



## 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 4TH JULY 2007 AT 17:00.

(RESERVE DATE : MONDAY 9TH JULY 2007 AT 17:00)

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### **AGENDA**

1. Apologies.
2. Minutes of the meeting of the Committee held on 13 June 2007 (attached).
3. Public Question Time.
4. Declaration of Interests. To receive declarations of personal or prejudicial interests, in accordance with the Code of Conduct.
5. LANGFORD BUDVILLE - 21/2007/007  
SITING OF TEMPORARY AGRICULTURAL WORKER'S DWELLING, DEAN BARTON, SOUTH OF LANGFORD BUDVILLE, GR 111226, LANGFORD BUDVILLE
6. NORTH CURRY - 24/2007/028LB  
CONVERSION OF BARN INCORPORATING ATTACHED REDUNDANT AGRICULTURAL BUILDING TO DWELLING AT THE CIDER BARN, KNAPP FARM, NORTH CURRY
7. NORTH CURRY - 24/2007/029  
CONVERSION OF BARN INCORPORATING ATTACHED REDUNDANT AGRICULTURAL BUILDING TO DWELLING AT THE CIDER BARN, KNAPP FARM, NORTH CURRY.
8. STOKE ST MARY - 37/2007/002  
ERECTION OF TEMPORARY OFFICE BUILDING, GREENHOUSE AND POLY TUNNELS AND FORMATION OF ACCESS ROAD TO PLANT NURSERY ADJACENT TO HIGHFIELDS, STOKE ROAD, TAUNTON AS AMPLIFIED BY LETTER AND PLAN DATED 31ST MAY, 2007
9. TAUNTON - 38/2007/183  
RESIDENTIAL REDEVELOPMENT OF FORMER GAS STORAGE SITE INCLUDING NEW SITE ACCESS, CAR PARKING AND ASSOCIATED WORKS AT THE FORMER GAS STORAGE SITE, TANGIER, CASTLE STREET, TAUNTON
10. TAUNTON - 38/2007/184  
RESIDENTIAL REDEVELOPMENT OF 44 SENIOR UNITS

INCLUDING ROOF GARDEN, CAR PARKING AND ASSOCIATED WORKS AT FORMER GAS STORAGE SITE, CASTLE STREET, TAUNTON

11. TRULL - 42/2007/010  
FORMATION OF ACCESS, HARDSTANDING AND FARM TRACK ON LAND AT KIBBEAR, TRULL AS AMENDED BY PLAN RECEIVED 25TH MAY, 2007
12. Wellington - 43/2007/026 - Erection of Medical Centre with attached services, including car park, external works and landscaping and formation of access to Mantle Street, land south and west of 112B Mantle Street (Part of Trinity Farm), Wellington. Miscellaneous item
13. Planning (Listed Buildings and Conservation Areas) Act 1990 - Building Preservation Notice - Corfe Farmhouse, Corfe. Miscellaneous item
14. E153/24/2006 - The Barn, Chestnut Farm, Helland, North Curry - Lower section of barn not in accordance with approved plans. Enforcement item

G P DYKE  
Democratic Services Manager  
27 June 2007

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

Planning Committee Members:-

Councillor Mrs Hill (Chairman)

Councillor Mrs Allgrove (Vice-Chairman)

Councillor Bishop

Councillor Bowrah

Councillor Critchard

Councillor Denington

Councillor Floyd

Councillor Henley

Councillor C Hill

Councillor House

Councillor Miss James

Councillor McMahon

Councillor Mrs Smith

Councillor Watson

Councillor Ms Webber

Councillor A Wedderkopp

Councillor D Wedderkopp

Councillor Woolley





Members of the public are welcome to attend the meeting and listen to the discussion. Lift access to the main committee room on the first floor of the building is available from the main ground floor entrance. Toilet facilities, with wheelchair access, are also available. There is a time set aside at the beginning of the meeting to allow the public to ask questions



An induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter. If you require any further information, please contact Greg Dyke on:



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

## **Planning Committee – 13 June 2007**

Present:- Councillor Mrs Hill (Chairman)  
Councillor Mrs Allgrove (Vice Chairman)  
Councillors Bishop, Bowrah, Critchard, Denington, Floyd, C Hill,  
House, Miss James, McMahon, Mrs Smith, Stuart-Thorn,  
Ms Webber, A Wedderkopp, D Wedderkopp and Woolley.

Officers:- Mr T Burton (Development Control Manager), Mr J Hamer  
(Development Control Area Manager – West), Mr A Pick (Principal  
Planning Officer), Mrs J Moore (Development Control Principal  
Officer – East), Mrs J M Jackson (Senior Solicitor), Ms M Casey  
(Planning and Litigation Solicitor) and Mr R Bryant (Democratic  
Support Manager).

Also present:- Councillor Coles, Councillor Guerrier in relation to application No  
34/2007/012 and Councillor Stone for application No 16/2007/001.

(The meeting commenced at 5.00 pm)

### **75. Apologies/Substitution**

Apologies:- Councillors Henley and Watson.

Substitution:- Councillor Stuart-Thorn for Councillor Watson.

### **76. Minutes**

The minutes of the meeting held on 23 May 2007 were taken as read and  
were signed.

### **77. Declarations of Interest**

Councillor Bowrah declared a personal interest in application No 46/2006/032,  
as he knew the applicant.

### **78. Applications for Planning Permission**

The Committee received the report of the Development 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:-

**13/2007/002**

**Erection of two storey extension to rear at Redwood Cottage, Cushuish,  
Cothelstone.**

## **Conditions**

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

### **Reason for granting planning permission:-**

The scale and design of the extension was considered to be acceptable and it was not thought that it would harm the appearance of the street scene, or neighbouring amenity. Therefore, the scheme accorded with Taunton Deane Local Plan Policies S1, S2 and H17.

## **16/2007/001**

### **Erection of agricultural buildings and formation of access track and yard on land east of Curry Lane, Higher Durston.**

## **Conditions**

- (a) C001A – time limit;
- (b) C101 – materials;
- (c) No development shall commence until the public footpath across the site has been diverted and the new route brought into use;
- (d) C201 – landscaping;
- (e) The layout to be submitted shall make adequate provision for a temporary car park within the site to accommodate operatives and construction vehicles during the contract period and shall indicate the eventual use of that area;
- (f) The area allocated for parking on the submitted plan shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted;
- (g) The proposed development shall be served by a new access constructed as shown on drawing No R3311-10 and provided prior to the use commencing;
- (h) The gradient of the access shall not at any point be steeper than 1:10 for a distance of 10m from its junction with the public highway;
- (i) 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;
- (j) The access and buildings hereby permitted shall be used for agricultural purposes of Lodge Farm only;
- (k) The existing vehicular access to the site shall be stopped up, its use permanently abandoned and the verge crossing re-instated, in accordance with details which shall have been submitted to, and approved in writing by, the Local Planning Authority. Such works shall be completed within one month of the new vehicular access hereby permitted being first brought into use;
- (l) Before the access hereby permitted is first brought into use, the turning space shown on the submitted plan shall be properly consolidated and surfaced to the satisfaction of the Local Planning Authority. Such turning space shall be kept free of obstruction at all time;

- (m) At the proposed access there shall be no obstruction to visibility greater than 600mm above adjoining road level within splays based on minimum co-ordinates of 2.4m x 160m to the west. Such visibility shall be fully provided before the access hereby permitted is first brought into use and shall thereafter be maintained at all times;
- (n) At the proposed access there shall be no obstruction to visibility greater than 600mm above adjoining road level within splays based on minimum co-ordinates of 2.4m x 120m to the east. Such visibility shall be fully provided before the access hereby permitted is first brought into use and shall thereafter be maintained at all times;
- (o) No development approved by this permission shall be commenced until a surface water run-off limitation scheme has been submitted to, and approved in writing, by the Local Planning Authority. The scheme shall be implemented in accordance with the approved programme and details;
- (p) The site shall be drained on a separate system with all clean roof and surface water being kept separate from foul drainage;
- (q) No development approved by this permission shall be commenced until a scheme for the disposal of foul and surface water has been approved by, and implemented to the reasonable satisfaction of, the Local Planning Authority;
- (r) Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund;
- (s) Details of any external lighting of the building and yard shall be submitted to, and approved in writing by, the Local Planning Authority prior to its installation;
- (t) C716 - prohibited working hours;
- (u) The development hereby permitted shall not be commenced (including any demolition or site clearance) until there has been submitted to, and approved in writing by, the Local Planning Authority a Badger Mitigation Plan. The plan shall contain details of protective measures and sensitive working practices to avoid impacts during all stages of development, including ground works and construction. The mitigation in respect of Badgers shall be based upon a Badger Survey, completed within 12 months prior to the submission of the plan;
- (v) 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.

(Notes to applicant:- (1) Applicant was advised that in order for the visibility splay to be implemented, the existing speed limit sign will need relocating by Somerset County Council at a cost to be borne by the applicant; (2) The note



on drawing No R3311.10 states “existing entrance to be stopped up using timber post and rail fence with style/kissing gate”. Applicant was advised that this is considered inadequate and a more permanent design would be suitable; (3) Applicant was advised that any demolition waste brought onto site to be used during the construction of the buildings or access track must be clean and uncontaminated. The use of such material must be covered under an exemption from Waste Management Licensing; (4) Applicant was recommended to investigate the use of sustainable drainage systems (SUDS) for surface water drainage on this site, in order to reduce the rate of run off and to reduce pollution risks. These techniques involve controlling the sources of increased surface water and include:- (i) interception and re-use; (ii) porous paving/surfaces; (iii) infiltration techniques; (iv) detention/attenuation; and (v) wet lands; (5) Applicant was advised that any culverting of a watercourse requires the prior written approval of the Environment Agency under the terms of the Land Drainage Act 1991 or Water Resources Act 1991. The Environment Agency resists culverting on conservation and other grounds and consent for such works will not normally be granted except for access crossings; (6) Applicant was advised that the development lies up stream of Curry and Hay Moors Site of Special Scientific Interest, part of the Somerset Levels and Moors Special Protection Area Ramsar Site. Any discharge from the proposed development would appear to require assessment under the Habitats Regulations. Applicant was advised to discuss any requirements with the Environment Agency; (7) Applicant was advised that under the terms of the Water Resources Act 1991, the prior written consent of the Environment Agency is normally required for any discharge of sewage or trade effluent into controlled waters and may be required for any discharge of surface water to such controlled waters or for any discharge of sewage or trade effluent from buildings or fixed plant into or onto ground or into waters which are not controlled waters. Such consent may be withheld; (8) The foul drainage should be kept separate from the clean surface and roof water and connected to the public sewage system after conferring with the sewerage undertaker.)

**Reason for granting planning permission:-**

The proposed development was not considered to adversely affect the landscape character of the area and therefore, accorded with Taunton Deane Local Plan Policies S1, S2, S7, C6 and EN29.

**34/2007/013**

**Revised application (34/2006/038 and 34/2006/023) to sub-divide property to create two dwellings at Calypso, Rectory Close, Staplegrove.**

**Conditions**

- (a) C001A – time limit;
- (b) C215 – walls and fences;
- (c) P001A – no extensions;
- (d) The area allocated for parking on the submitted plan shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

**Reason for granting planning permission:-**

The proposed development was considered to comply with Taunton Deane Local Plan Policies S1, S2, H2, H17 and M4 and material considerations did not indicated otherwise.

