building on Mantle Street – suggest conditions regarding submission of detail regarding façade finish, roofing sample and use of timber sash windows. A chimney stack would help to further harmonise the building. NATURE CONSERVATION OFFICER need further information on the potential for protected species on the site and recommend that an initial survey is carried out on site, with access to buildings. ECONOMIC DEVELOPMENT OFFICER no objections to the proposed redevelopment of the site. ENVIRONMENTAL HEALTH OFFICER recommends contaminated land investigation and remediation condition. DRAINAGE OFFICER whilst noting that surface water flows are to be discharged via the mains sewers, it is suggested that surface water run off should be treated as close to its source as possible. A note should be attached to any approval that full consideration should be given to installing a control system before connecting to mains sewers. LEISURE DEVELOPMENT MANAGER in accordance with Policy C4, provision for play and active recreation must be made. Would therefore request a contribution of £1,785 per dwelling towards children's play facilities and £859 per dwelling towards outdoor recreation.

ONE LETTER OF OBJECTION has been received raising the following issues:- very concerned about the parking in Mantle Street; insufficient parking for the new development; noise from new road following demolition.

THREE LETTERS OF REPRESENTATION have been received raising the following issues:- the windows in the gable ends will result in overlooking - request small windows fixed and obscure glazed; boundary wall to be kept at the same height and be repaired to be made good; bushes growing from wall should be removed; concern at condition/stability of boundary wall; trees should be planted to provide privacy.

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 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 criterion.

ASSESSMENT

The proposed development provides the opportunity to improve the visual amenity of this vacant site and remove the possibility of continued use as a car repair centre, which is unneighbourly to the adjacent residential areas. The proposal also benefits from existing local services and amenities, bus routes and close links with the town centre, making the scheme sustainable in its locality. The proposals also seek to maximize the re-use of previously developed land. The points raised by the County Highway Authority and some of those raised by the Conservation Officer have been addressed in the amended plans. The conclusion of the bat survey is that bats and owls were not found to be using the property, so there is not any need for any mitigation to be put in place in this instance. I do not consider the provision of solid automatic gates across what will become a public highway (as requested by the Conservation Officer) to be a realistic option.

RECOMMENDATION

Subject to the applicants entering into a Section 106 Agreement to provide for contributions to leisure facilities of £1,785 per dwelling towards children's play facilities and £859 per dwelling towards outdoor recreation, the Development Control Manager be authorised to determine the application in consultation with the Chair/Vice Chair and permission be GRANTED subject to conditions of time limit, site levels, materials, sample panel of rendered block for plot 13, , specific details of windows/doors, rainwater goods, mortar details, landscaping (hard and soft), boundary treatment, screening during demolition, estate road, visibility splays, parking, cycle parking, first and second floor windows of gable end of plot 4 and west elevation of the block of flats, underground services, no bell casts to rendered areas, meter boxes, removal of GPDO rights for extensions and means of enclosure forward of the dwellings and access gradient. Notes re disabled access, energy/water conservation, street naming, meter boxes, no discharge of surface water onto highway, compliance, CDM Regulations, high standard of design and materials and various detailed highways points.

REASON(S) FOR RECOMMENDATION:- The proposal is considered not to harm the visual or residential amenity and accords with Taunton Deane Local Plan Policies S1, S2, H2, & M4. Furthermore the proposal is not considered to be detrimental to the character and appearance of the Conservation Area and is therefore compliant with Taunton Deane Local Plan Policy EN14.

Should the Section 106 Agreement not be completed by 30th November, 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 to requiring the applicant to enter into a Section 106 Agreement prior to the commencement 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:

43/2006/113CA

MR T KLIMPKE

DEMOLITION OF CAR SHOWROOM AND FIRST FLOOR FLAT AND 2 NO WORKSHOPS TO THE REAR, 58-60 MANTLE STREET, WELLINGTON AS AMENDED BY LETTER DATED 30TH OCTOBER, 2006 WITH ACCOMPANYING DRAWING NOS. 0434/29E, 35A, 36C AND 38B AND BAT SURVEY AND FURTHER AMENDED BY LETTER DATED 6TH NOVEMBER, 2006 WITH ACCOMPANYING DRAWING NOS. 0434/34A, 37D AND PATTERN OF DEVELOPMENT PLAN.

