



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 26TH SEPTEMBER 2007 AT 17:00.

(RESERVE DATE : MONDAY 1ST OCTOBER 2007 AT 17:00)

AGENDA

1. Apologies.
2. Minutes of the meeting of the Committee held on 5 September 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. BATHEALTON - 03/2007/010
FORMATION OF ACCESS TRACK, ERECTION OF IMPLEMENT STORE AND TWO POLYTUNNELS AT LAND AT HIGHER COBHAY, BATHEALTON
6. CHEDDON FITZPAINE - 08/2007/003
RETENTION OF CHANGE OF USE OF AGRICULTURAL LAND FOR 'FUN FARM', A FARM BASED TOURIST ATTRACTION INCLUDING FARM ANIMALS, QUAD BIKES, TRAMPOLINE, BOUNCY CASTLE AND CAFE AT NERROLS FARM, PRIORSWOOD
7. MILVERTON - 23/2007/027
CONSTRUCTION OF REPLACEMENT PAVED AREA TO INCLUDE VERANDAH WITH SCREEN WALL AND FORMATION OF NEW REAR DOORWAY AT THE GLOBE INN, FORE STREET, MILVERTON AS AMENDED BY
8. MILVERTON - 23/2007/028LB
CONSTRUCTION OF REPLACEMENT PAVED AREA TO INCLUDE VERANDAH WITH SCREEN WALL AND FORMATION OF NEW REAR DOORWAY AT THE GLOBE INN, FORE STREET, MILVERTON AS AMENDED BY
9. NYNEHEAD - 26/2007/013
ERECTION OF DWELLING ON LAND ADJACENT TO 7 BLACKDOWN VIEW, NYNEHEAD (REVISED SCHEME)
10. OAKE - 27/2007/017
ERECTION OF 2 NO. SEMI-DETACHED DWELLINGS WITH ASSOCIATED PARKING, LAND ADJOINING BARON HOUSE,

HILLCOMMON

11. TAUNTON - 38/2007/264
ERECTION OF DWELLING ON LAND ADJACENT TO GLESNI,
FONS GEORGE ROAD, TAUNTON
12. TAUNTON - 38/2007/336
ERECTION OF DWELLING AT LAND TO THE REAR OF 191/193
STAPLEGROVE ROAD, TAUNTON
13. WIVELISCOMBE - 49/2007/034
ERECTION OF 3 NO. ONE BEDROOM AND 2 NO. TWO BEDROOM
FLATS IN A THREE STOREY BUILDING WITH ASSOCIATED
PARKING AND CYCLE SPACES AT LAND AT REAR OF 6 HIGH
STREET, WIVELISCOMBE, (ACCESSED FROM THE CAR PARK) AS
AMENDED BY LETTER DATED 10TH AUGUST, 2007 AND PLANS
NOS. 0711/01A AND 02A AND LETTER DATED 21ST AUGUST,
2007 AND PLAN NO. 0711/02B.
14. COMEYTROWE - 52/2007/032
ERECTION OF PORCH, CHANGE OF USE OF LAND TO DOMESTIC
CURTILAGE AND ERECTION OF BOUNDARY WALL AT 5
LONGMEAD WAY, COMEYTROWE
15. E88/06/2006 and 06/2006/029 - Use of land for pheasant rearing and
siting of an agricultural workers mobile home at Mill Field, Minehead
Road, Bishops Lydeard. Enforcement item
16. E217/52/2007 - Erection of trellis on top of existing wall at 23 Glasses
Mead, Comeytrowe, Taunton. Enforcement item
17. Planning Appeals - Appeals received and the latest decisions
(attached). Appeals

G P DYKE
Democratic Services Manager
19 September 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 (Council, Executive, Review Board & Review Panel Agenda, Reports and Minutes are available on the Website)

Planning Committee – 5 September 2007

Present:- Councillor Mrs Hill (Chairman)
Councillor Mrs Allgrove (Vice-Chairman)
Councillors Bishop, Bowrah, Critchard, Denington, Henley,
House, McMahon, Mrs Smith, Watson, Ms Webber,
A Wedderkopp, D Wedderkopp and Woolley

Officers:- Mr T Burton (Development Manager), Mr J Hamer
(Development Control Area Manager – West), 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 Williams in relation to application
Nos 12/2007/004 and 005LB, and Councillor Ms Herbert in
relation to application No 38/2007/299.

(The meeting commenced at 5.00 pm).

104. Apologies

Councillors Floyd, C Hill and Miss James.

105. Minutes

The minutes of the meeting held on 15 August 2007 were taken as read and were signed.

106. Declaration of Interest

Councillor Denington declared an interest in application No 10/2007/017, as he personally knew the applicant.

107. 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:-

06/2007/031

Erection of dwelling and garage following demolition of storage building at land at builders yard, Vicarage Lane, Bishops Lydeard (re-submission of 06/2007/005)

Conditions

- (a) C001A – time limit;
- (b) C102 – materials;
- (c) C326A – garage use only;
- (d) The areas shown on the submitted plan for the turning and parking of vehicles shall be provided prior to the occupation of the premises and shall not thereafter be used for any purpose other than for the loading/unloading, turning and parking of vehicles;
- (e) C684 – site within known area of archaeological interest;
- (f) P001A – no extensions;
- (g) P010 – no further windows;
- (h) Notwithstanding the details shown on plan No 2963/05B, the southern facing landing, bathroom and en-suite windows shall be glazed in obscure glass only and shall be fixed shut to be non-openable so long as the development remains in existence;
- (i) The boundary walls shall be retained to the heights shown on plan No 2963/05B such as to be at least 3m in height when measured from the adjoining sites;
- (j) Full details of the proposed access to the western part of the builders yard which is not part of the gardens of the dwelling hereby approved shall be submitted to, and approved in writing by, the Local Planning Authority and thereafter provided prior to occupation of the dwelling;
- (k) C201 – landscaping;
- (l) C926B – remediation investigation/certificate;
- (m) In respect of the retained area to the south-west of the site, full details of any racking or building shall be submitted to, and approved in writing by, the Local Planning Authority prior to commencement of any building works on the site and the agreed scheme shall be implemented prior to occupation of the dwelling hereby approved;
- (n) In respect of the retained area to the south-west of the site, this area shall be used by C Back and Son Limited only and for the storage of scaffold and ladders only as specified in the agent's e-mail dated 3 September 2007 and not for general storage purposes, unless the prior written consent of the Local Planning Authority has been obtained.