**38/2007/131**

**Alteration to raised timber cladding on south, east and west elevations at second, third and fourth floor levels and alterations to two upper levels to Multi-Storey Car Park at Taunton and Somerset Hospital, Musgrove Park, Taunton.**

**Conditions**

- (a) C001A – time limit;
- (b) C102A – materials;
- (c) The new timber cladding shall be counter battened to match the existing;
- (d) Any construction work shall be restricted to the hours of 0730-1900 hours Monday to Friday and 0800-1300 hours on Saturdays. No work shall be carried out on Sundays and Public Holidays;
- (e) The works for which consent is hereby granted shall be begun within three months from the date of this consent.

(Notes to applicant:- (1) Applicant was advised that the works should be carried out at the earliest opportunity; (2) Applicant was advised that lighting internally to the building, particularly on the ground floor, is causing problems and needs to be addressed through additional ground floor screening.)

**Reason for granting planning permission:-**

The proposed alteration to the building was considered acceptable and in compliance with Taunton Deane Local Plan Policies S1 and S2.

**38/2007/165**

**Conversion of dwelling to two flats at 10 Salisbury Street, Taunton.**

**Conditions**

- (a) C001A – time limit;
- (b) C331 – provision of cycle parking;
- (c) Provision of waste storage areas shall be as indicated on the approved plan and permanently retained as such.

**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:-

**46/2006/032**

**Retention of covered display areas and ancillary uses associated with garden centre at Blackdown Garden Centre, Piccadilly, Wellington.**

**Reasons**

- (a) No Flood Risk Assessment has been submitted for this site and consequently, without evidence to the contrary, the development fails to meet the provisions of Taunton Deane Local Plan Policies EN28 or EN29 and guidance contained within Planning Policy Statement 25 (Development and Flood Risk) as the site lies within an area which has been identified as at risk of flooding. Therefore, the application provides insufficient information to enable the Local Planning Authority to fully determine the planning merits of the development proposal;
- (b) Insufficient information has been submitted in order to assess the impact of the intensification of the garden centre on the highway network and the existing access to the site. As such, the proposal fails to provide a safe access to the site to accommodate the intensification of the use. Furthermore, a full Transport Assessment and Travel Plan is required in order to fully assess the impact of the use. As such, the development is contrary to the provisions of the Somerset and Exmoor National Park Joint Structure Plan Review Policy 49;
- (c) The submitted information fails to clearly identify and define the development for which retrospective consent is sought. As such, the Local Planning Authority is unable to fully assess the merits and intensification of the proposed development against the relevant Local Plan Policy.

Also RESOLVED that enforcement action be taken seeking the removal of unauthorised works from the site and the land being returned to its former condition.

**79. Residential development to provide 145 dwellings together with infrastructure and associated works, land adjacent to Silk Mills Lane, Staplegrove (34/2007/012).**

Reported this application.

RESOLVED that subject to:-

- (1) The receipt of further wildlife surveys and the further views of the Nature Conservation Officer, including any additional conditions;
- (2) The receipt of further information on archaeological remains and the further views of the County Archaeologist, including any additional conditions;
- (3) The views of the Environmental Health Officer and the County Education Officer including any conditions and Section 106 Agreement heads they may request;

- (4) The further views of the Environment Agency following the receipt of the flood risk assessment, including any further conditions they might request;
- (5) The Applicants entering into a Section 106 Agreement to secure:-
  - (i) 35% of the units to be Affordable Housing, of which 50% to be social rented, 25% shared ownership and 25% low cost outright purchase;
  - (ii) The contribution of £1750 per dwelling with two or more bedrooms to fund additional children's play provision on open space close by and a capital sum of £1023 per dwelling for the improvement of existing nearby sports pitch facilities. Both these sums to be index linked to building costs;
  - (iii) The provision of a 10m wide landscape buffer zone to the Silk Mills Lane frontage with a further 5m depth with no buildings, such landscape buffer zone to be maintained by a Management Company or adopted by the Borough Council and not conveyed to the individual dwelling owners;
  - (iv) Contributions to secure a public transport subsidy of £400 per household in the form of a one year bus pass per dwelling;
- (6) The receipt of satisfactory amended plans to incorporate the views of the County Highway Authority and the receipt of no further representations raising new issues on the amended plans being received by 19 June 2007,

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

- (a) C007 – outline - reserved matters;
- (b) C010 – drainage;
- (c) C013 – site levels;
- (d) C014A – time limit;
- (e) C009 – outline - time limit;
- (f) C101 – materials;
- (g) C204 – landscaping scheme (planting) – phasing;
- (h) C205 – hard landscaping;
- (i) C207A – existing trees to be retained;
- (j) C208E – protection of trees to be retained;
- (k) C208B – service trenches beneath trees;
- (l) C209 – protection of hedges to be retained;
- (m) C210 – no felling or lopping;
- (n) The existing hedges on the boundaries of the site shall be retained (except at the point of access), to the satisfaction of the Local Planning Authority;
- (o) C215 – walls and fences;
- (p) C246 – landscape completion check;
- (q) C247 – temporary site building and storage compound;
- (r) C301 – highways – In accordance with County Highway Authority's booklet;
- (s) C302 - highways – roads, footpaths and turning spaces to be surfaced;
- (t) C304 – access point;
- (u) There shall be no vehicular access to the site other than from Silk Mills Lane;
- (v) C314 – visibility splays;

- (w) C416 – details of size, position and materials of meter boxes;
- (x) P005 – no garages;
- (y) P007 – no fencing in front of dwellings;
- (z) The site shall be drained by a separate system of foul and surface water drainage, with all clean roof and surface water being kept separate from foul water;
- (aa) Only clean uncontaminated surface water from roofs and untrafficked paved areas shall be discharged to any soakaway;
- (bb) Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hard standings shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor;
- (cc) Oil or chemical storage facilities shall be sited in bunded areas. The capacity of the bund shall be at least 10% greater than the capacity of the storage tank or, if more than one tank is involved, the capacity of the largest tank within the bunded area. Hydraulically interlinked tanks shall be regarded as a single tank. There shall be no working connections outside the bunded area;
- (dd) Details of the diversion of high and low voltage electricity lines and cables on the site shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of development;
- (ee) Details of any ground mounted electricity sub-station shall be submitted to, and approved in writing by, the Local Planning Authority.

(Notes to Applicant:- (1) N118 - disabled access; (2) N110 – design; (3) N112 - energy conservation; (4) N115 - water conservation; (5) N113 - street names; (6) N114 - meter boxes; (7) N117 - crime prevention; (8) N051B - health and safety; (9) N075 - Section 106 Agreement; (10) Applicant was advised that the soakaways should be constructed in accordance with Building Research Digest 365 (September 1991); (11) With regard to Condition (b), applicant should have regard to the attached “Guidance Notes for Developers on Surface Water Drainage Issues – Somerset Version”, which should be used to design the system and to accommodate flows from events up to and including the 1 in 100 year event allowing for climate change; (12) Applicant was strongly recommended to include sustainable design and construction measures which comply with the Code for Sustainable Homes within the proposed development. The development should aim to achieve the highest number of stars possible, preferably six. The Code includes sections on energy and water efficiency and will soon be compulsory for all housing. In a sustainable building, minimal natural resources and renewables are used during construction and the efficient use of energy is achieved during subsequent use. This reduces carbon-dioxide emissions and contributes to climate change mitigation. Running costs of the building are also reduced; (13) Applicant was advised that during construction the following comments apply:- (i) Construction vehicles should not cross or work directly in a river. Temporary bridges should be constructed for vehicles to

cross and excavations carried out from the bank; (ii) Pumps used for pumping out water from excavations should be sited well away from water courses and surrounded by absorbent material to contain oil spillages and leaks; (iii) Discharge of silty or discoloured water from excavations should be irrigated over grassland or a settlement lagoon be provided to remove gross solids. The Environment Agency must be advised if a discharge to a watercourse is proposed; (iv) Storage of fuels for machines and pumps should be sited well away from any water courses. The tanks should be bunded or surrounded by oil absorbent material (regularly replaced when contaminated) to control spillage and leakage; (14) Applicant was advised that the Environment Agency must be notified immediately of any incident likely to cause pollution; (15) Applicant was advised that all waste produced during the development of the site must be disposed of at a suitably licensed waste management facility, if it is not to be reused on site; (16) Applicant was advised that if construction and demolition waste is to be brought onto site for the development, an exemption from Waste Management Licensing must be applied for; (17) Applicant was advised to contact Wessex Water to see if any of the on site drainage systems can be adopted under a Section 104 Agreement; (18) Applicant was advised of the following with regard to fire safety:- (A) Means of Escape – (i) Means of escape in case of fire should comply with Approved Document B1 of the Building Regulations 2000. Detailed recommendations concerning other fire safety matters will be made at the Building Regulations stage; (ii) The travelled distance from Flats 1, 6, 7 and 12 appear to be at the maximum length as specified in B1 2.20 diagram 7; (iii) It is noted that the protected staircase discharges into a vehicle access area and information is required on how road vehicles will be prevented from blocking this entrance/exit. (B) Fire Resistance - (i) The different purpose groups (commercial and residential) should be separated by fire resisting construction as defined in ADB Table A1 Minimum of 60 minutes; (ii) The doors from the flats and opening into the staircase enclosure should be of 30 minute fire resisting construction; (C) Access for Appliances – Access for Fire Appliances should comply with Approved Document B5 of the Building Regulations 2000; (D) Water Supplies – All new water mains installed within the development should be of sufficient size to permit the installation of fire hydrants conforming to British Standards.)

**Reason for outline planning permission, if granted:-**

The site was allocated for residential development in the Taunton Deane Local Plan and it was considered that the proposed development would be in compliance with Taunton Deane Local Plan Policies H1 and T13.

- 80. Erection of five storey building comprising 65 Category II Sheltered Apartments for older people together with communal facilities, guest suite, Estate Managers Office over two retail units, a Class A3 café/restaurant with outside terrace and covered parking area, spectator stands and Groundsmans store at land adjacent to West Stand and Coal Orchard Car Park, Somerset County Cricket Club, Taunton (38/2007/070).**

Reported this application.