313646/120322 C.A. CONSENT - DEMOLITION OF UNLISTED BUILDING IN C.A.

PROPOSAL

The proposal provides for the demolition of the existing car showroom and workshops and existing first floor flat. The previous item (43/2006/112) relates to an associated planning application to create a new access road and residential development to the rear.

CONSULTATIONS AND REPRESENTATIONS

CONSERVATION OFFICER see previous item.

TOWN COUNCIL no objection - supports.

POLICY CONTEXT

Policy EN15 of the Taunton Deane Local Plan states that there is a strong presumption against the demolition of buildings which make a positive contribution to the character of a conservation area. Proposals involving the demolition of other buildings within or affecting a conservation area will not be permitted unless acceptable proposals for any redevelopment or new use for the site have been approved. It is considered that with the proposed redevelopment of the site, the proposal is in compliance with the policy.

ASSESSMENT

The nature of the building is such that it does not make such a positive contribution to the character of the Conservation Area to resist demolition, when taken together with the redevelopment proposals for the site. Subject to the recommended conditions, the proposal is considered to be acceptable.

RECOMMENDATION

Consent be GRANTED subject to conditions of time limit and no demolition until planning permission for redevelopment has been granted and a contract let.

REASON(S) FOR RECOMMENDATION:- The proposed demolition of the buildings will not have a detrimental impact on the character and appearance of the Conservation Area provided a suitable replacement scheme is in place in accordance with Taunton Deane Local Plan Policy EN15.

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:

43/2006/128

MR SUMNER

INSTALLATION OF SOLAR WATER HEATING COLLECTORS ON THE ROOF IN THE FRONT ELEVATION OF 49 HIGH STREET, WELLINGTON

314052/120793

FULL

PROPOSAL

The proposal comprises the installation of solar panels to the roof of the dwelling, which is a grade II listed building and within the Conservation Area.

A listed building application has not been submitted as yet.

CONSULTATIONS AND REPRESENTATIONS

CONSERVATION OFFICER objection to proposal as detrimental to character of listed building; listed building consent required.

TOWN COUNCIL no objection.

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), EN14 (Conservation Areas) EN16 (Listed Buildings) and EN17 (Changes to Listed Buildings) seek to safeguard the character and appearance of listed buildings.

ASSESSMENT

The dwelling lies within the centre of Wellington facing onto the main road through the town. The dwelling is also within the Conservation Area of Wellington and is a grade II listed building.

The proposal would constitute the installation of an alien feature that would be prominent in the street scene having a detrimental impact on the character and appearance of the listed building and the Conservation Area.

RECOMMENDATION

Permission be REFUSED for the reason that the proposed solar panels are a visually prominent and incongruous feature which disrupts the smooth line of the roof slope, which is detrimental to the character and appearance of this listed building.

Furthermore, the proposal would have an adverse impact on the Conservation Area and street scene at this point. Accordingly the proposal is contrary to Taunton Deane Local Plan Policies S1, S2, EN14, EN16 and EN17.

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:

43/2006/138

GEORGE EDWIN MOODY

INSTALLATION OF SOLAR PANELS ON ROOF, THE STABLES, CHURCH GREEN, WELLINGTON

314061/120853

FULL

PROPOSAL

The proposal comprises the installation of solar panels to the roof of the dwelling.

The Stables is a converted building within the original curtilage of 71 High Street, which is a grade II listed building. The property is therefore listed by virtue of curtilage.

A listed building application has not been submitted as yet.

CONSULTATIONS AND REPRESENTATIONS

CONSERVATION OFFICER objection to proposal, listed building consent required.

TOWN COUNCIL no objection.

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), EN14 (Conservation Areas) EN16 (Listed Buildings) and EN17 (Changes to Listed Buildings) seek to safeguard the character and appearance of listed buildings.