(Notes to applicant:- (1) Applicant was advised that the development is located within a foul sewer area. It will be necessary for the developer to agree a point of connection onto the system for the satisfactory disposal of foul flows generated by the proposal. This can be agreed at the detailed design stage; (2) Applicant was advised that according to records kept by Wessex Water, there is a public foul sewer crossing the site. Wessex Water normally requires a minimum 3m easement width on either side of its apparatus for the purpose of maintenance and repair. Diversion or protection works may need to be agreed; (3) Applicant was advised to agree in writing, prior to the commencement of works on site, any arrangements for the protection

of Wessex Water infrastructure crossing the site; (4) Applicant was advised that a number of non-return valves have been fitted in the vicinity of the site suggesting previous operational problems with Wessex Water assets; (5) With respect to water supply, applicant was advised that there are water mains within the vicinity of the proposal. Connection can be agreed at the design stage; (6) Applicant was recommended to agree with Wessex Water, prior to the commencement of any works on site, a connection onto Wessex Water infrastructure; (7) Applicant was advised that the surface water soakaways should be constructed in accordance with Building Research Digest 365 (September 1991); (8) NO48A – ground contamination; (9) Applicant was advised that the existing building may contain asbestos panels which will need careful removal. If the asbestos is contained within something like cement such as roof or wall sheeting and is in good condition, it is not normally necessary to utilise a specialist contractor. If the sheeting is to be broken up for any reason, a specialist contractor must be used. If the asbestos is in a more friable condition for example lagging or water tank insulation, then a licensed specialist contractor must be used. Either way, materials containing asbestos must be double bagged in special asbestos waste bags, sealed and disposed of at a licensed tip. You are further advised to contact the Environmental Health Officer in this respect.)

Reason for granting planning permission:-

The site was within village limits, outside the Conservation Area, and would provide a dwelling with garage and parking which was considered to be a development which had no detrimental affect on the character of the area and without detriment to the amenities of the locality and was considered to meet Taunton Deane Local Plan Policies S1, S2, S4, H2 and EN23.

10/2007/017

Conversion and extension to barn at Ford Farm, Moor Lane, Churchinford

Conditions

- (a) C001A – time limit;
- (b) Details of the materials of the building including a sample panel of the stonework to be used on the external walls shall be submitted to and approved in writing by, the Local Planning Authority;
- (c) C201 – landscaping;
- (d) C215 – walls and fences;
- (e) P001A – no extensions;
- (f) P003 – no ancillary buildings;
- (g) P006 – no fencing;
- (h) P010 – no further windows.

Reason for granting planning permission:-

The proposal would not have a significant affect on the character of the area and would comply with Taunton Deane Local Plan Policies S1, S2 and H7.

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

The Committee was of the view that the scheme did not involve a significant extension that would alter the character and form of the barn.

12/2007/005LB

Conversion of barns to seven units and associated works at Corfe Farm, Corfe

Conditions

- (a) C002B – time limit – listed buildings;
- (b) C103 – materials – listed buildings;
- (c) Prior to the works for which consent is hereby granted are commenced, a sample panel of stone and brickwork shall be erected on the site for the approval of the Local Planning Authority with all new stone and brickwork being subsequently implemented and maintained strictly in accordance with the approved details;
- (d) Prior to the works for which consent is hereby granted are commenced, a detailed schedule of structural works and repairs shall be submitted to, and approved in writing by, the Local Planning Authority with such works and repairs being subsequently implemented strictly in accordance with the approved details, unless any variation thereto is first approved in writing by the Local Planning Authority;
- (e) No horizontal ceilings shall be introduced or existing beams covered unless prior approval in writing has first been given by the Local Planning Authority;
- (f) Prior to commissioning, specific details of the following shall be submitted to, and approved in writing by, the Local Planning Authority and thereafter implemented and maintained strictly in accordance with the approved details:- roof lights, slate and ridge materials/details, guttering and downpipes, doors (internal and external), architraves, skirtings, staircases, windows, insulation, venting of roofs/WC's/bathrooms/kitchens, glazed screens, flue to wood burning stoves, new floors, finished treatment for all joinery, glazing for existing ventilation "slots", lintels, sills and guarding to bed one of Barn B.

(Notes to applicant:- (1) Applicant's attention is drawn to planning permission No 12/2007/004 relating to this site/these premises; (2) Double glazed window units may be acceptable subject to satisfactory

details which should include lockable stays rather than trickle vents, with casements closing flush with the frame and balanced.)

Reason for granting listed building consent:-

The proposed scheme retained the character of the outbuildings in relation to the main farmhouse in compliance with Taunton Deane Local Plan Policies S1, S2, EN14, EN16 and EN17 and material considerations did not indicate otherwise.

38/2007/288

Demolition of garage and erection of dwelling at land to the east of 3 Northfield Road, Taunton

- (a) C001A – time limit;
- (b) C101 – materials;
- (c) P010 – no further windows;
- (d) Details of the arrangements to be made for the disposal of foul and surface water drainage for the proposed development shall be submitted to, and approved in writing by, the Local Planning Authority before any work is commenced.

(Notes to applicant:- (1) Applicant was advised that although not shown on the public sewer record drawing, Wessex Water understand that there may be a sewer crossing the site that, by virtue of its age, could be deemed a public sewer under the former Section 24 provision of the Public Health Act 1936. Wessex Water is currently reviewing available data on these sewers in order to update and revise its sewer records thus indicating these as “public” in appropriate cases; (2) Applicant was advised that public sewerage apparatus is covered by a statutory easement and no new building or similar works will normally be allowed within a minimum of 3m of this apparatus; (3) Applicant was advised that Wessex Water had noted the proposal to dispose of surface water to “existing drains”. As there are no existing public/separate surface water sewers in the vicinity of the site, applicant was advised to investigate alternative methods for the satisfactory disposal of surface water from the site, for example soakaways. Surface water should not be discharged to the foul sewer; (4) Applicant was advised that with respect to water supply, there are water mains within the vicinity of the proposal. Connection can be agreed at the design stage. It is recommended that prior to the commencement of any works on the site, a connection onto Wessex Water infrastructure should be agreed.)