RESOLVED that subject to the applicants entering into a Section 106 Agreement to secure a lower limit to the age range of occupants of the elderly persons flats and a contribution towards the provision of a sum to secure the landscaping of Somerset Square, the Development Manager be authorised to determine the application in consultation with the Chairman and, if Planning Permission was granted, the following conditions be imposed:-

- (a) C001A – time limit;
- (b) C101 – materials;
- (c) C201 – landscaping;
- (d) Details and samples of the materials to be used for the surfaces of the access road, turning area, terrace and square 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;
- (e) C910B – archaeological programme;
- (f) C911 – aerials – combined system.
- (g) The ground levels of the development must be set to a minimum of 16.14m AOD and the finished floor levels of the mixed use development at 16.44m AOD;
- (h) A strip of land 8m wide adjacent to the top of the banks of the River Tone must be kept clear of all new buildings and structures (including gates, walls and fences). Ground levels must not be raised within such a strip of land and details of the final landscaped levels within this area shall be submitted to, and approved in writing by, the Local Planning Authority prior to landscaping commencing;
- (i) No construction approved by this permission shall be commenced until a scheme for the provision and implementation of the flood defence improvements along the riverside boundary are raised as part of Phase One. The defences must be raised to a minimum of 16.14m AOD;
- (j) During construction no development approved by this permission shall be commenced until a scheme for the prevention of pollution during the construction phase has been approved by the Local Planning Authority. The scheme shall include details of the following:- (i) Site security; (ii) Fuel oil storage, bunding, delivery and use, pollution incident containment; (iii) How both minor and major spillage would be dealt with; (iv) Containment of silt/soil contaminated run off; (v) Disposal of contaminated drainage, including water pumped from excavations; (vi) Site induction for workforce highlighting pollution prevention and awareness; (vii) Details of Construction Restriction Zones, for example rivers/working in/near water;
- (k) The development hereby approved shall not commence until a Wildlife Plan, produced in conjunction with a Construction Environmental Management Plan, has been submitted to, and formally approved in writing by, the Local Planning Authority;
- (l) All lighting within the proposed public space shall be low level and directional to minimise light straying out over the River Tone or its banks

and details shall be submitted to, and approved in writing by, the Local Planning Authority prior to installation;

- (m) Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank or the combined capacity of interconnected tanks plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund;
- (n) No development approved by this permission shall be commenced until a scheme for the provision of foul drainage works has been submitted to, and approved in writing by, the Local Planning Authority;
- (o) Prior to being discharged into any watercourse, surface water sewer or soakaway system all surface water drainage from parking areas and hard standings shall be passed through trapped gulleys with an overall capacity compatible with the site being drained;
- (p) Prior to the commencement of development approved by this planning permission, a scheme to deal with the risks associated with contamination of the site shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include all of the following elements unless specifically excluded, in writing, by the Local Planning Authority:- (A) A desk study identifying:- (i) all previous uses; (ii) potential contaminants associated with those uses; (iii) a conceptual model of the site indicating sources, pathways and receptors; (iv) potentially unacceptable risks arising from contamination at the site; (B) A site investigation scheme based on (A) to provide information for an assessment of the risks to all receptors that may be affected, including those off site; (C) The results of the site investigation and risk assessment and a method statement based on those results giving full details of the remediation measures required and how they are to be undertaken; (D) A verification report on completion of the works set out in (C) confirming the remediation measures that have been undertaken in accordance with the method statement and setting out measures for maintenance, further monitoring and reporting. Any changes to these agreed elements require the express consent of the Local Planning Authority;
- (q) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted and obtained written approval from the Local Planning Authority for an amendment to the method statement detailing how this unsuspected contamination shall be dealt with;
- (r) Piling or any other foundation designs using penetrative methods will not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site



where it has been demonstrated that there is no resultant unacceptable risk to ground water;

- (s) Detailed proposals for the disposal of surface water shall be submitted to, and approved in writing by, the Local Planning Authority before the commencement of development. The agreed details shall be fully implemented before the building is occupied;
- (t) Details of the exterior treatment to the parking area under the building shall be submitted to, and approved in writing by, the Local Planning Authority and carried out as agreed prior to the occupation of the building;
- (u) Prior to commencement of construction works, details of the provision for vehicle turning and servicing on the Brewhouse site shall be submitted to, and approved in writing by, the Local Planning Authority and thereafter so provided;
- (v) Detailed drawings of the west elevation at a scale 1:50 shall be submitted to, and approved in writing by, the Local Planning Authority prior to any works commencing other than demolition and site clearance;
- (w) Details of the exterior treatment to the rear of the spectator stand shall be submitted to, and approved in writing by, the Local Planning Authority prior to any works commencing.

(Notes to applicant:- (1) Applicant was advised that all new water mains installed within the development should be of sufficient size to permit the installation of fire hydrants conforming to British Standards; (2) Applicant was advised to contact Wessex Water to see if any of the on site or off site drainage systems could be adopted under a Section 104 Agreement and to agree protection of any apparatus on site and connection to Wessex systems; (3) With regard to Condition (j), applicant was advised that invitation for tenders for sub-contracted works must include a requirement for details of how the work will be implemented; (4) Applicant was advised that the Wildlife Plan shall detail provision for and mitigation of protected and national bio-diversity action plan species, especially those known to use the corridor of the River Tone. The Wildlife Plan should also include a maintenance scheme ensuring future bio-diversity of the site is maintained; (5) With regard to Condition (n), applicant was advised that this scheme should include drainage plans detailing the routes of both foul and surface water. Further to this, the Environment Agency will need reassurance from Wessex Water that there is sufficient capacity within the existing sewerage infrastructure to cope with additional flows without risk of causing deterioration in effluent quality or increased river loading; (6) Applicant was advised that the supporting information for this application includes a geo-environmental assessment which highlights that potential contamination (particularly hydro-carbons) has been identified on site. The information included in the assessment is very limited and further investigation and risk assessment is warranted. The Environment Agency recommends that a particular risk management framework should be followed; (7) Applicant was advised that under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of the Environment Agency is required for any proposed works or structures in, under, over or within 8m of the top of the bank of a designated "main river"; (8) Applicant was advised that exemptions

from the Waste Management Licensing Regulations for moving waste spoil/subsoil off site will also be required and developers will need to contact the Environment Agency to apply for such activities; (9) Applicant was advised that foul drainage should be kept separate from clean surface and roof water; (10) Applicant was advised that the Environment Agency has land ownership rights by the Cricket Ground. They strongly recommend that the proposed development includes sustainable design and construction measures which comply with the Code for Sustainable Homes. The development should aim to achieve the highest number of stars possible, preferably six. The Code includes sections on energy and water efficiency and will soon be compulsory for all housing. In a sustainable building minimal natural resources and renewables are used during construction and the efficient use of energy is achieved during subsequent use. This reduces carbon-dioxide emissions and contributes to climate change mitigation. Running costs of the building are also reduced; (11) Applicant was advised that water efficiency measures should be incorporated into this scheme. These could include, for example, water butts, rainwater recycling and the use of water efficient internal appliances and systems. It would assist in conserving natural water resources and offer some contingency during times of water shortage; (12) Applicant was advised to contact the Doctors Surgery to discuss alleviation of parking concerns during the construction phase.)

**Reason for planning permission, if granted:-**

The proposed development was on a site within the settlement limits where redevelopment would enhance the facilities of the County Cricket Club and provide housing and was considered to accord with Taunton Deane Local Plan Policies S1, S2, H2, H4, M4 and T33.

**81. Retention of external extraction ducting at China Capital, 87 Mountway Road, Bishops Hull.**

Reported that it had been brought to the Council's attention that external extraction ducting had been installed at the side of the premises 87 Mountway Road, Bishops Hull in connection with its use as a Chinese Takeaway.

The owners had been notified that the ducting required planning permission and, to date, two applications to retain the ducting had been submitted. Both however had been refused.

RESOLVED that:-

- (1) Enforcement action be taken to secure the removal of the unauthorised extraction ducting which had been installed at 87 Mountway Road, Bishops Hull; and
- (2) Subject to being satisfied with the evidence, the Solicitor to the Council institute legal proceedings should the enforcement notice not be complied with.

(The meeting ended at 8.38pm.)



21/2007/007

MR J PERRY

**SITING OF TEMPORARY AGRICULTURAL WORKER'S DWELLING, DEAN BARTON, SOUTH OF LANGFORD BUDVILLE, GR 11226, LANGFORD BUDVILLE**

311219/122660

FULL

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**PROPOSAL**

Permission is sought for the erection of a temporary agricultural workers dwelling at land to the south of Langford Budville. The proposed siting would be to the east of existing farm buildings which have recently been granted consent, planning reference 21/2006/019, for change of use to provide storage of agricultural contracting machinery, also under the ownership of the applicant. An agricultural appraisal submitted by ACORUS accompanies the application setting out the functional and financial justification for a full time worker on site in connection with the poultry based enterprise. The proposed enterprise would be as a free-range poultry unit. At present there are 500 laying birds on site with the intention to increase the flock by 1500 laying hens by February 2008 and a further 1500 by February 2009 resulting in a total of 3,500 birds. An additional 200 laying hens will be brought to the site for breeding and a few rare breeds will be introduced to the holding in 2008, including bantams, orpingtons and sikies. Based on spatial requirements of existing legislation the agent has indicated that on the total area of 2.4 hectares, 6000 free-range birds could be grazed on the land. However the agent continues that in order to maintain the quality of the grass a paddock rotation should be utilised.

**CONSULTATIONS AND REPRESENTATIONS**

COUNTY HIGHWAY AUTHORITY the site lies outside of any recognised development limit where it is remote from adequate services, facilities, education and employment opportunities and there are limited transport services. As a consequence it could be argued that the proposal is contrary to PPG13, RPG10 and the provisions of Policies STR1 and STR6 of the Somerset and Exmoor National Park Joint Structure Plan Review. It must be largely a planning matter as to whether or not this is a suitable location for a temporary agricultural worker's dwelling. If it is, and there is overriding agricultural support and/or the proposed dwelling is required to satisfy a genuine local need then a highway objection to the proposal may be inappropriate. In the event of permission being granted two car parking spaces should be provided. ENVIRONMENT AGENCY objects to the application on the grounds that the means of disposal of sewage is unsatisfactory and will create an unacceptable risk of pollution of the water environment. The proposed development is situated on the Otter Sandstone Formation, a Major Aquifer. The first presumption must always be to provide a system of foul drainage into a public sewer. If it can be shown to the satisfaction of the LPA that connection to a public sewer is not feasible, a septic tank/package treatment plant incorporating a combination of treatment

processes may be considered. It is advised that a package treatment works should be installed to deal with foul sewage, with a discharge point located downstream of the Gundenham well. In addition consent to discharge will be required.

DRAINAGE OFFICER I note that surface water is to be discharged to soakaways. These should be constructed in accordance with Building Research Digest 365 (Sep 1991) and made a condition of any approval. With regards to foul drainage I note disposed to a septic tank. Percolation tests should be carried out to ascertain the required length of subsurface irrigation drainage. The Environment Agency's Consent to discharge to an underground strata is also required.

PARISH COUNCIL objects to the proposal on the following grounds:- The water supply for this application is close to a well that is used as drinking water for cattle. The farmer on another planning application has raised this fact and it would also apply with this application. The discharge should be at least 50 m from the well. There has recently been a planning application for affordable housing on a development in the village, which would be close enough for anyone wishing to oversee the site. Concern over environmental issues for the adjoining properties i.e. odour and vermin which the site would naturally attract.

4 LETTERS OF OBJECTION have been received raising the following issues:- why was this not declared in the previous submission?; outside the village envelope; already affordable housing units approved which would be suitable; other property available short distance away; drainage issues; no functional need on such a small holding; pollution risk to neighbouring field; septic tank already installed; contamination to livestock and water supply; caravan already on site

1 LETTER OF SUPPORT has been received raising the following issues:- support agricultural endeavor in this village as it is a farming area; however concern over smell and that it should be on a temporary basis not permanent.

## **POLICY CONTEXT**

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

PPS1 – Delivering Sustainable Development, PPS3 – Housing, PPS7 – Sustainable Development in Rural Areas, PPS9 – Biodiversity and Geological Conservation.

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

Taunton Deane Local Plan Policies S1 (General Requirements), S2 (Design), S7 (Outside Settlements), EC6 (Conversion of Rural Buildings), H12 (Agricultural Workers Dwellings) and EN12 (Landscape Character Areas).

## **ASSESSMENT**

It is considered the key issues in the assessment of this application relate to the justification submitted for an agricultural workers dwelling; siting; and assessment of the issues raised in connection with potential pollution from the site.