ASSESSMENT

The dwelling lies within the Conservation Area of Wellington and is adjacent to St John the Baptist's Church, a grade I listed building.

The proposal would constitute the installation of an alien feature that would have a detrimental impact on the character and appearance of the listed building, the conservation area, and the setting of nearby listed buildings.

RECOMMENDATION

Permission be REFUSED for the reason that the proposed solar panels are a visually prominent and incongruous feature which disrupts the smooth line of the roof

slope, which is detrimental to the character and appearance of this listed building. Furthermore, the proposal has an adverse impact on the Conservation Area and the setting of nearby listed buildings. Accordingly the proposal is contrary to Taunton Dean Local Plan Policies S1, S2, EN14, EN16 and EN17.

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:

Planning Committee – 22 November, 2006

Report of the Development Control Manager

Countryside Item

Objection to Taunton Deane Borough (Taunton No. 2) 2006 Tree Preservation Order on land to the south of Savery Row, Taunton (Grid ref. 2355 2418), TD1008 (T1 Elder)

This Tree Preservation Order was served in response to a possible threat to the tree following a planning application registered in March 2006:-

Erection of dwelling, garage and carport, and 4 garages for 112 South Street, on land to the south west of Savery Row, Taunton (38/2006/139).

This application was refused. An amended application was submitted in September (38/2006/382) and approved by the Planning Committee on 1st November, 2006.

Mr and Mrs Gregory, 112 South Street, Taunton, owners of the land on the north side of the tree and owners or part-owners of the tree itself, which is multi-stemmed and on the boundary

The objection to TD1008 has been made on the following grounds:-

- (a) The elder tree will hinder the establishment of the new native-species hedgerow which is proposed for much of the southern, eastern and northern boundaries of the site (and detailed in the drawing accompanying application 38/2006/382), by shading and depletion of nutrients and water.
- (b) The tree has not been managed in the past and requires management work.
- (c) The protection of the tree by a Tree Preservation Order, and therefore the need to apply for permission to carry out management to it, will be inconvenient in the long term.

Officer's Comments:-

The tree is multi-stemmed and generally in good health, with only a small amount of dead wood in its canopy. It is approximately 8 m tall (26ft) with a spread also of approximately 8 m.

It can be seen by the residents of the 25 houses that surround the space.

It is now the only tree on the site, two small apple trees having been felled earlier in the year. It therefore makes a significant contribution to the amenity of the space aesthetically and by providing screening between properties and habitat for wildlife.

It has been approved by the Committee that the application to remove three stems be approved (38/2006/388T). This will aid the establishment of the new hedgerow to the south east of the tree, and allow more space on the west side for construction of the new dwelling.

The proposed new tree and hedge planting will make a positive impact on the site, but until it has been established the elder should remain as a tree.

There have been 5 letters in support of the Tree Preservation Order from 7, 8, 9 and 10 Savery Row and 4 Holland Mews, for reasons as stated above.

Recommendation

The Tree Preservation Order be confirmed.

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

Contact Officer: Mr D Galley, Tel. 01823 356493

Planning Committee – 22 November 2006

Report of the Chief Solicitor

Enforcement Item - Mobile home on land at 39 Whitmore Road, Taunton

Background

1. At the meeting of the Committee on the 1 November 2006 Members considered a report in relation to the above matter, a copy of which is appended to this report.
2. It was reported verbally to the Committee that the Planning Officer had considered the personal circumstances of the occupiers of the mobile home at 39 Whitmore Road and concluded that their circumstances were such that, at the present time, an application for a personal planning permission to retain the mobile home based on the personal circumstances of the occupiers would not receive a favourable recommendation.
3. Accordingly, Members were recommended to endorse the earlier decision to take enforcement action, but a question arose as to the extent of the requirements of the enforcement notice.
4. Officers advised that it was the nature of the occupation of the mobile home that was unauthorised, but that the mobile home could be retained if it was used for a purpose ancillary to the use of the main dwelling.
5. Members were concerned that the consequence of such advice was that the enforcement notice could not require removal of the mobile home.
6. It was therefore agreed that Counsel's Opinion should be sought on the point before a decision was made by the Committee.