Reason for granting planning permission:-

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

- (2) That **planning permission be refused** for the under-mentioned developments, subject to the standard reasons adopted by

Minute No 86/1987 of the former Planning and Development Committee and such further reasons as stated:-

35/2007/011

Change of use and conversion of barn to form dwelling at Potters Cottage, Appley

Reasons

- (a) The site lies within a countryside area where it is the policy of the Local Planning Authority only to allow the conversion of existing buildings to new uses where such buildings are of a suitable size and traditional character and are structurally sound and the conversion works will lead to their maintenance and retention as part of the local scene and that the appearance, structure and surroundings of the building will be materially unaltered. In the opinion of the Local Planning Authority, the existing building is not of a suitable size to warrant its conversion and the proposed works would materially alter its surroundings to the detriment of the rural character and visual amenities of the area. The proposal would therefore be contrary to Taunton Deane Local Plan Policy H7;
- (b) No marketing exercise has been undertaken to establish that a suitable commercial use would be attracted and therefore the proposal is contrary to Taunton Deane Local Plan Policy EC6.

38/2007/299

Demolition of house and erection of 11 No one bedroom flats at 74 South Street, Taunton

The proposed building by reason of its scale, bulk and massing of the built form is considered to be excessive and, if allowed, would be detrimental to the character and visual amenities of the street scene and would harm the amenities of adjoining occupiers by reason of it appearing overbearing. As such, the proposal is contrary to Somerset and Exmoor National Park Joint Structure Plan Review Policy STR1 and Taunton Deane Local Plan Policies S1, S2 and H2.

(Note to applicant:- Applicant was advised that a reduction in the cubic capacity is likely to be acceptable and the Local Planning Authority would wish to see windows in the kitchens.)

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

The Committee felt that the proposed development would be out of character with the surrounding area and overbearing with respect to neighbouring properties.

108. Change of use and conversion of barns to seven units and erection of six dwellings with access and parking/garaging at Corfe Farm, Corfe (12/2007/004)

Reported this application.

RESOLVED that subject to the applicants entering into a Section 106 Agreement concerning the provision of affordable housing and leisure and recreation contributions, 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) A sample panel of the stonework and brickwork for the new build shall be constructed on the site and agreed in writing by the Local Planning Authority and thereafter so constructed;
- (d) C201 – landscaping;
- (e) C111 – materials – for roads, drives and turning areas;
- (f) C112 – details of guttering, downpipes and disposal of rainwater;
- (g) C416 – details of size, position and materials of meter boxes;
- (h) C917 – services – underground;
- (i) Provision shall be made for combined radio and TV satellite aerial facilities to serve the development hereby permitted and no external radio or TV aerial shall be fixed on any individual residential property or flat or other unit of living accommodation;
- (j) The new windows and doors indicated on the approved plans shall be made of timber only and no other materials, unless the written consent of the Local Planning Authority is obtained to any variation thereto and thereafter shall be maintained and shall be retained in timber without the express written consent of the Local Planning Authority to the use of a different material;
- (k) The windows hereby permitted shall be recessed in the wall to match the existing window recesses of the farmhouse unless otherwise agreed in writing by the Local Planning Authority;
- (l) Development shall not commence until details of a scheme for the retention of Swallow nest sites and its accesses (or the provision of alternative new sites or accesses) has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include a programme for the implementation of the development which avoids any building or other operations likely to affect the Swift/Swallow/House Martin nest sites being undertaken between 1 April and 31 September inclusive. The development shall be carried out in accordance with the approved scheme or any amendment to the scheme as approved in writing by the Local Planning Authority;
- (m) C245 – details of surface water disposal;
- (n) P001A – no extensions;
- (o) P003 – no ancillary buildings;
- (p) P006 – no fencing;
- (q) P010 – no further windows or rooflights;

- (r) C601 – schedule of works to ensure safety and stability of structure;
- (s) C106 – second hand materials;
- (t) C331 – provision of cycle parking;
- (u) Details of the size, design and location of bin storage areas shall be submitted to, and agreed in writing by, the Local Planning Authority and shall be provided prior to the occupation of any unit;
- (v) Details of the windows, doors, external finished treatment of joinery and boarding, venting of roofs, toilets, bathrooms and kitchens, flues to any roofs, sills and lintels, balcony porch and obscure glazing details shall be submitted to, and approved in writing by, the Local Planning Authority prior to installation;
- (w) If the time period between Michael Woods Associates survey dated March 2007 and the commencement of the development extends to more than one year, then a further survey must be commissioned to ascertain any changes in the site by protected species.

(Notes to applicant:- (1) NO75 – Section 106 Agreement; (2) Applicants attention is drawn to the listed building consent relating to this property No 12/2007/005LB; (3) Applicant was advised that the protection afforded to species under UK and EU legislation is irrespective of the planning system and you should therefore ensure that any activity undertaken (regardless of the need for planning consent) must comply with the appropriate wildlife legislation.)

Reason for planning permission, if granted:-

The proposal was considered to reflect the requirements of Taunton Deane Local Plan Policies C01, S1, S2, H2, H9, C4, M4, EN14 and EN16 and material considerations did not indicate otherwise.

Also RESOLVED that a letter be submitted to the County Highway Authority supporting Corfe Parish Council's request for a 30 mile per hour speed limit to be introduced in place of the current 40 mile per hour speed limit and for its extent to be increased beyond the proposed access to this development in the Taunton direction.

109. Erection of single storey extension and alterations to flat roof to form pitched roof, 71 Greenway, Monkton Heathfield (48/2007/046)

Reported this application.

RESOLVED that subject to the receipt of no further representations raising new issues by 7 September 2007, 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) C102 – materials.

Reason for planning permission, if granted:-

The proposed extension and alterations to the roof would have no material impact on neighbouring amenity or the street and complied with Taunton Deane Local Planning Policy H17.

110. Taunton Deane Borough (Taunton No 3) Tree Preservation Order 2007

Reported that a Tree Preservation Order had recently been made in respect of a Norway Maple tree (T1) a Purple Norway Maple (T2) and a group of eleven Poplar trees and two Holm Oaks (G1) situated on land at Trinity Court, Haywood Road, Taunton.

An objection had been received from the owners of Trinity Court, Knightstone Housing Association, details of which were submitted.

Also reported the comments of the Development Manager who considered that the trees were in good health and contributed to the "leafy" character of this part of Taunton.

However, it was conceded that whilst the Poplars in the group did have amenity value, they were not the most suitable trees to be planted in such close proximity to dwellings.

It was therefore felt that their phased removal and replacement with more desirable species over the next few years should be considered by Knightstone Housing Association. It was recommended that certain trees currently at each end of Group 1 should be omitted from the Tree Preservation Order.

Noted that two Cherry trees had been identified within the group which should be included within the Order.

RESOLVED that the Tree Preservation Order:-

- (1) Be modified to omit five Poplar trees from Group 1, four from the southern end of the group and one from the northern end, such trees being identified on site; and
- (2) Be confirmed to include T1, T2 and G1 to comprise six Poplar trees, two Holm Oaks and two Cherry trees.