Policy H12 of the Local Plan requires that the provision of an agricultural worker's dwelling is proven by a functional and financial test. Paragraph 10 of Planning Policy Statement 7 – Sustainable Development in Rural Areas makes it clear that isolated new houses in the countryside require special justification for planning permission to be granted. One of the few circumstances in which isolated residential development maybe justified is when accommodation is required to enable agricultural...workers to live at, or in the immediate vicinity of their place of work. However, the guidance states that it may often be as convenient and more sustainable for such workers to live in nearby settlements, so as to avoid potentially intrusive development in the countryside. However, there will be some cases where the nature and demands of the work concerned make it essential for one or more people engaged in the enterprise to live at, or very close, to the site of their work. It is therefore the needs of the enterprise concerned and not the personal preferences or circumstances of any of the individuals involved. As such a rigorous approach to assessing applications is required to ascertain whether the enterprise is genuine, reasonably likely to materialise and capable of being sustained for a reasonable period.

Annex A of PPS7 sets out a criteria based assessment for the provision of temporary agricultural dwellings. (i) clear evidence of a firm intention and ability to develop the enterprise concerned (significant investment in new farm buildings is often a good indications of intentions); (ii) functional need – a functional test is necessary to establish whether it is essential for the proper functioning of the enterprise for one or more workers to be readily available at most time. Such a requirement might arise, for example, if workers are needed to be on hand day and night; (iii) to deal quickly with emergencies that could otherwise cause serious loss of crops or products, for example, by frost damage or the failure of automatic systems; (iv) clear evidence that the proposed enterprise has been planned on a sound financial basis; (v) the functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned; and (vii) other normal planning requirements e.g. on siting and access are satisfied.

The guidance states that a period of three years should be granted for a temporary workers dwelling.

A detailed appraisal accompanies the application. The report identifies that there is a functional need in relation to a full-time labour unit. In relation to financial viability the report states that once the flock is fully established it would generate a return to unpaid labour of more than £15,000. For comparison the current minimum wage that applies to agricultural workers from 1st October, 2006 is £224 per week or £11,648 per annum. It is important to stress that it is the poultry unit enterprise alone that must justify the provision of an agricultural workers dwelling and not in connection with the applicant's agricultural contracting business. As such should Members be minded to grant consent it is recommended that the agricultural tie condition be amended to incorporate "in connection with the poultry unit enterprise" in order to ensure that the investment is made in the poultry enterprise. It would then

become an enforcement issue should there not be a full time worker residing in the mobile home that would comply with the tie. It should also be noted that the proposal is for a temporary permission and any subsequent application would also need to justify the financial test requirements set out in Annex A of PPS7 for permanent residential dwellings. However, it is concluded that on the basis of the information submitted there is considered to be a functional and financial justification for the provision of temporary workers dwelling on the application site to serve this agricultural holding.

The total land extends to 2.4 hectares (6 acres) and is located in open countryside to the south of Langford Budville. The submitted application identified 3 phases of development. Stage 1 has already been implemented with the provision of 500 free range birds, Stage 2 & 3 would see a further 1500 birds each to the west of the proposed siting of the mobile home. The proposed siting of the mobile home would be positioned immediately adjacent to existing area flock of chickens and existing buildings on site. The proposal would be served by an existing vehicular access to existing agricultural buildings on site, in connection with the applicant's agricultural contracting business. There is existing screening on site and it is considered the temporary workers dwelling would not appear so unduly prominent as to harm the character or appearance of the area.

The concern of the Environment Agency, Parish Council and local residents in respect of potential contaminated drainage from the site to a nearby well is noted. This issue has arisen from concern that the applicant has/or would be utilising a septic tank on site. However, both the applicant and agent have subsequently put in writing that this is not the case and they will not be using a septic tank. As a result the agent has confirmed that the recommendation of the Environment Agency that a package treatment works would be installed to deal with foul sewage. The Environment Agency has identified that a discharge point should be located downstream of the Gundenham well and a condition be imposed. In addition a Consent to Discharge license will also be required by the applicant to undertake such works.

## **RECOMMENDATION**

Permission be GRANTED subject to conditions of temporary time limit, agricultural tie condition in relation to the poultry unit enterprise, provision of parking spaces, landscaping, package treatment works. Notes re Consent to Discharge required from the Environment Agency, soakaways.

**REASON(S) FOR RECOMMENDATION:-** The justification submitted for a temporary workers dwelling for an agricultural worker is considered acceptable and would not detract from the visual or residential amenity of the area. The scheme therefore accords with Taunton Deane Local Plan Policies S1, S2, S7, H12 and EN12 and Somerset & Exmoor National Park Joint Structure Plan Review Policies STR1, STR6 and Policy 5.

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

**CONTACT OFFICER: 356586 MR A PICK**

NOTES:



24/2007/028LB

MR & MRS A C TURNER

**CONVERSION OF BARN INCORPORATING ATTACHED REDUNDANT AGRICULTURAL BUILDING TO DWELLING AT THE CIDER BARN, KNAPP FARM, NORTH CURRY.**

329888/125522

FULL

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**PROPOSAL**

Listed building consent is sought for the conversion of an existing redundant farm outbuilding, largely of stone and brick construction, to residential use. The farmhouse and associated buildings are grade II listed. The proposed conversion would provide a four bedroom property. The proposal seeks to divide the existing curtilage with the farmhouse.

The applicant is a member of staff.

**CONSULTATIONS AND REPRESENTATIONS**

COUNTY HIGHWAY AUTHORITY observations to be made and awaiting response. ENVIRONMENT AGENCY does not wish to provide any comment regarding the application as it is outside the scope of planning applications which the EA wishes to be consulted. However, for planning applications that propose the use of a non-mains foul drainage system (i.e. a private or on-site system), it is recommended that the Local Planning Authority and the applicant refer to Circular 3/99; guidance provided by the Construction Industry Research and Information Association; and general advice by the EA on the assessment of site conditions and proposed foul drainage systems. WESSEX WATER the development is not located within a Wessex Water sewered area. Your Council should be satisfied with any arrangement for the disposal of foul and surface water flows generated by the development. There is a water main in the vicinity of the development and it will be necessary for the developer to agree a point of connection onto the system. This can be agreed at the design detail stage.

LANDSCAPE OFFICER I recommend all boundaries be planted with native species hedgerows otherwise limited landscape impact. NATURE CONSERVATION AND RESERVES OFFICER views awaited. CONSERVATION OFFICER no objection. See previous consent 24/2001/054 LB for appropriate conditions not addressed by this submission. Suggest concurrent planning application removes PD rights for structures within curtilage. DRAINAGE OFFICER I note that foul drainage is to be discharged to a previously approved sewage treatment plant. I assume this approval was given by the Environment Agency and includes for the extra flow generated by the additional accommodation. This should be confirmed by the applicant. I note that surface water is to be discharged to soakaways. These should be constructed in accordance with Building Research Digest 365 (Sep 1991) and made a condition of any approval.

PARISH COUNCIL awaiting response.

## **POLICY CONTEXT**

RPG10- South West

PPS1 - Delivering Sustainable Development, PPS7 - Sustainable Development in Rural Areas, PPS3 - Housing, PPS9 - Biodiversity and Geological Conservation, PPG13-Transport, PPG15- Planning and the Historic Environment.

Somerset & Exmoor National Park Joint Structure Plan Review Policies STR1 (Sustainable Development), ST6 (Development Outside Rural Centres & Villages), Policy 5 (Landscape Character), Policy 9 (The Built Historic Environment), Policy 49 (Transport Requirements of new Development).

Taunton Deane Local Plan Policies S1 (General Requirements), S2 (Design), S7 (Outside Settlements), H7 (Conversion of Rural Buildings), M4 (Residential Parking Requirements), EN4 (Wildlife in Buildings to be Converted or Demolished), EN5 (Protected Species), EN6 (Protection of Trees) EN16 & EN17 (Listed Buildings) and EN12 (Landscape Character Areas).

## **ASSESSMENT**

The application site consists of a traditional outbuilding within the curtilage of Cider Knapp Farm, located to the west of North Curry. It is considered that the proposed conversion would comply with Local Plan Policy H7 which permits residential barn conversions outside of settlement limits subject to a number of criteria. Permission was granted in 2001, reference 24/2001/053 and 24/2001/054LB, for the main body of the barn to be converted to residential development. The submitted revised scheme seeks to incorporate the attached redundant agricultural building to provide a kitchen and utility room. The barn is considered to be of traditional character and appearance and the proposed alterations are considered to be sympathetic to the character and appearance of the barn.

To conclude, the proposed development represents an acceptable scheme that would utilise an existing redundant outbuilding, which it is considered otherwise would have no economically viable use, helping to secure the building's long term survival.

## **RECOMMENDATION**

Consent be GRANTED subject to conditions of time limit, materials and samples, schedule of works for safety and stability of the building, timber windows, windows to be recessed, schedule of repairs, details of windows, doors, staircase, railings, venting of recovered roofs and enclosed baths and finish treatment for timberwork, cider press to be reused in the building; details of fencing to demarcate the domestic curtilage, details of materials for hardstanding and parking to be submitted.

**REASON(S) FOR RECOMMENDATION:-** The proposed development is considered sympathetic and would not harm the integrity or character of the barn or harm the visual or residential amenities of the area. The proposal does therefore not conflict with Taunton Deane Local Plan Policies S1, S2, EN4, EN5, EN16, EN17 and H7 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: 356586 MR A PICK**

NOTES:

24/2007/029

MR & MRS A C TURNER

**CONVERSION OF BARN INCORPORATING ATTACHED REDUNDANT AGRICULTURAL BUILDING TO DWELLING AT THE CIDER BARN, KNAPP FARM, NORTH CURRY.**

329888/125522

FULL

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**PROPOSAL**

Permission is sought for .a revised conversion of an existing redundant farm outbuilding, largely of stone and brick construction, to residential use. The farmhouse and associated buildings are grade II listed. The proposed conversion would provide a four bedroom property. The proposal seeks to divide the existing curtilage with the farmhouse.

The applicant is a member of staff.

**CONSULTATIONS AND REPRESENTATIONS**

COUNTY HIGHWAY AUTHORITY observations to be made and awaiting response. ENVIRONMENT AGENCY does not wish to provide any comment regarding the application as it is outside the scope of planning applications which the EA wishes to be consulted. However, for planning applications that propose the use of a non-mains foul drainage system (i.e. a private or on-site system), it is recommended that the Local Planning Authority and the applicant refer to Circular 3/99; guidance provided by the Construction Industry Research and Information Association; and general advice by the EA on the assessment of site conditions and proposed foul drainage systems. WESSEX WATER the development is not located within a Wessex Water sewered area. Your Council should be satisfied with any arrangement for the disposal of foul and surface water flows generated by the development. There is a water main in the vicinity of the development and it will be necessary for the developer to agree a point of connection onto the system. This can be agreed at the design detail stage.

LANDSCAPE OFFICER I recommend all boundaries be planted with native species hedgerows otherwise limited landscape impact. NATURE CONSERVATION AND RESERVES OFFICER views awaited. CONSERVATION OFFICER no objection. See previous consent 24/2001/054 LB for appropriate conditions not addressed by this submission. Suggest concurrent planning application removes PD rights for structures within curtilage. DRAINAGE OFFICER I note that foul drainage is to be discharged to a previously approved sewage treatment plant. I assume this approval was given by the Environment Agency and includes for the extra flow generated by the additional accommodation. This should be confirmed by the applicant. I note that surface water is to be discharged to soakaways. These should be constructed in accordance with Building Research Digest 365 (Sep 1991) and made a condition of any approval.

PARISH COUNCIL awaiting response.