The present position

7. Counsel's Opinion has been sought and will be reported verbally to the Committee.
8. Further representations have been received from solicitors acting on behalf of the occupiers of the mobile home. They make the following points:-
 - (i) The mobile home at Whitmore Road is a caravan for the purposes of the legislation. This is defined in the Caravan Sites and Control of Development Act 1960.

- (ii) The General Permitted Development Order 1995 states that the use of a caravan within the curtilage of a dwelling house for purposes incidental to the enjoyment of the dwelling house falls within the primary use of the dwelling house and does not require planning permission.
- (iii) Correspondence from the Council to the occupiers prior to the stationing of the mobile home stated:- "Planning permission is not required to place a mobile home in your garden for ancillary use and incidental to the enjoyment of the dwelling house".

A subsequent letter was sent in response to a query over the need for a Residential Site Licence. This stated:- "The Planning Department have confirmed in their view the caravan is ancillary to the main dwelling and occupied by the same persons, and thereforeno planning permission will be required".

- (iv) The mobile home does not have a separate mains connection.
- (v) Permission was granted for the extension at the property prior to the decision that the current occupiers of the mobile home would move to the property. The accommodation in the extension is unsuitable for one of the occupiers of the mobile home who needs ground floor accommodation.

9. It is still considered that the way in which the mobile home is currently being used and occupied requires planning permission and it is therefore appropriate to take enforcement action. Whether or not such action should require the removal of the mobile home from the land will need to be considered in the light of Counsel's Opinion.

Recommendation

It is therefore **recommended** that the Solicitor to the Council be authorised to take enforcement action to secure the cessation of the current occupation of the mobile home at 39 Whitmore Road and, if so advised by Counsel, the removal of the mobile home from the land.

Chief Solicitor

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

APPENDIX

Planning Committee – 1 November 2006

Report of the Chief Solicitor

Enforcement Item - Mobile home on land at 39 Whitmore Road, Taunton

Background

1. At the meeting of this Committee on the 14 June 2006 Members considered an enforcement item recommending the service of an enforcement notice in relation to the stationing and occupation of a mobile home within the curtilage of 39 Whitmore Road Taunton.
2. It was reported verbally to the Committee that the occupiers of the mobile home felt they had been misled by the Council into believing that planning permission was not needed. It was confirmed to the Committee that it was considered that planning permission was required but it was indicated that a meeting would take place with the owners of the main house and the mobile home prior to the service of the notice.
3. Following such a meeting the owners instructed solicitors to act of their behalf and a lengthy exchange of correspondence has taken place. This did not persuade the Council's officers that planning permission is not required and accordingly an enforcement notice was served on the 3 October 2006.
4. Solicitors for the owners objected to the service of the notice on two grounds. Firstly, there was an error in one of the dates on the notice which would render it invalid, and would therefore require re-service. Secondly, the Council had not given consideration to a proposal that the owner should apply for a personal planning permission based on the needs of those who would be occupying the mobile home. These issues had not been raised with the Council's officers or with the Members at the time of the resolution to take enforcement action.
5. The notice was withdrawn because of the error on the face of it, but it was further agreed that the Committee should be given the opportunity to re-consider its decision to take enforcement action in the light of the additional submissions as to the personal circumstances of the occupiers.
6. The advice on personal permissions is that they should only be granted "where there are strong compassionate or other personal grounds for doing so", and Members would therefore need to consider when authorising enforcement action whether planning permission would be likely to be granted on that basis.

The personal circumstances of the occupiers

7. The representations as the occupiers personal circumstances are set out in the letter from Battens attached to this report . In addition to this, a letter has been submitted from Mrs Follet's doctor, confirming the nature of her illness, the fact that she is likely to deteriorate in the future and that she currently needs ground floor accommodation.

8. The Principal Planning Officer will give a verbal assessment to the Committee of the extent to which these circumstances can be considered to justify a personal permission.