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

The Chairman reported that she had certified that the item covered by Minute No 112 below should be dealt with as an urgent matter.

112. Unauthorised works at 24 Silver Street, Wiveliscombe

Reported that planning permission had previously been granted to undertake conversion works and the replacement of a shop front at 24 Silver Street, Wiveliscombe.

Works had recently begun but it had been drawn to the Council's attention that the works being undertaken were far in excess of that approved.

RESOLVED that:-

- (1) Enforcement action be taken requiring the re-instatement of 24 Silver Street, Wiveliscombe and
- (1) Subject to being satisfied by the evidence, the Solicitor to the Council institute legal proceedings should the enforcement notice not be complied with.

(The meeting ended at 7.29 pm.)

03/2007/010

MR & MRS JUNKER

FORMATION OF ACCESS TRACK, ERECTION OF IMPLEMENT STORE AND TWO POLYTUNNELS AT LAND AT HIGHER COBHAY, BATHEALTON

309416/125067

FULL

PROPOSAL

Permission is sought for the formation of a new access track, erection of implement store and the provision of two poly tunnels. The proposed development seeks to establish a small-scale specialist horticultural nursery to produce specialist plants and trees. Surface water is proposed to be drained into a storage area and extracted for irrigation purposes. The site was formerly part of a dairy farm, (Cobhay Farm). The site has been chosen following tests on the soil type. The site has an elevated position in an area of undulating countryside dominated by open fields and woodland.

A previous Agricultural Notification application could not be accepted due to the proximity of the proposed access track to a classified highway. Formal planning permission was withdrawn, planning reference 03/2006/006, following highway safety concerns.

The revised scheme seeks to relocate the entrance to provide increased visibility and access to and from the site. In addition permission is sought for the erection of an implement store, measuring 13.7 m x 9.14 m with a ridge height of 5.46 m, and two polytunnels.

A hedgerow appraisal accompanies the application.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY the proposed development is remote from any urban area and therefore distant from adequate services and facilities, in addition, public transport services are very limited. As a consequence, users of new development are likely to be dependant on private vehicles and such fostering of growth in the need to travel would be contrary to government; Notwithstanding the aforementioned comments it must be a matter for the Local Planning Authority to decide whether this is a suitable location for such a development. Whilst in transport terms the location of the site is unsustainable, given the type of use being proposed, i.e nursery, it is accepted that this type of activity is better suited to a countryside location; The proposal seeks to utilise existing agricultural land for the purpose of a nursery and I was advised during pre-application consultation, that it will be a small-scale specialist established nursery that is essentially mail order and should not be compared to the likes of nearby establishments such as Blackdown or Willowbrook. I would therefore not welcome any retail sales from the site or visits by members of the public and I would urge the LPA, to condition any resulting consent accordingly;

The approach roads leading to the site are narrow and poorly aligned and existing access from/into the site is via an existing field gate that derives access onto/from a classified/unnumbered highway, which is subject to the national speed limit; Visibility at the point of access is currently restricted and it is imperative that visibility splays that are commensurate with vehicle speeds are incorporated, to ensure highway safety for all road users. I would estimate that vehicles speeds are in the region of 40mph therefore splays based on co-ordinates of 2.0m x 120m would be appropriate; I am aware that concern was raised previously and in respect of the current proposal in terms of the access and highway safety. The agricultural use of the land has an existing point of access from/onto the public highway and whilst this is clearly substandard and hazardous for all road users, I understand that it could be used in its current state without any further planning permission being required; Taking this point into consideration, the applicants are endeavouring to create an improved point of access and whilst in terms of visibility it does not meet the required standard (set out above), I consider it will be an improvement over the existing access and therefore it may be considered unreasonable to raise a highway objection; If the LPA is minded to grant consent a number of conditions are recommended.

LANDSCAPE OFFICER although the roadside hedge and banks have to be 'grubbed out' the mitigation proposals should adequately replace the lost amenity over a five year period. The additional hedge and tree planting behind it will provide additional enhancement for the longer term. Given the landscape assessment of the potential impacts of the implement store and polytunnels I consider that the two lengths of additional hedgerow/windbreak planting will be effective in screening/softening any impact. NATURE CONSERVATION OFFICER following the advice from Country Contracts hedgerow survey, July 2007, I advise that consideration must be given to breeding birds (no works between March 1st and July 31st) and that the recommendations for careful removal of the hedge should be conditioned. I suggest that the report recommendations for hedge planting and connectivity could be part of the landscape plan requirement for the site.

PARISH COUNCIL has anyone visited the site? The reused entrance is nearer to a blind bend and further from the brow of the hill on north side obscuring view of traffic from Wiveliscombe. Still query need for such large polytunnels and the already erected bright blue wind break detracts from visual amenity.

THREE LETTERS OF OBJECTION have been received raising the following issues:- impact upon the surrounding countryside; AONB; Special Landscape Area 1992; detrimental and highly visible to surrounding countryside; already area of planted trees is an eyesore; polytunnels have negative impact; previous access tracks refused; access is dangerous; how long until an agricultural workers dwelling is sought; development will affect the stability of adjoining land; extensive discharge of surface water are clearly visible; hazard from mud, trees etc falling onto highway; insufficient provision has been made to obviate the drainage problem.

POLICY CONTEXT

PPG15 Planning and the Historic Environment

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

Policy STR1 (Sustainable Development), Policy 9 (The Built Historic Environment) of the Somerset & Exmoor National Park Joint Structure Plan 1991-2011.

ASSESSMENT

The primary issues in the determination of the application concern the visual impact of the proposed development on the rural character and appearance of the area, wildlife implications and the revised access arrangements.

The site is located in open countryside and designated Landscape Character Area. As such special consideration should be given to preserving and enhancing the natural beauty of the area. Government guidance contained with PPS7 states, inter alia, that all development in rural areas should be well designed, in keeping and scale with its location, and sensitive to the character of the countryside and local distinctiveness. The main issue for consideration is whether the proposed building and development would be visually prominent and intrusive as to harm the rural character and appearance of the area.

The requirements of agricultural needs are changing and priority must be to ensure that any new agricultural building is of a good quality functional building to satisfy modern agricultural practices, whilst ensuring the building is so sited as to minimise impact upon the visual appearance of the countryside. The proposed building would be viewed below the skyline, with the woodland providing a backdrop, which would help to reduce the visual impact.