## **POLICY CONTEXT**

RPG10- South West

PPS1 - Delivering Sustainable Development, PPS7 - Sustainable Development in Rural Areas, PPS3 - Housing, PPS9 - Biodiversity and Geological Conservation, PPG13-Transport, PPG15- Planning and the Historic Environment.

Somerset & Exmoor National Park Joint Structure Plan Review Policies STR1 (Sustainable Development), ST6 (Development Outside Rural Centres & Villages), Policy 5 (Landscape Character), Policy 9 (The Built Historic Environment), Policy 49 (Transport Requirements of new Development).

Taunton Deane Local Plan Policies S1 (General Requirements), S2 (Design), S7 (Outside Settlements), H7 (Conversion of Rural Buildings), M4 (Residential Parking Requirements), EN4 (Wildlife in Buildings to be Converted or Demolished), EN5 (Protected Species), EN6 (Protection of Trees) EN16 & EN17 (Listed Buildings) and EN12 (Landscape Character Areas).

## **ASSESSMENT**

The application site consists of a traditional outbuilding within the curtilage of Cider Knapp Farm, located to the west of North Curry. It is considered that the proposed conversion would comply with Local Plan Policy H7 which permits residential barn conversions outside of settlement limits subject to a number of criteria. Permission was granted in 2001, reference 24/2001/053 and 24/2001/054LB, for the main body of the barn to be converted to residential development. The submitted revised scheme seeks to incorporate the attached redundant agricultural building to provide a kitchen and utility room. The barn is considered to be of traditional character and appearance and the proposed alterations are considered to be sympathetic to the character and appearance of the barn.

To conclude, the proposed development represents an acceptable scheme that would utilise an existing redundant outbuilding, which it is considered otherwise would have no economically viable use, helping to secure the building's long term survival.

## **RECOMMENDATION**

Subject to the views of the County Highway Authority and the Nature Conservation Officer the Development Manager in consultation with the Chair/Vice Chair be authorised to determine and permission be GRANTED subject to conditions of time limit, contamination, details/samples of materials, landscaping, hard landscaping, fences/walls, schedule of works, timber doors, no extensions, no ancillary buildings or structures, no additional fences, no further windows, meter boxes, details of disposal of foul and surface water, details of hard surfacing. Notes re soakaways, septic tank.

**REASON(S) FOR RECOMMENDATION:-** The proposed development is considered sympathetic and would not harm the integrity or character of the barn or harm the visual or residential amenities of the area. The proposal does therefore not conflict with Taunton Deane Local Plan Policies S1, S2, EN4, EN5, EN16, EN17 and H7 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: 356586 MR A PICK**

NOTES:

37/2007/002

TAUNTON DEANE BOROUGH COUNCIL

**ERECTION OF TEMPORARY OFFICE BUILDING, GREENHOUSE AND POLY TUNNELS AND FORMATION OF ACCESS ROAD TO PLANT NURSERY ADJACENT TO HIGHFIELDS, STOKE ROAD, TAUNTON AS AS AMPLIFIED BY LETTER AND PLAN DATED 31ST MAY, 2007**

324606/122852

FULL

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**PROPOSAL**

The proposal follows the approval of the new access and principle of the use here that was granted in October last year. The current application is for the erection of an area of glasshouses 40 m x 25 m and two areas of polytunnels one 40 m x 53 m and one 40 m x 35 m. In addition a temporary office building 13 m x 3.5 m and water tank is proposed.

**CONSULTATIONS AND REPRESENTATIONS**

COOUNTY HIGHWAY AUTHORITY No observations.

LANDSCAPE OFFICER subject to landscape details the proposal should be acceptable.

PARISH COUNCIL raise concern over excessive lighting at night, noise levels, additional traffic using the nursery taking a short cut through the village and lanes to the motorway and the A358, impact on the existing bungalows adjoining the site at Inglenook and Mountain Ash. They seek confirmation of the land retained by TDBC. And wish to ensure the visibility is clear with obstructing trees removed from the verge.

1 LETTER OF OBJECTION has been received raising the following issues:-  
procedure - work has started and use would prejudice use of existing nursery site off Mount Street.

**POLICY CONTEXT**

Somerset and Exmoor National Park Joint Structure Plan Review Policies STR1 – Sustainable Development, STR6 – Development Outside Towns, Rural Centres and Villages, Policy 19 – Employment and Community Provision in Rural Areas, Policy 49 – Transport Requirements of New Developments.

Taunton Deane Local Plan Policies S1 – General Requirements, S2 – Design, EC2 – Expansion of Existing Business, EC7 – Rural Employment.

## **ASSESSMENT**

Planning permission has previously been given for the use of the site as a plant nursery in October last year and the current application is for the erection of greenhousing and polytunnels as well as a temporary office building and water tank.

The site is located just beyond the settlement limit of Taunton and is considered a suitable location in sustainability terms for the relocation of a horticultural business. The site is well related to the road and there is not considered to be any harm to residential amenity or the landscape. The site is fairly well screened from the west and east and additional landscaping to the boundaries is a condition and will help screen the site from long distance views. A wildlife survey has been carried out and has not identified any adverse impact on protected species in respect of the development area. The access to the site is as previously approved and subject to landscaping which has previously been conditioned the scheme is considered an acceptable one.

## **RECOMMENDATION**

Permission be GRANTED subject to conditions of time limit, materials, temporary office building and note re landscape condition.

**REASON(S) FOR RECOMMENDATION:-** The proposal is considered to be an acceptable use in this location and not to harm the amenities of the area and complies with Taunton Deane Local Plan Policies S1, S2, EC2 and EC7.

**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:



38/2007/183

MIDAS HOMES & NATIONAL GRID PROPERTY HOLDINGS

**RESIDENTIAL REDEVELOPMENT OF FORMER GAS STORAGE SITE INCLUDING NEW SITE ACCESS, CAR PARKING AND ASSOCIATED WORKS AT THE FORMER GAS STORAGE SITE, TANGIER, CASTLE STREET, TAUNTON**

322288/124662

RESERVED MATTERS

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**PROPOSAL**

Outline planning permission was granted in December 2005 for the residential development, new site access, car parking and associated works on the adjoining former Gas works site allocated in the Taunton Local Plan for development. Following the grant of outline planning permission the alignment of the new inner relief road has altered leaving a small site adjacent to the gas works. The applicant, Midas Homes, have procured the site and have designed both sites as one. However because the outline application site did not include this land this second full application has been submitted and is to be considered at the same time as the outline permission. This application is for the erection of a 4 storey block of 44 apartments for senior persons and is located adjacent to the route of the inner relief road. It would provide 11 parking spaces (including three disabled) that would be accessed through the neighbouring development (38/2007/184). The scheme provides for an enclosed laundry room and residents lounge with an open roof top garden on the 5<sup>th</sup> floor. The building would be finished in metal work to match the focal "drum" building. It has been agreed that the principles of the existing section 106 agreement covering will be continued on this site.

**CONSULTATIONS AND REPRESENTATIONS**

COUNTY HIGHWAY AUTHORITY views awaited. COUNTY ARCHAEOLOGIST views awaited.

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

ENVIRONMENT AGENCY requests that an Environmental Impact Assessment (EIA) be undertaken, due to the potential significant effects on the River Tone, including impacts on a number of protected species. The EIA should incorporate the Tangier development as a whole. The requirement for an EIA for the whole site is supported by DETR Circular 02/99, where in paragraph 46 it states: "...a particular planning application should not be considered in isolation if, in reality, it is properly to be

regarded as an integral part of an inevitably more substantial development...". This is further supported in government guidance detailed in 'Environmental Impact Assessment A Guide to Procedures (2000)', which states that "EIA can be requested due to the level of significance of the development. Especially those developments ? which are proposed for particularly environmentally sensitive or vulnerable locations.'. The Agency feels that this development falls under this category, due to the presence of a number of sensitive species and the volume of new development proposed in the area. 'Planning for biodiversity and geological conservation: A guide to good practice' (linked to PPS9) also supports this approach through paragraph 5.13 "where a development poses a likely risk of harm to a protected or priority BAP species, Local Planning Authorities should ensure that an adequate survey is carried out in advance of a planning application". This concern is echoed by Taunton Deane Councils Draft Sustainability Appraisal for Taunton Town Centre Area Action Plan in which it is acknowledged that there is a potential issue in this area. Due to the potential impact of the Tangier development, we strongly recommend an EIA be carried out and for the whole Tangier development not just an individual section of the development.

WESSEX WATER (1) There is sufficient capacity to serve this site. The nearest sewers are in Castle Street and the side road which I believe is known as St John's Road. No connection is to be made to the 150mm sewer to the West which is upstream of a pumping station. (2) Although combined sewers are shown on the records all surface water must discharge to a public surface water sewer, the River Tone or the watercourse to the South. The site is very nearly 100 % impermeable at present but it is not known how the surface water drains. It is recommended that investigations are carried out to establish this before we can agree points of connection to the public surface water system. (3) In line with Government Policy the applicant is advised to contact Developers Services to see if any of the on-site or off-site drainage systems can be adopted under a Section 104 Agreement. Wessex Water Developers Services Riverside Chilton Trinity TA6 3JS. (4) The Sewage Treatment Works and terminal pumping station has sufficient capacity to accept the extra flows this development will generate. (5) The mains in the vicinity of the site are adequate. A connection should be made to the existing 100 mm diameter main in 'Tangier'. Buildings with more than two storeys may require on-site pressure boosting.

SOMERSET AND AVON CONSTABULARY (1) the security of the development and in particular, the perimeter blocks is enhanced by deterring casual intrusion by non-residents. I note from the DAS that vehicular access into the internal courtyards within the perimeter blocks will be controlled by means of 2 m metal gates controlled by electronic locks and security codes/swipe cards available to residents only. Such gates should be inward opening and capable of being operated remotely by the driver whilst sitting in the vehicle; (2) I have some concerns, however, regarding the proposed undercroft parking under these blocks as, despite the fact that the communal entrance/exit is gated, vehicles parked under the blocks will be out of sight of residents and potentially vulnerable to theft/damage, as gates can be left open. Ideally, parked vehicles should be garaged but if this is not possible, it would be preferable for these undercroft parking areas to be secured in some way also e.g. individual rising bollards for each parking space would at least prevent a vehicle being stolen. In addition, on personal safety grounds, these covered parking areas should be well lit with walls and ceilings having light-coloured finishes to maximise the effectiveness of the lighting; (3) I have similar concerns about the proposed undercroft cycle parking in the refuse/recycling/storage areas both on personal safety grounds and the security of the cycles themselves. These