The current position

9. Enforcement action was authorised in June 2006 based on the facts available to the Committee at that time. Since then, solicitors on behalf of the owners and occupiers have suggested that the granting of a personal planning permission based on the personal needs of Mrs Follet, one of the occupiers, would be a way of resolving the issue, although they do not accept that planning permission is required.

10 Having withdrawn the Enforcement Notice for technical reasons, the normal procedure would be to re-serve. However, in the light of the additional information now available Members must consider whether it is still expedient to enforce, or whether there is a likelihood that a personal planning permission would be granted in the light of the current submissions.

11. In the event that Members do not consider it expedient to enforce they may wish to consider inviting an application for the retention of the mobile home subject to a personal permission to the current owners.

Recommendation

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

1. Endorse the decision of the 14 June 2006 that enforcement action be taken to seek removal of the unauthorised mobile home at 39 Whitmore Road or
2. Resolve that any enforcement action be discontinued and an application for the retention of the mobile home subject to a personal permission be invited.

Chief Solicitor

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

Taunton Deane Borough Council

Planning Committee – 22 November 2006

1. The following appeals have been lodged:-

Applicant	Date Application Considered	Proposal
Summerfield Developments Ltd (38/2005/356)	02/11/05	Demolition of dwelling and erection of one bedroomed flats together with delivery access at 5-7 Compass Hill, Taunton – Appeal against onerous condition.
Mr & Mrs B Webber (24/2006/017)	DD	Conversion of barn into dwelling incorporating the formation of first floor extension to Chestnut Farm, Helland, North Curry.
Summerfield Developments Ltd (38/2006/113)	14/06/06	Erection of 24 No one bedroom flats with cycle, parking and bin stores, 5-7 Compass Hill, Taunton.
Mrs S. McKenna (38/2006/245)	DD	Erection of fence and change of use of adjoining land to residential use at 9 Holly Close, Taunton.
Mr and Mrs K Sanders (30/2006/026)	PC	Erection of cart shed and garden room and formation of new vehicular access at Oakwood Cottage, Pitminster.
Jacqueline Cook (49/2006/017)	DD	Change of use of BT repeater hut, Taunton Road, Wiveliscombe.

Mrs J Sparkes (52/2006/028)	DD	Erection of single storey extension to shop at 60 Galmington Road, Taunton.
Mr A R G Jones (27/2006/004LB)	DD	Installation of two French doors and installation of timber decking at Heathfield Court, Heathfield, Taunton.
Mr and Mrs G Tottle (46/2006/013)	16/08/06	Erection of glazed canopy to rear courtyard and porch to entrance at The Stable House, Manleys House, West Buckland.
Somerset County Cars (38/2006/250A)	DD	Display of illuminated fascia signs and non-illuminated entrance sign at Somerset County Cars, 142 Priorswood Road, Taunton.
Mr H Pring (48/2005/073)	DD	Change of use of land for siting of 10 mobile homes for holiday use, siting of touring caravans store in fenced area, construction of service road and formation of embankment and planting at Tanpits Farm, Dyers Lane, Bathpool.
Mr and Mrs E Atkins (24/2006/030)	06/09/06	Retention of covered link between dwelling and garage at The Olde Barn, Wrantage, Taunton.
B. Webber		Appeal against enforcement notice - Construction of a

		further vehicular access and drive to serve the proposed barn conversion at Chestnut Farm, Helland, North Curry.
Cardinal Developments (10/2006/006)	DD	Removal of condition 05 of planning permission 10/2003/018, The Pound House, Churchinford.
Mr & Mrs Roderick (38/2006/239LB)	26/07/06	Installation of two replacement sash windows on first floor of front elevation and retention of eight windows to front and rear at The Old Bear Restaurant, 14 Upper High Street, Taunton.
Taunton Vale Properties (38/2006/339)	DD	Erection of 3 No. dwellings and car parking spaces to land rear of 39 and 47 Trull Road, Taunton.

2. The following appeal decisions have been received: -

(a) Erection of bungalow, garaging and formation of access at rear of 29 Blackbrook Road, Taunton (38/2005/388)

The Inspector noted that the proposed plot would be bordered by the host dwelling, the rear garden of No.27 Blackbrook Road, a garage block and turning area off Laxton Close and the A358.