The proposed building and polytunnels are considered to be acceptable in their siting and design in an agricultural setting. The landscape officer considers that the proposed building and polytunnels (subject to suitable landscaping) can be assimilated into the landscape without being unduly prominent or intrusive in this location.

The applicant has written in to clarify a point made by the Parish Council; the netting is actually green and is strictly temporary as discussed with the Landscape Officer. Their purpose is to speed the establishment of the indigenous shelter belts planted in front of them, so will be removed in due course. In addition, on the northern slope the applicant has recently sprayed a large number of tree planting positions which will shortly manifest themselves as brown 'spots' in the grass. This is to facilitate the planting this coming winter of a large number of further trees to create a woodland on this bank which will provide a natural habitat and provide further screening. It is noted that during a site visit the colour would appear to be a more turquoise blue rather than a darker colour. The netting is less than 2m high and would not require planning permission. However, the applicant has been advised that a dark green or brown colour would be more appropriate.

There is already an existing access which serves the field, however a new access track along the boundary of the field is proposed. At the entrance to the site a new

roadside hedge will be curved and extend along both sides of the visibility splay to prevent a direct sightline. In terms of the technical requirements of the proposed access, it is considered the new access would be an improvement over the existing access and the Highway Authority has raised no objection to the proposal.

RECOMMENDATION

Permission be GRANTED subject to conditions of time limit, landscaping, materials, details of access track, compliance with hedgerow survey, access track to be consolidated, visibility, existing access to cease, gradient, any entrance gates to be set back, details of surface water, no retail sales, polytunnels to be removed.

REASON(S) FOR RECOMMENDATION:- The development is considered acceptable and would have no adverse impact upon the rural character or appearance of the landscape or highway safety. As such the development would accord with Taunton Deane Local Plan Policies S1, S2, S7 and EN12 and Somerset & Exmoor National Park Joint Structure Plan Review Policy 49.

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

CONTACT OFFICER: 356586 MR A PICK

08/2007/003

MR B JEFFERY

RETENTION OF CHANGE OF USE OF AGRICULTURAL LAND FOR 'FUN FARM', A FARM BASED TOURIST ATTRACTION INCLUDING FARM ANIMALS, QUAD BIKES, TRAMPOLINE, BOUNCY CASTLE AND CAFE AT NERROLS FARM, PRIORSWOOD

324366/126744

RETENTION OF BUILDINGS/WORKS ETC.

PROPOSAL

This application is for retrospective permission for the change of use of agricultural land to a fun farm designed for families. The fun farm uses two existing barns as animal barns and one barn as a cafe for visitors. In addition to housing various farm animals the facility provides a range of play equipment including a trampoline and bouncy castle as well as an indoor play area. Access to the site is via a single track lane with direct access off the Maidenbrook roundabout, to the south of Bossington Drive. Nerrols Farmhouse is a listed building situated within the fun farm complex. Parking for the use is provided on land next to the farmhouse.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY access to the site is narrow with no opportunity for traffic to pass. This is likely to result in problems.

LANDSCAPE OFFICER the site is generally well screened but a landscape scheme should be provided to include additional trees within the boundary hedges, restoration of a hedge to the south of the deer pen and reinstatement of hedges with trees to the north and east of the quad bike track and car park. It may be possible to replant some orchard trees to improve the landscaping within the site. CONSERVATION OFFICER no objection but potential concerns over the location of the parking area adjacent to the listed farmhouse. ENVIRONMENTAL HEALTH OFFICER following the noise complaints from nearby objectors I have undertaken a noise measurement of a quad bike and am confident that the proposed condition will provide the legal protection against noise pollution. LEISURE AND RECREATION OFFICER no comment. TOURISM OFFICER no response.

PARISH COUNCIL raise objection for the following reasons:- the noise from the quad bikes was unpleasant for nearby residents, especially in the summer; there was concern regarding increased levels of traffic using the access off the busy roundabout; there was agreement that a facility for children would be welcome provided it was properly run regarding health and safety concerns.

3 LETTERS OF OBJECTION AND A PETITION WITH 41 SIGNATURES have been received raising the following issues:- the quad bikes cause noise pollution for residents in the area; access to the site is likely to become a problem if its use increases; concern that if planning permission is granted there may be future

extensions to the land involved bring it closer to other residential properties so reducing their amenity.

1 LETTER OF SUPPORT has been received raising the following issues:- I visited the fun farm last year and was impressed by the fun day that we all had the children enjoyed feeding the lambs and calves and watching the piglets being fed by their mother; they particularly enjoyed the ride around the farm from the farmer; the food and toilet facilities were good too.

POLICY CONTEXT

Somerset and Exmoor National Park Structure Plan Review Policy 49 Transport Requirements of New Development.

Taunton Deane Local Plan Policies S1 - General Requirements, EC21 Tourist and Recreation facilities "...outside settlements, proposals for tourist and recreation facilities will be permitted provided that:- (A) increased visitor pressure would not harm the natural or man made heritage; (B) any new buildings would be on a scale appropriate to the location and use, EN16 - Listed Buildings, EN17 - Special Landscape Areas.

ASSESSMENT

This is a retrospective application for the change of use of Nerrols Farm to a fun farm. The use needs to be assessed against all the policies outlined in the above report. The proposal is located outside of the settlement limits of Taunton and Cheddon Fitzpaine and as such it is important to assess its impact on highway safety, the listed farmhouse and the Special Landscape Area in which it lies. The site is accessed via a single width road and track leading directly off from the Maidenbrook roundabout. The Highway Authority are concerned that this road link would not be suitable for increased numbers of visitors that may be attracted to the site. The applicants have confirmed that they have provided passing spaces along the access to enable safe passing of vehicles. An amended plan showing the location and size of these passing spaces is awaited.

The Landscape Officer has been to the site and assessed its impact on the area. Subject to additional hedge and tree planting he raises no objection to the proposed use. The Conservation Officer has some concerns about the proximity of the parking to the farmhouse. New plans of the parking have been received and the Conservation Officer's comments on those are awaited. There have been local concerns regarding the potential noise disturbance resulting from the quad bike use on the site. The Environmental Health Officer has carried out noise measurements and confirms that the noise is inaudible at the farm's boundary and recommends an operating hours condition to ensure no nuisance to neighbours. (It is understood that trial bikes have illegally used the applicant's fields and these may be the source of the noise concerns from objectors). The proposal complies with the requirements of Taunton Deane Local Plan Policy EC21 for the provision of tourist and recreation facilities outside of settlement limits and is considered to be acceptable.