areas should also have a suitable form of access control provided and be well lit/light-coloured finish to walls and ceilings; (4) Judging by the plans, the external balconies/terraces should provide a good degree of natural surveillance of both the private courtyards and the public spaces and this should be optimised by the avoidance/elimination of recesses, blind corners and hiding places. Neither should landscaping impede this surveillance by residents. This is especially important adjacent to footpaths or close to buildings where it may obscure doors and windows and create hiding places. Block frontages should be open to view with ornamental walls and hedges maintained below 1 m in height. Trees should be pruned up to 2 m from ground level and defensive planting (prickly plants) can be used to enhance security; (5) Good lighting will deter intruders and reduce the fear of crime and it is important that an appropriate form of lighting is designed to cover all high risk areas e.g. access points/doors, car parking areas, footpaths, storage areas, secluded areas etc. All lighting should be automatically controlled by photo- electric cell or time switch. Street lighting should conform to BS 5489; (6) The central public space incorporating vehicular and pedestrian access will inevitably increase the permeability of the development and each apartment block should have clearly defined defensible space incorporating walls/fencing/landscaping, as appropriate. Symbolic features such as rumble strips, change of road surface(colour/texture), pillars or narrowing of the carriageway, in addition to the proposed bollards, can help define defensible space giving the impression that certain areas are private, as well as separating vehicles and pedestrians. Good signage should be provided to deter unauthorised access and assist emergency services etc; (7) External communal areas, as mentioned above, have the potential to generate crime, fear of crime and anti-social behaviour. Such areas should be designed with community safety in mind and have adequate mechanisms to ensure their future management/maintenance. They should not immediately abut private residential buildings; (8) Communal entrances to blocks should be fitted with a suitable access control system e.g. intercom and electrical lock release or similar. Doors/frames should be robust, made of vandal resistant material and fitted with viewing panels. Any internal door which gives access to residential floors should also have a suitable form of access control fitted. However, this will be subject to requirements for means of escape in the event of fire. Communal facilities on the ground floor e.g. resident's lounges should be located to provide natural surveillance of entrances, lobbies and external areas; (9) Enclosures to balconies at all levels should be designed to exclude handholds and eliminate opportunities for climbing up, down or across between balconies; (10) Communal internal circulation areas e.g. staircases, lift lobbies etc should be brightly decorated and well lit and access staircases linked to the minimum number of dwellings. External walkways should be eliminated wherever possible; (11) The applicant is advised to formulate all physical design features i.e. doors/windows etc in accordance with the ACPO 'Secured By Design' award scheme, full details of which are available on the SBD website. NATURAL ENGLAND objects to this proposal due to concerns over:- 1. Disturbance of protected species (water vole, otter and bat) and significant loss of habitat, including the loss of riverside wildlife corridors, as a result of development right up to the waters edge and unsympathetic lighting proposals. It is highly important to maintain the integrity of a darkened river corridor for the sake of otters and bats. Natural England requires that thorough bat surveys are conducted over the summer period in order to gather information on how bats use the river corridor. 2. The flood risk associated with the development, resulting from the raising of the site and the consequential decrease in storage for

flood volume. The decrease in volume of 5750 sq m is significant and is likely to contribute to a faster flow of water through Taunton town and increased flooding downstream on the Somerset Levels and Moors - specifically affecting Curry and Hay Moors SSSI. Natural England suggests that a more detailed flood risk management proposal be submitted that clearly identifies a preferred option for storing the displaced flood water. If the decision is to use Longrun Farm as flood capacity, as suggested, this should be supported by further research into its suitability for accommodating the flood water volume suggested. Consideration should be taken of the wider development proposals for Taunton Town Centre and the associated need for flood volume storage. Natural England believes that the potential environmental/ecological impacts of the development are significant enough to justify the need for an Environmental Impact Assessment (EIA) of the proposal - hence Natural England supports the Environment Agency's request for an EIA. However, the need for an EIA may be negated through supplementary planning guidance (best practice) for all development along the River Tone. TAUNTON CIVIC SOCIETY views awaited

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21 LETTERS OF OBJECTION have been received raising the following issues:- the site is too small for the proposed development; the design, materials, colour and design unsympathetic to the area; the blue brick would be out of keeping and should be red brick to reflect the area; design resembles 1960's tower blocks; 5 and 7 storey building too high out of keeping with area should be kept to three storey; the buildings should have pitched roofs; the buildings will dominate the river setting and should be reduces in height and set further back; out of keeping with recent traditional designed brick buildings; bulk of development creates a visual barrier to the river with insufficient integration with the wider area; riverside elevation with seemingly no consideration of impact on pedestrians, wildlife or natural environment; building should be lower and set back further from the river frontage; the buildings are designed to look like supermarkets; proposed balconies overlooking river will be in shadow all day; building will over shadow river and riverside walk will be in the shadow all day; loss of privacy for residents opposite the site due to proximity and height of proposal parking not in excess of 1.2 maximum outlines by the government but owners still have vehicles and will park on the surrounding streets increasing their congestion; the scheme should have shops, bars and cafes to liven up the river frontage; gas fuelled heating will add to the green house effect; the new properties will only be a few meters away from the new road that is likely to be very busy and noisy.

## **POLICY CONTEXT**

Somerset and Exmoor National Park Joint Structure Plan Review Policies STR1 - Sustainable Towns; STR4 - Towns; Policy 35 - Affordable Housing; Policy 40 - Town Strategies; Policy 48 - Access and Parking; Policy 55 - Major Highway Improvements and Policy 60 - Flood Plain Protection.

Taunton Deane Local Plan Policies S1 - General Requirements; S2 - Design; S9 - Taunton Town Centre; H2 - Housing; H9 - Affordable Housing; H10 - Affordable Housing Targets; M4 - Residential Parking Requirements; M5 - Cycling; C1 - Education Provision; C4 - Recreational Open Space; EN23 - High Archaeological Potential; EN28 - Development and Flood Risk; EN29 - Flooding due to development and EN32 - Contaminated Land.

## **ASSESSMENT**

This site is immediately adjacent to the gas works site for which outline planning permission has been granted and the reserved matters application is before you tonight. It is considered appropriate that the same planning requirements are applied to this site and a totally residential form of development has been accepted in principal. This part of the development has a different design theme with the materials reflecting the central focal building and the levels of the Third Way bridge and road building catered for. The Architect has recognised the importance of the site and designed the building to front the river and road frontages. This part of the site development will provide senior accommodation with an open top garden with residents lounge providing views to the east. The garden would have an obscure glazed wall around the outside to avoid any overlooking of nearby residential properties.

The development would be situated in the flood plain of the River Tone. It is important to make sure that the development site does not flood and that the development does not make any flooding of adjacent land worse. As a result residential floor levels on the site have been raised and an area for alternative flood storage is to be created at Long Run Farm to compensate for any loss of flood storage on site. Whilst this is agreeable in principal the exact details of the flood storage works has not been submitted and its suitability to serve the development is therefore untested.

The site lies adjacent to the route of the third way. The applicants have been in discussions with the County Highway Authority and have designed the scheme to take account of any raise in road levels as a result of the new Third Way. I am still awaiting the detailed comments from the County Highway Officer but I understand there are no objections to the principals of the development.

The application site lies adjacent to the River Tone County Wildlife Site. Natural England confirms that protected species are believed to use the site including Bats, water voles and Otters. Furthermore the development of this contaminated site may result in leakage of pollutants into the water system, which might subsequently affect the Levels SSSI. As a result it is considered that the submitted information on the presence of these species, the impact of the development on the species and proposed mitigation is inadequate as is the information on the potential effects of the development on the Levels SSSI.

Proposals as submitted are considered unacceptable.

## **RECOMMENDATION**

Permission be REFUSED for the following reasons (1) The site lies adjacent to a County Wildlife site where protected species are present. The information as submitted is insufficient to establish the existing situation on the site in terms of the existing fauna and flora on the site (including protected bat species and Otters), the impact of the development on those species the local and wider water environment and any mitigation measures that may overcome any detrimental impacts or

measures to enhance the existing environment and is therefore considered to be contrary to Taunton Deane Local Plan Policies EN2, EN3, EN5 and EN6. (2) The development of the site would result in loss of flood storage contrary to Taunton Deane Local Plan Policy EN28.

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

**CONTACT OFFICER: 356467 MRS J MOORE**

NOTES:

38/2007/184

MIDAS HOMES & NATIONAL GRID PROPERTY HOLDINGS

**RESIDENTIAL REDEVELOPMENT OF 44 SENIOR UNITS INCLUDING ROOF GARDEN, CAR PARKING AND ASSOCIATED WORKS AT FORMER GAS STORAGE SITE, CASTLE STREET, TAUNTON**

322421/124615

FULL

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**PROPOSAL**

Outline planning permission was granted in December 2005 for the residential development, new site access, car parking and associated works on the former Gas works site allocated in the Taunton Local Plan for development. This application is for the approval of reserved matters relating to that development and would physically link with the senior apartments proposed on the site immediately to the east (38/2007/183). The application site comprises approx 1.1 hectares of open land currently used on a temporary basis for car parking. It lies approximately 0.5 km south of the town centre and immediately adjacent to the River Tone, a County Wildlife site. To the north of the river and site lie the terraced dwellings of Clarence Street. To the northwest of the site lies French Weir Park. The western boundary is adjacent to a commercial area with a variety of commercial users including the Riverside Chambers. To the south of the site is Castle Street with a car park beyond. The proposal is for the provision of 118 apartments of which 56 would be affordable housing in line with the Section 106 requirement. The development comprises a contemporary design approach comprising a series of development blocks. One set facing the river and the other facing Tangier and Castle Street. The development fronting the river proposes two arms of development ranging in from 4 storey to 6 storey in height to raise the centre of the site adjacent to the centre of the site where there would be a 7 storey high circular central building which, combined with the hard landscaping and design, would create a focal point for the development and encourage public access to the water frontage. To the rear of the site the development blocks are a maximum of 4 storeys in height with car parking at the ground floor level and apartments on the first, second and third floors. These apartments also have a contemporary design approach. The upper floors would have timber window pods, projecting out from the walls creating a three-dimensional design and expanding the use of the balconies for each unit. The bulk of the development would be broken by central access links set back from the main frontage. The arrangement of the two sets of perimeter blocks creates a central private space with vehicular and pedestrian access to parking, cycle and bin stores. There would be 113 car parking spaces for the 118 flats. These internal areas would be landscaped to a high quality to create a pleasant environment that residents will see from their apartments. The scheme incorporates the levels and location of the new inner relief road and the design anticipates the change in road levels (increase in height) that will take place when the inner relief road is provided. For the short term this results in somewhat elevated street entrances adjacent to Castle Street that will be level when the road is built. The south-eastern block of development would be set back a minimum of 7 m from the edge of the river and would provide a



new bank to the river. This would comprise new walls finished with stone gabion baskets with isolated areas set back to allow pockets of planting to break up the 110 m long expanse of the new walling. The proposal includes a 7 m wide access strip adjacent to the river and this has been designed to allow public access along a landscaped track. A series of trees has been proposed along the access way to soften the impact of the hard surfaced areas. To the west of the site the apartment blocks have been set back 19 m from the riverbank allowing a gentle grassed slope between the development and the apartments. The scheme proposes a range of materials to compliment the contemporary design approach. This includes a through rendered frontage to the river with coloured glazed panels to give a distinctive quality to each block. To the rear of the site the development blocks would be distinguished by the use of a blue brick at ground floor level. This would run through at ground level to the landscaping and base of the circular building to create a sense of unity to the design of the buildings and landscaped area on that elevation.

## **CONSULTATIONS AND REPRESENTATIONS**

COUNTY HIGHWAY AUTHORITY views awaited. COUNTY ARCHAEOLOGIST views awaited.