A footbridge/cycleway over the A358 directly overlooked the appeal site and led to the out of town leisure complex.

The residual garden of the host dwelling would remain generous, whilst that of the appeal property would be relatively small. There were a large number of trees between the appeal site and the footbridge, but the Inspector was able to see clearly into the site from it. When the trees were not in leaf, he felt that there would be significant overlooking into both the gardens and rooms of the proposed dwelling. In addition, noise from traffic and from the garaging area would spoil the future enjoyment of the garden.

The appeal site was well screened by boundary planting and a 1.8m close boarded fence was proposed for the boundary with the host dwelling. The Inspector therefore considered there was little risk of mutual overlooking or overshadowing between neighbouring properties. However, he felt that parking and turning activity would disturb the residents of Nos 27 and 29.

In the Inspector's view, the proposal would be out of keeping with the character and appearance of the area.

The appeal was dismissed.

**(b) Erection of a bungalow at 3 Francis Close, Creech Heathfield
(14/2005/039)**

The proposal was to erect a small bungalow on part of the garden of No. 3 Francis Close, which was itself a bungalow as were six others in the Close. Most of the dwellings had relatively modest plots except the appeal property.

The proposed bungalow would be built of the same materials as the existing ones and would be of a broadly similar size and would be of a matching design. Whilst it would be smaller than the existing bungalows, the Inspector considered it would fit in with the existing pattern of the development. He concluded that the proposal would not be over or cramped development.

He considered all other issues that had been raised, such as overlooking and loss of light and concerns over additional traffic, but considered that there would be little if any impact on neighbouring properties.

In summary, he considered that the proposed development would be acceptable subject to certain conditions.

The appeal was allowed.

**(c) Erection of bungalow at Manderleigh, Bagley Road, Rockwell Green
(43/2005/105)**

The main issue was the suitability of the appeal site for residential use in terms of sustainability in relation to its location.

The appeal site was part of the residential curtilage of Manderleigh, a detached bungalow on the western side of Bagley Road.

The nearest shop and post office were approximately 0.9km away from the appeal site and the village primary school was 1.28km away. The nearest secondary school was in Wellington, where there were better facilities. Although the appeal site was within a reasonable distance of bus stops, there were no footways or street lights along Bagley Road, which carried a large volume of traffic, including heavy good vehicles.

He concluded that given the distance from local facilities and the fact that this walk would not be pleasant, occupiers of any dwelling on the appeal site would be dependent on private transport, contrary to Council policies.

The Inspector also concluded that the proposal would be contrary to the Council's Development Plan as the appeal site lay outside the defined settlement.

The appeal was dismissed.

**(d) Retention of fence to side of 80 Laburnum Road, Wellington
(43/2005/132)**

The Inspector considered the main issues were the effect of the proposed development on the character and appearance of the area and the living conditions of the occupiers of the next door property with reference to outlook.

The wooden fence, which was typical of many other domestic style fences, was set back from a front porch projection and along with its side location at the head of the close, it was not prominent in the street scene. It was not unduly high in relation to the height of the gable wall and did not affect privacy. For these reasons the Inspector did not find the siting, height or design to be visually intrusive.

The appeal was allowed.

**(e) Redevelopment to provide 48 sheltered housing apartments at 2
and 4 Compass Hill, Taunton (38/2005/422)**

Due to the complexity of the Inspector's decision letter, a full copy is attached for the information of Members at Appendix A.

The appeal was dismissed.

- (f) (i) Erection of block of 5 flats on land to rear of 87 Staplegrove
Road, Taunton (38/2005/121)**
**(ii) Erection of two flats to side of 87 Staplegrove Road, Taunton
(38/2006/021)**
**(iii) Erection of three terraced houses and parking at rear of 87
Staplegrove Road, Taunton (38/2006/022)**

Due to the complexity of the Inspector's decision letter, a full copy is attached for the information of Members at Appendix B.

The appeals were all dismissed.

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