RECOMMENDATION

Subject to the receipt of an acceptable access plan the Development Manager in consultation with the Chair/Vice Chair be authorised to determine and permission be GRANTED subject to conditions of time limit, parking as shown on the submitted plan, passing places as shown on the submitted plan, fun farm use as detailed on the forms and plans accompanying the application, no other uses without the prior consent of the Local Planning Authority, operating hours Monday – Sunday 10.00 a.m. – 17.00 p.m. only, landscaping. Notes re planning permission required for any expansion of the fun farm use into surrounding fields.

REASON(S) FOR RECOMMENDATION:- The fun farm provides a tourist attraction outside the settlement limits of Taunton in accordance with the requirements of Taunton Deane Local Plan Policy EC21.

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:

23/2007/027

MR S PETTS

CONSTRUCTION OF REPLACEMENT PAVED AREA TO INCLUDE VERANDA WITH SCREEN WALL AND FORMATION OF NEW REAR DOORWAY AT THE GLOBE INN, FORE STREET, MILVERTON AS AMENDED BY

312353/125760

FULL

PROPOSAL

The proposal comprises the construction of a paved area to form a veranda to the southern side of the property, the erection of a screen wall on the southern boundary of the property and the installation of a doorway in the southern elevation of the property to access the veranda. The property, which is a public house and restaurant, is a Grade II listed building and lies within the Milverton Conservation Area.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY no observations.

CONSERVATION OFFICER no objection to principle. Suggest the stone piers replaced by rendered piers and fencing less ornate incorporating hit and miss panels. If potential noise an issue, suggest fencing is replaced by rendered walls.

PARISH COUNCIL does not support the proposal due to the potential to generate noise, close proximity to adjacent properties causing overlooking and privacy, lack of adequate landscaping.

FOUR LETTERS OF OBJECTION have been received raising the following issues:- loss of privacy from people looking over the fence; additional noise; smell nuisance and environmental health from cigarette smokers; intrusive in conservation area; height of fence would dominate area.

POLICY CONTEXT

Taunton Deane Local Plan Policies S1 (general requirements), S2 (design), EN14 (conservation areas) and EN16 & EN17 (listed buildings).

ASSESSMENT

This proposal seeks to make the physical changes as outlined above in the proposal. This application does not relate to the use of the garden to the rear. The curtilage to the rear of the property is included as being part of the pub itself and could be used as a beer garden facility as it is, without planning permission.

The screen will help block noise and smells, and reduce overlooking and a loss of privacy to the adjacent properties. The design of the proposals is considered to be in keeping with the character of the area and will not have a detrimental impact on the character of the listed building or the conservation area.

RECOMMENDATION

Subject to the receipt of satisfactory amended plans the Development Manager in consultation with the Chair/Vice Chair be authorised to determine and permission be GRANTED subject to conditions of time limit, materials and landscaping.

REASON(S) FOR RECOMMENDATION:- The proposal is considered not to have a detrimental impact upon visual or residential amenity and is therefore considered acceptable and, accordingly, does not conflict with Taunton Deane Local Plan Policies S1, S2, EN14, EN16 and EN17.

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

CONTACT OFFICER: 356469 MISS C NUTE

NOTES:

23/2007/028LB

MR S PETTS

CONSTRUCTION OF REPLACEMENT PAVED AREA TO INCLUDE VERANDAH WITH SCREEN WALL AND FORMATION OF NEW REAR DOORWAY AT THE GLOBE INN, FORE STREET, MILVERTON

312353/125760

LISTED BUILDING CONSENT-WORKS

PROPOSAL

The proposal comprises the construction of a paved area to form a veranda to the southern side of the property, the erection of a screen wall on the southern boundary of the property and the installation of a doorway in the southern elevation of the property to access the veranda. The property, which is a public house and restaurant, is a Grade II listed building and lies within the Milverton Conservation Area.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY no observations. COUNTY ARCHEAOLOGIST no objection.

CONSERVATION OFFICER no objection to principle. Suggest the stone piers replaced by rendered piers and fencing less ornate incorporating hit and miss panels. If potential noise an issue, suggest fencing is replaced by rendered walls.

PARISH COUNCIL does not support the proposal due to the potential to generate noise, close proximity to adjacent properties causing overlooking and privacy, lack of adequate landscaping.

ONE LETTER OF OBJECTION has been received raising the following issues:- loss of privacy from people looking over the fence; additional noise; smell nuisance and environmental health from cigarette smokers.

POLICY CONTEXT

Taunton Deane Local Plan Policies S1 (general requirements), S2 (design), EN14 (conservation areas) and EN16 & EN17 (listed buildings).

ASSESSMENT

This listed building application seeks to make the physical changes as outlined above in the proposal. This application does not relate to the use of the garden to the rear. The curtilage to the rear of the property is included as being part of the pub itself and could be used as a beer garden facility as it is, without planning permission.

The design of the proposals is considered to be in keeping with the character of the area and will not have a detrimental impact on the character of the listed building or the conservation area.

RECOMMENDATION

Subject to the receipt of satisfactory amended plans the Development Manager in consultation with the Chair/Vice Chair be authorised to determine and permission be GRANTED subject to conditions of time limit and materials.

REASON(S) FOR RECOMMENDATION:- The proposal is considered not to have a detrimental impact upon visual or residential amenity and is therefore considered acceptable and, accordingly, does not conflict with Taunton Deane Local Plan Policies S1, S2, EN14, EN16 and EN17.

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

CONTACT OFFICER: 356469 MISS C NUTE

NOTES:

26/2007/013

MR & MRS A RILEY

**ERECTION OF DWELLING ON LAND ADJACENT TO 7 BLACKDOWN VIEW,
NYNEHEAD (REVISED SCHEME)**

314747/123061

FULL

PROPOSAL

The proposal comprises the erection of a two storey, four bedroom dwelling on land at the southern end of Blackdown View, Nynehead. Blackdown View is a cul-de-sac currently consisting of seven detached dwellings. The site is located within the defined settlement limits of Nynehead and currently forms part of the domestic curtilage of 7 Blackdown View. The proposal also includes the erection of a single garage with an additional two car parking spaces and turning area within the site as well as pedestrian access. The proposed dwelling has a pitched roof, and proposed materials are brickwork and artificial roof slates, both similar to those found on some of the other properties on Blackdown View. A Design and Access Statement has been submitted with the application.