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

ENVIRONMENT AGENCY requests that an Environmental Impact Assessment (EIA) be undertaken, due to the potential significant effects on the River Tone, including impacts on a number of protected species. The EIA should incorporate the Tangier development as a whole. The requirement for an EIA for the whole site is supported by DETR Circular 02/99, where in paragraph 46 it states: "...a particular planning application should not be considered in isolation if, in reality, it is properly to be regarded as an integral part of an inevitably more substantial development...". This is further supported in government guidance detailed in 'Environmental Impact Assessment A Guide to Procedures (2000)', which states that "EIA can be requested due to the level of significance of the development. Especially those developments ? which are proposed for particularly environmentally sensitive or vulnerable locations.'. The Agency feels that this development falls under this category, due to the presence of a number of sensitive species and the volume of new development proposed in the area. 'Planning for biodiversity and geological conservation: A guide to good practice' (linked to PPS9) also supports this approach through paragraph 5.13 "where a development poses a likely risk of harm to a protected or priority BAP species, Local Planning Authorities should ensure that an adequate survey is carried out in advance of a planning application". This concern is echoed by Taunton Deane Councils Draft Sustainability Appraisal for Taunton Town Centre Area Action Plan in which it is acknowledged that there is a potential issue in this area. Due to the potential impact of the Tangier development, we strongly recommend an EIA be carried out and for the whole Tangier development not just an individual section of

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permeability of the development and each apartment block should have clearly defined defensible space incorporating walls/fencing/landscaping, as appropriate. Symbolic features such as rumble strips, change of road surface(colour/texture), pillars or narrowing of the carriageway, in addition to the proposed bollards, can help define defensible space giving the impression that certain areas are private, as well as separating vehicles and pedestrians. Good signage should be provided to deter unauthorised access and assist emergency services etc; (7) External communal areas, as mentioned above, have the potential to generate crime, fear of crime and anti-social behaviour. Such areas should be designed with community safety in mind and have adequate mechanisms to ensure their future management/maintenance. They should not immediately abut private residential buildings; (8) Communal entrances to blocks should be fitted with a suitable access control system e.g. intercom and electrical lock release or similar. Doors/frames should be robust, made of vandal resistant material and fitted with viewing panels. Any internal door which gives access to residential floors should also have a suitable form of access control fitted. However, this will be subject to requirements for means of escape in the event of fire. Communal facilities on the ground floor e.g. resident's lounges should be located to provide natural surveillance of entrances, lobbies and external areas; (9) Enclosures to balconies at all levels should be designed to exclude handholds and eliminate opportunities for climbing up, down or across between balconies; (10) Communal internal circulation areas e.g. staircases, lift lobbies etc should be brightly decorated and well lit and access staircases linked to the minimum number of dwellings. External walkways should be eliminated wherever possible; (11) The applicant is advised to formulate all physical design features i.e. doors/windows etc in accordance with the ACPO 'Secured By Design' award scheme, full details of which are available on the SBD website. NATURAL ENGLAND objects to this proposal due to concerns over:- 1. Disturbance of protected species (water vole, otter and bat) and significant loss of habitat, including the loss of riverside wildlife corridors, as a result of development right up to the waters edge and unsympathetic lighting proposals. It is highly important to maintain the integrity of a darkened river corridor for the sake of otters and bats. Natural England requires that thorough bat surveys are conducted over the summer period in order to gather information on how bats use the river corridor. 2. The flood risk associated with the development, resulting from the raising of the site and the consequential decrease in storage for flood volume. The decrease in volume of 5750 sq m is significant and is likely to contribute to a faster flow of water through Taunton town and increased flooding downstream on the Somerset Levels and Moors - specifically affecting Curry and Hay Moors SSSI. Natural England suggests that a more detailed flood risk management proposal be submitted that clearly identifies a preferred option for storing the displaced flood water. If the decision is to use Longrun Farm as flood capacity, as suggested, this should be supported by further research into its suitability for accommodating the flood water volume suggested. Consideration should be taken of the wider development proposals for Taunton Town Centre and the associated need for flood volume storage. Natural England believes that the potential environmental/ecological impacts of the development are significant enough to justify the need for an Environmental Impact Assessment (EIA) of the proposal - hence Natural England supports the Environment Agency's request for an EIA. However, the need for an EIA may be negated through supplementary planning guidance (best practice) for all development along the River Tone. TAUNTON CIVIC SOCIETY views awaited

LANDSCAPE OFFICER my main concerns are:- loss of TPO'd trees, especially the weeping willow and small leaved lime; limited riverside landscape mitigation; poor 'townside' landscape mitigation; limited or not riverside access for boats; no adopted landscape masterplan. NATURE CONSERVATION & RESERVES OFFICER I have read Midas's Protected Species survey/report March 2007. I support the principle 9.3 to ensure that the integrity of the Tone corridor CWS is maintained - however, with the proposed development the area must be enhanced for wildlife. Therefore I support the report conclusions 9.2 - 9.4. My concerns for both applications is that we need more information on the aquatic planting, to give cover for otters and to maintain existing bat flight routes. Bats: Because of the known bat roosts in the vicinity I recommend that summer surveys are done to establish how bats are using the site e.g. do they cross the site from River corridor to the back streams - the results could inform planting corridors across the site. NE may comment further on the need for bat surveys in this case. I support the proposal for the specified bat boxes, 8.10. Otters: The proposed gabion walls with planting inlets will provide limited cover but I would like to see the details of planting along the large expanse of reinforced revetment - I support the report's recommendations for native shrub planting, 8.6/8.12. I support the proposal for a site for an otter holt, 8.13 and recommend that details should be submitted. Sand Martins: I welcome the proposal for a sand martin bank and recommend that details are submitted. Plant Surveys: I support the proposed vegetation surveys to be undertaken this summer to inform future planting proposals. Note on Lighting I would like to see further detail of lighting proposals to gabions and I am concerned that the proposed uplighting of riverside trees may be excessive effects on protected species on River. Note on Tree Planting and Existing Tree Removal Existing groups of trees proposed for removal could provide flight lines for bats - see earlier comment on bats. Although I support the planting of native species along the Riverside the almost exclusive use of native alder could cause problems (Phytophthora pathogen could kill the trees) and ICC may comment further. I also note that the planting of Black Poplar has been proposed, Ian may comment further but the illustration on the 'planting illustration' shows *P. nigra* 'Italica' not the native black Poplar *P. nigra* 'Betulifolia'. This needs to be clarified. PLANNING POLICY the drawings imply that there will be a 200 m frontage to the Third Way and Tangier without active uses at street level or, indeed, any habitable rooms at all. This is contrary to the intentions of the Urban Design Framework (see page 71, Section 13) which clearly shows living room or commercial space on the Castle Street (Third Way) frontages. The applicants rightly draw attention to the restricted depth of site available. This is also likely to be a constrain on other town centre sites in Taunton. A more radical approach to development seems needs, possibly involving "car free" housing, if the sties are not to become dominated by ground level car parking or garages on every street frontage. The use of blue brick for the ground floor elevation does not seem characteristic of Taunton. The standard historical solution to a raised ground floor level is to have steps up to the front doors e.g. The Crescent, Taunton. ENVIRONMENTAL HEALTH OFFICER views awaited. HOUSING OFFICER there is a Section 106 for affordable housing on the reserved maters portion of the site and I understand that the same principles will be applied to the smaller full application site, I believe this applies. LEISURE AND RECREATION OFFICER views awaited. PROJECT TAUNTON views awaited.

21 LETTERS OF OBJECTION have been received raising the following issues:- the site is too small for the proposed development; the design, materials, colour and design unsympathetic to the area; the blue brick would be out of keeping and should be red brick to reflect the area; design resembles 1960's tower blocks; 5 and 7 storey building too high out of keeping with area should be kept to three storey; the buildings should have pitched roofs; the buildings will dominate the river setting and should be reduces in height and set further back; out of keeping with recent traditional designed brick buildings; bulk of development creates a visual barrier to the river with insufficient integration with the wider area; riverside elevation with seemingly no consideration of impact on pedestrians, wildlife or natural environment; building should be lower and set back further from the river frontage; the buildings are designed to look like supermarkets; proposed balconies overlooking river will be in shadow all day; building will over shadow river and riverside walk will be in the shadow all day; loss of privacy for residents opposite the site due to proximity and height of proposal parking not in excess of 1.2 maximum outlines by the government but owners still have vehicles and will park on the surrounding streets increasing their congestion; the scheme should have shops, bars and cafes to liven up the river frontage; gas fuelled heating will add to the green house effect; the new properties will only be a few meters away from the new road that is likely to be very busy and noisy.

## **POLICY CONTEXT**

Somerset and Exmoor National Park Joint Structure Plan Review Policies STR1 - Sustainable Towns; STR4 - Towns; Policy 35 - Affordable Housing; Policy 40 - Town Strategies; Policy 48 - Access and Parking; Policy 55 - Major Highway Improvements and Policy 60 - Flood Plain Protection.

Taunton Deane Local Plan Policies Taunton Deane Local Plan Policies S1 - General Requirements; S2 - Design; S9 - Taunton Town Centre; H2 - Housing; H9 - Affordable Housing; H10 - Affordable Housing Targets; M4 - Residential Parking Requirements; M5 - Cycling; C1 - Education Provision; C4 - Recreational Open Space; EN1 - Wildlife sites of International Importance; EN2 - Sites of Special Scientific importance; EN3 - Sites of Local Wildlife and Geological Interest; EN5 - Protected Species; EN6 - Protection of Trees, Woodlands Orchards and hedgerows; EN23 - High Archaeological Potential; EN26 - Water resources; EN28 - Development and Flood Risk; EN29 - Flooding due to development and EN32 - Contaminated Land; EN 34 - Control of External Lighting.

## **ASSESSMENT**

The Taunton Deane Local Plan identified the site for mixed use and it was accepted that this might include an element of residential on upper floors. However in the consideration and determination of the outline planning permission a development of solely residential use was accepted and granted planning permission. This matter is not for re consideration in the reserves matters application that is being considered. In their design statement the architects recognise that the existing area is not rich in good architectural references and they have chosen to approach the development design with an innovative and contemporary approach that deliberately does not draw from the local vernacular. The scheme attempts to use the riverside location to

its maximum benefit providing a high level of residential accommodation on site. This enables the provision of affordable housing and the mitigation of land contamination to be addressed successfully. The proposed development introduces a development with 4, 5, 6, and 7 storeys in height and this is accepted as being taller than its surroundings. In recognition of this the design steps back the upper floors to reduce the visual perception of the height of the blocks. The apartments on the opposite side of the river to the existing residential terraces have been kept at 4 storeys in height and are separated from those properties by the River Tone giving a minimum distance of 35 m to the boundaries and 40 m to their rear wall. I am satisfied that the four storeys combined with the distances are acceptable in this case. In terms of the impact of the development on Tangier, the elevations have been lowered to four storeys and given a far more urban design. The application proposes parking on the ground floor and as such the street scene would be relatively sterile. Timber louvers have been proposed along the ground floor in order to break up this street frontage and reflect the rhythm of the upper windows.

The development would be situated in the flood plain of the River Tone. It is important to make sure that the development site does not flood and that the development does not make any flooding of adjacent land worse. As a result residential floor levels on the site have been raised and an area for alternative flood storage is to be created at Long Run Farm to compensate for any loss of flood storage on site. Whilst this is agreeable in principle the exact details of the flood storage works has not been submitted and its suitability to serve the development is therefore untested.

The site lies adjacent to the route of the third way. The applicants have been in discussions with the County Highway Authority and have designed the scheme to take account of any raise in road levels as a result of the new Third Way. I am still awaiting the detailed comments from the County Highway Officer but I understand there are no objections to the principals of the development.

The application site lies adjacent to the River Tone County Wildlife Site. Natural England confirms that protected species are believed to use the site including Bats, water voles and Otters. Furthermore the development of this contaminated site may result in leakage of pollutants into the water system, which might subsequently affect the Levels SSSI. As a result it is considered that the submitted information on the presence of these species, the impact of the development on the species and proposed mitigation is inadequate as is the information on the potential effects of the development on the Levels SSSI.

Proposals as submitted are considered unacceptable.

## **RECOMMENDATION**

Permission be REFUSED for the following reasons (1) The site lies adjacent to a County Wildlife site where protected species are present. The information as submitted is insufficient to establish the existing situation on the site in terms of the existing fauna and flora on the site (including protected bat species and Otters), the impact of the development on those species the local and wider water environment and any mitigation measures that may overcome any detrimental impacts or

measures to enhance the existing environment and is therefore considered to be contrary to Taunton Deane Local Plan Policies EN2, EN3, EN5 and EN6. (2) Inadequate details have been submitted of the proposed bridge across the River Tone, required to allow access to recreational facilities in consideration of Taunton Deane Local Plan Policy C4; (3) The development of the site would result in loss of flood storage contrary to Taunton Deane Local Plan Policy EN28.

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

**CONTACT OFFICER: 356467 MRS J MOORE**

NOTES:

42/2007/010

KIBBEAR FARM PARTNERSHIP

**FORMATION OF ACCESS, HARDSTANDING AND FARM TRACK ON LAND AT KIBBEAR, TRULL AS AMENDED BY PLAN RECEIVED ON 25 MAY, 2007**

322505/121712

FULL

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**PROPOSAL**

This application follows an Agricultural Notification which was changed to a full application as the proposed access is from a classified but unnumbered road. The proposal is for a farm access with a width of 6 m hard surfaced for a depth of 9.6 m. 4.5 m wide gates opening inward are located behind the hard surfaced area leading to a 3.3 m wide drive into the farm. This track has two 6 m wide passing places and length of 300 m. The entrance is stated to slope away from road to prevent discharge of water onto highway. The latest plan show visibility at 2 m back will require cutting back and not removal of hedgerows

Purpose of track is said to be to enable large farm vehicles to enter site avoiding existing Kibbear Lane access.

**CONSULTATIONS AND REPRESENTATIONS**

COUNTY HIGHWAY AUTHORITY no increase in traffic, better than existing access acceptable subject to conditions.

PARISH COUNCIL supports proposal.

LANDSCAPE OFFICER concern about loss of hedgerow for visibility splay at western end and crossing of footpath likely to have detrimental impact on character of area. Revised plans - still concerned about the urbanising effect of the proposal and detrimental effect on the rural character of the area close to a public footpath.

5 LETTERS OF OBJECTION have been received raising the following issues:- possible increase in traffic from recent approved workshops; will be used as main access increasing traffic in Amberd Lane; Lane carries much fast moving traffic, walkers and is on a bus route; loss of 150 m of hedgerow; concerns about surface water run off.

**POLICY CONTEXT**

Taunton Deane Local Plan Policies EN6 (Protection of Trees Woodland, Orchards and Hedgerows), EN12 (Landscape Character Areas).

**ASSESSMENT**



Site lies within the Low Vale Landscape Character Area and is to serve the existing farm. Current entrance to the farm is in Kibbear lane, a cul-de-sac, some 900 m by road from the proposed access. The highway authority believes the existing access shared with Browns Elms Cottage is substandard. New farm track will be positioned alongside the filed hedge and in this position it will not impact on the countryside character.

The details show that that the necessary sight lines of 160 m in the leading traffic direction can be achieved without removal of the hedge. This is possible because of the slight curve in the road.

The highway authority are happy with the proposal subject to conditions requiring provision of sight lines, hardening of first 10 m of the entrance, gates to opening inward, gradient not greater than 1 in 10 and no disposal of Surface water onto highway.

Objections have concerns about increase traffic generation but it would seem that the new position will make access to the farm easier and merely save traffic using Kibbear Lane. Most vehicles will already be using Amberd Lane to get to the farm. Hedgerow loss will be limited to that necessary to form the access and no significant loss will accrue to sight line formation. Furthermore the access will be design to retain surface water on site as required by the highway authority.

The Landscape Officer also has concerns about the urbanising effect of the proposal

Whilst the introduction of a tarmacadam entrance will have some impact in view of the minimal width proposed this impact will be limited.

## **RECOMMENDATION**

Permission be GRANTED subject to conditions of time limit, visibility splay, access hard surfaced, gates to opening inward, gradient not greater than 1 in 10, and no disposal of surface water onto highway.

**REASON(S) FOR RECOMMENDATION:-** The proposal is considered not to have a significant detrimental impact on the character of the area and is therefore considered acceptable and accordingly does not conflict with Taunton and Deane Local Plan Policies EN6, EN12

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

**CONTACT OFFICER: 356468 MR M ROBERTS**

NOTES:

## **Planning Committee – 4 July, 2007**

### **Report of the Development Manager**

#### **Miscellaneous Item**

#### **43/2007/026 Erection of Medical Centre with attached services, including car park, external works and landscaping and formation of access to Mantle Street, land south and west of 112B Mantle Street (part of Trinity Farm), Wellington**

Members will recall that the above planning application was considered by the Planning Committee at its meeting on 23 May, 2007. It was resolved that subject to:-

- (i) The views of the Secretary of State under the Departure Procedures;
- (ii) The receipt of no further representations raising new issues on the amended plans by 5 June, 2007; and
- (iii) The receipt of no adverse views from Wessex Water, I be authorised to determine the application in consultation with the Chair/Vice Chair and if planning permission was granted, conditions be imposed.

With reference to (ii) above, one further letter was received raising new issues on the amended plan. These were as follows:-

1. Footpath has been moved closer to property affecting privacy, noise and security.
2. Buildings will loom over property raising serious concerns with regard to light levels.
3. A wall should be erected on the boundaries with property.

A number of further letters were received, but these did not raise any new issues as a result of the amended plans.

The footpath comes to between 3 - 6 m from the objector's property, with a proposal for planting in the intervening area.

The amended plans moved the proposed building closer to the objector's property. The distance from the proposed building to the objector's property is 13.8 m with 25 m to the actual dwelling.

I do not consider that the amended proposal will result in any further detriment to the amenity of the objector compared to the previous plans.

With regard to resolution (i), the Government Office has confirmed that the Secretary of State has concluded that there is not sufficient conflict with national planning policies, or any other sufficient reason, to warrant calling in the application for her

own determination. She has therefore decided that the decision on whether or not to grant planning permission in this case will remain with the Local Planning Authority.

With regard to resolution (iii), Wessex Water confirms that there is sufficient capacity in the Mantle Street sewers for the foul and surface water drainage from the proposed development.

### **Recommendation**

Permission be GRANTED subject to the conditions set out in Minute No 67 of the Planning Committee of 23 May, 2007.

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

**CONTACT OFFICER: Mr J Hamer Tel: 356461**

## Planning Committee – 4 July, 2007

### Report of Development Manager

#### Miscellaneous item

#### Planning (Listed Buildings and Conservation Areas) Act 1990 Corfe Farmhouse, Corfe Civil Parish (CP)

##### 1.0 Purpose of Report

- 1.1 To seek Committee endorsement of the Chair's authorisation, for the service of a Building Preservation Notice (BPN) in respect of Corfe Farmhouse, Corfe.

##### 2.0 Background

- 2.1 The historic significance of Corfe Farmhouse was confirmed following internal access, requested as a result of pre-application discussions for conversion of its outbuildings and development of adjacent land, allocated in the Taunton Local Plan.
- 2.2 The agent and owner were advised of its importance and eligibility for listing, with discussions re-submission of subsequent applications, based on the premise that the farmhouse and hence its outbuildings were listed and that new development on the allocated site would need to respect the setting of the former.
- 2.3 As submission of applications were imminent, the Chair authorised the service of the BPN, which was served on 14 June, 2007.
- 2.4 Service of the BPN, means that Corfe Farmhouse and its outbuildings, are subject to the controls applicable to listed buildings, for 6 months from the date of service of the Notice, during which time the Secretary of State for Culture, Media and Sport must decide whether or not to add Corfe Farmhouse to the Statutory List of Buildings of Special Architectural or Historic Interest.

##### 3.0 Building Description

- 3.1 **Farmhouse** Late C16/early C17, subsequently altered (mainly C19).
- 3.2 **Materials** Coursed blue lias, ham stone coped verges, man made slate roofs. Modern brick stacks. 4 bays. 3 light timber casements to facade with canted bay to far left. Re-sited early ovolo moulded 4 light mullioned window to rear outshot, south.
- 3.3 **Plan** 3 cell cross passage, extended C19, to north by 2 storey bay and to rear by single storey outshot. C20 conservatory to south.
- 3.4 **Internal Features** Early door frames to cross passage and right of cross passage. Early fireplaces to left and right (x 2) of cross passage all infilled by

later fireplaces or blocked. Possible plank and muntin screen to right of cross passage. C19 staircase. Carpets may conceal stone or earlier floors. Roof glimpsed and essentially C19. Detailed inspection may however reveal evidence of earlier roof before being raised.

#### **4.0 Conclusion**

- 4.1 Corfe Farmhouse is clearly a significant and early building for Corfe, with its extant internal features, confirming what the exterior suggests.
- 4.2 Control over alterations to the outbuildings and sensitive development of the allocated Local Plan site to the east, is therefore required and should be material considerations in the determination of the submitted applications.

#### **5.0 Recommendation**

- 5.1 That the Committee endorses the Chair's authorisation to serve a Building Preservation Notice in respect of Corfe Farmhouse, Corfe Civil Parish.

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

**CONTACT OFFICER: Diane Hartnell Tel 356492**

## **Planning Committee – 4 July, 2007**

### **Report of the Development Manager**

#### **Enforcement Item**

#### **Parish: North Curry**

1. **File/Complaint Number** E153/24/2006
2. **Location of Site** The Barn, Chestnut Farm, Helland, North Curry.
3. **Names of Owners** Mr Webber
4. **Names of Occupiers** Mr Webber
5. **Nature of Contravention**

Lower section of barn not in accordance with approved plans.

6. **Planning History**

24/2004/026 - Conversion of barn to dwelling, the erection of an ancillary garage, construction of a new vehicular access and change of use of outbuilding to domestic garage for the existing farmhouse at Chestnut Farm, Holland, North Curry. Planning permission granted on 6 August, 2004.

24/2005/037 - Conversion of barn into a 5 bed roomed two storey dwelling with detached double garage at Chestnut Farm, Holland as amended by plans 003D received 11 October, 2005. Permission refused 13 October, 2005. Reasons:- Barn conversion involves significant extension and alterations and this would materially alter the character of the barn. The proposed extended curtilage is considered to be excessive and likely to result in a detrimental change in the character of this rural area. Appeal dismissed 27 November, 2006.

24/2005/065 - Retention of private double garage to the north of Chestnut Farm barn conversion, Holland, North Curry. Permission refused 24 March, 2006. Reason: The height of the garage is considered excessive and no longer subsidiary in relation to the adjacent barn conversions and will thereby have a detrimental impact on the visual amenity and character of the barn. Appeal dismissed 27 November, 2006.

7. **Reasons for taking Action**

The plane of the roof has been altered from an asymmetric roof as approved to an gabled roof. This has been achieved by raising the front wall by four courses of bricks. The new roof of the single storey section has changed the overall appearance and therefore has a detrimental impact on the visual amenity and character of the barn contrary to Taunton Deane Local Plan Policies S1(D) and S2.

**8. Recommendation**

The Solicitor to the Council be authorised to serve an enforcement notice to secure reduction in height of garage to that approved and prosecution proceedings subject to satisfactory evidence that the notice is not complied with.

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

**CONTACT OFFICER: Mrs A Dunford Tel: 356479**