This application is a resubmission of a previous proposal that was refused because the scale of the development was out of character from the existing dwellings. This revised proposal is 25% smaller in footprint than the previous proposal.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY the proposed development is within the development limit for Higher Nynehead, but is remote from any urban area and therefore distant from adequate services and facilities, such as, education, employment, health, retail and leisure. In addition there are no public transport services in this area. As a consequence, occupiers of the new development are likely to be dependant on private vehicles for most of their daily needs. Such fostering of growth in the need to travel would be contrary to government advice given in PPG13 and RPG10, and to the provisions of policies STR1 and STR6 of the Somerset and Exmoor National Park Joint Structure Plan Review (adopted policies: April2000). Attention is drawn to a recent appeal decision, which has been attached. The inspector has made a reference to sustainability in his decision and stated that he disagreed with the Case Officer, at Mendip District Council, in that the policy presumption in favour of residential development on previously developed land within the development limits outweighed the unsustainable location of the appeal site in transport terms. Whilst this proposal is for one dwelling so the level of car dependence that would arise compared to of the appeal case maybe less, the fact remains that Nynehead does not have any services, facilities, employment, education, health, retail or public transport. I consider this argument relevant to this proposal and would recommend refusal of this application. In the event of permission being granted, list of conditions recommended. WESSEX WATER the development is located within a foul sewerred area. It will be necessary for the developer to agree

a point of connection onto the system for the satisfactory disposal of foul flows generated by the proposal. It is advised that the Council be satisfied with any arrangement for the satisfactory disposal of surface water from the proposal. With respect to water supply, there are water mains within the vicinity of the proposal; again a point of connection needs to be agreed. It is recommended that the developer should agree with Wessex Water, prior to the commencement of any works on site, a connection onto Wessex Water infrastructure. RIGHTS OF WAY TEAM if it is considered that the development would result in any of the outcomes listed below, then authorisation for these works must be sought from Somerset County Council Rights of Way Group: - (a) A PROW being made less commodious for continued public use. (2) New furniture being needed along a PROW. (3) Changes to the surface of a PROW being needed. (4) Changes to the existing drainage arrangements associated with the PROW. If the work involved in carrying out this proposed development would: - (a) make a PROW less commodious for continued public use (or) (b) create a hazard to users of a PROW. Then a temporary closure order will be necessary and a sustainable alternative route must be provided.

LANDSCAPE OFFICER this is a better scheme but I think it is important to retain the existing southern boundary hedgerow to provide rural character on the edge of the development. It is important that the hedge is maintained at a minimum of 3m high. I don't consider their proposed Beech hedge for this proposal appropriate. The southeast corner will also need reinforcing with tree planting. RIGHTS OF WAY OFFICER if planning consents are given; the applicant should be made aware that the public footpath WG8/4 terminates/starts in fairly close proximity to the proposed development site. Builders should pay heed to Health and Safety regulations especially in view of additional vehicle use of the area. DRAINAGE OFFICER it is noted the surface water is to be discharged to soakaways. These should be constructed in accordance with Building Research Digest 365 (September 1991) and made a condition of any approval.

PARISH COUNCIL objects to the proposal on the grounds that the revisions to the original scheme are not sufficient to remove the Council's objections for the reasons previously stated. The Council is also concerned that the dwelling would connect to the main foul sewer, not an independent system as previously agreed.

SIX LETTERS OF OBJECTION have been received raising the following issues:- proposed building is too large for plot of land; revised plan is only marginally smaller; the proposed building is at right angles to other buildings; the garage goes beyond the building line; proposed access will restrict the turning space for other residents; no further building should be allowed on this piece of land; proposal is not in keeping with the area; the footprint of the proposal should be smaller than other properties on Blackdown View; proposal will cause overloading of sewage system; will cause parking problems; the garage is external; disruption to the environment and wildlife.

ONE LETTER OF SUPPORT has been received that raises the following issues:- the house is significantly smaller (25%) than the previous proposal; the visual aspect of the proposed dwelling is consistent with that of numbers 4 & 5 Blackdown View; there would be no impact on the hammerhead with regard to parking as the dwelling will have its own car parking spaces; the dwelling will have no impact on visual impact on other properties due to its location.

POLICY CONTEXT

PPS1 – Delivering Sustainable Development, PPS3 – Housing, PPS7 – Sustainable Development in Rural Areas, PPG13 – Transport.

Somerset & Exmoor Joint Structure Plan Review Policies STR1 (Sustainable Development), Policy 33 (Provision of Housing), Policy 48 (Access and Parking).

Taunton Deane Local Plan Policies S1 (General Requirements), S2 (Design), S5 (Villages), H2 (Housing within Classified Settlements), M4 (Residential Parking Requirements), EC15 (Associated Settlements/Rural Centres/Villages).

ASSESSMENT

Nynehead is a rural village located approximately 2 miles from Wellington and 7 miles from Taunton, and has local facilities of a church, school and village hall. The proposed site for the dwelling lies within the defined settlement limits of the village, and contributes to the provision of housing which is identified as a need in Policy 33 of the Somerset & Exmoor Joint Structure Plan Review as well as Chapter 3 – Housing and more specifically H2 of the adopted Taunton Deane Local Plan.

Blackdown View consists of a row of seven detached houses, all of which are large two storey, 3 or 4 bedroom properties, some of which also have attached garages. The revised scheme in this application of a dwelling 25% smaller than previously submitted makes the proposed dwelling of a more comparable size to other houses in the row, and the ridge height is no higher than any of the properties on Blackdown View other than No. 7. The proposed design of the property represents a simple pitched roofed, two storey dwelling using brickwork and roof slate. The design and use of materials are similar to those found on the other properties in Blackdown View. Therefore it is considered the proposal is in keeping with the street scene and will not have a detrimental impact of visual amenity of the area.

The majority of the windows on the proposed dwelling have been placed on the southern elevation to maximise the use of natural light. It also minimises the incidence of overlooking or loss of privacy on any adjacent properties, restricting negative impact on residential amenity of the area. Other properties on Blackdown View also have the gable end facing the street, with the same aspect as this proposal.

The appeal evidence submitted by the County Highway Authority relates to an application for 4 new dwellings proposed in a village, over 4 miles away from the nearest settlement of any size, which understandably would have a detrimental effect on sustainability. The effect on sustainability in this case is not comparable considering the application relates to one new dwelling to be located only two miles from Wellington. The appeal case also refers specifically to the lack of a school in the area; this is a different circumstance from Nynehead which does have a school and has relevance in this case in that the proposed dwelling is likely to attract a family.

With reference to parking the proposal includes one garage parking space and two on-site parking spaces. This more than meets the requirement of a minimum of two car parking spaces for a four bedroom house. The proposal also includes an on-site turning area. Based on this provision there is no reason for on-road parking or obstruction of the turning area at the end of the cul-de-sac to be an issue.

RECOMMENDATION

Permission be GRANTED subject to conditions of time limit, materials, landscaping, meter boxes, removal of PD rights for extensions, removal of PD rights for new windows, drainage, parking. Notes re applicant to be advised a public sewer may cross the site and to contact Wessex Water with regards to a 3.0 m easement in relation to new buildings, connection with Wessex Water, and surface water drainage. It is also recommended that the requirement of the Section 106 agreement dated 19th August, 1996 be waived.

REASON(S) FOR RECOMMENDATION:- The proposed development is considered to comply with Taunton Deane Local Plan Policies S1, S2, S5, H2, M4 and EC15.

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

CONTACT OFFICER: 356469 MISS C NUTE

NOTES:

27/2007/017

WRENCON DEVELOPMENTS LTD

ERECTION OF 2 NO SEMI-DETACHED DWELLINGS WITH ASSOCIATED PARKING, LAND ADJOINING BARON HOUSE, HILLCOMMON

314844/126052

OUTLINE APPLICATION

PROPOSAL

The proposal is an outline application for the erection of a semi-detached pair of 2 bedroom houses with associated parking. The site is currently used as part of a car park serving the applicant's office building. The site is surrounded by existing development in the form of dwellings, a mobile home park, the applicant's office building and a car sales/workshop business. Planning permission was granted in 2003 for a single dwelling on the site. The appearance of the proposed dwellings is to be agreed at the reserved matters stage, but the applicant's agent envisages vernacular dwellings of a cottage style with local materials – second hand clay tiles or natural slate roof and rendered walls.

The applicant company is owned by Cllr J Williams.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY views awaited. WESSEX WATER points of connection for the disposal of foul flows and water supply to be agreed. No existing public separate surface water sewers in the vicinity of the site, so alternative methods of disposal, e.g. soakaways, should be investigated. There is a public foul sewer crossing the site, Wessex Water normally require a minimum 3 m easement width on either side of its apparatus for the purpose of maintenance and repair. Diversion or protection works may need to be agreed.

PARISH COUNCIL object on grounds of safety because of the nature of the site and the increase from one to two dwellings this will severely impact on the vehicles using this area. There will be so many vehicles all trying to manoeuvre in this area, all residents from Deane Vale Park have to reverse out of their site on to the front of the proposed properties, there is a great fear that should the emergency services be called to anyone in this area it will make it extremely difficult for them. The access is also being made smaller and thus everything will become more congested. New properties will generate more vehicles. If granted, the Parish Council and local residents be consulted on all reserve matters.

14 LETTERS OF OBJECTION have been received raising the following issues:- over development of a small central piece of land which affects a large amount of residents with access, privacy, emergency and refuse deliveries, etc; new residents will have to reverse onto an access used by others or be forced to reverse out onto the highway; will cut down the area available for occupiers of adjacent properties to enter or reverse, impeding the visibility and safety of all parties that cross this area

either on foot or in vehicles – will cause congestion which will be a hazard to traffic on the main road; reduction in the width of the access onto the main road will be hazardous; problems of delivery vehicles accessing the site; if scheme goes ahead, with the increase in the number of children, there is a risk of an accident or fatality; should not proceed until the Wrencon office building is converted; parking spaces at the mobile home park are already difficult to get in and out of; congestion and health problems from rubbish being put out for refuse lorry; there is currently restricted parking on the mobile home site of 16 parking spaces for 17 homes; reversing in or out of the mobile home park site will be almost impossible as well as being extremely dangerous; will encroach on the light and privacy of property, particularly rear facing windows directly looking into property; will make it impossible to get mobile homes into and out of mobile home park.

DEANE VALE PARK RESIDENTS ASSOCIATION similar points to above. The access manoeuvring area including the application site has been available for 49 years, so question whether Possessory Title comes into effect for adverse use.

POLICY CONTEXT

Policy STR1 of the County Structure Plan contains policies related to sustainable development. Policy STR6 states that development outside towns, rural centres and villages should be strictly controlled and restricted to that which benefits economic activity, maintains or enhances the environment and does not foster growth in the need to travel.

Policy S1 of the Taunton Deane Local Plan sets out general requirements for new developments. Policy S7 of the same Plan states that outside defined settlement limits, new building will not be permitted unless it maintains or enhances the environmental quality and landscape character of the area and provided certain criteria are met. Policy H2 states that housing development will be permitted within defined limits of settlements provided certain criteria are met. Although Hillcommon is not a recognised settlement, it is considered that these criteria are met with the current proposal.

ASSESSMENT

Although Hillcommon was designated a village in the previous West Deane Local Plan, it is no longer classified as a recognised settlement in the Taunton Deane Local Plan. Therefore the site is in open countryside in planning policy terms. The policies for new dwellings in the open countryside indicate strict control over new development in such areas. However this has to be seen against the background that there is an existing permission for a single dwelling on the site and that it is surrounded by other existing development. Therefore residential use of the site is already established. The site also lends itself more to the development of two smaller dwellings rather than a single detached dwelling. The residents of the mobile home park and other adjacent dwellings do not have any right of way over the proposed development site. This is a private matter between the various parties and is not an issue that the Planning Authority is able to have regard to. Two parking spaces for each new dwelling are proposed. The proposed development has no

more of an impact on the various rights of way than the previous permission on the site.

RECOMMENDATION

Subject to the views of the County Highway Authority, the Development Manager consultation with the Chair/Vice Chair be authorised to determine and permission be GRANTED be subject to conditions of submission of details, time limits, materials, landscaping, boundary treatment, parking, turning, meter boxes, contaminated land remediation and removal of GPDO rights for extensions and garages. Notes re disabled access, energy/water conservation, meter boxes, compliance, encroachment, CDM Regulations, design, contaminated land, no public water sewers in area and contact Wessex Water.

REASON(S) FOR RECOMMENDATION:- The proposal is considered to be in compliance with Somerset and Exmoor National Park Joint Structure Plan Review Policies STR1 and STR6 and Taunton Deane Local Plan Policies S1 and S7. Although the proposal is not strictly in accordance with Taunton Deane Local Plan Policy S7, the site is surrounded by other development, including the mobile home park to the south, and otherwise the proposal is considered to be in line with the requirements of Policy H2.

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

CONTACT OFFICER: 356461 MR J HAMER

NOTES:

38/2007/264

MR H M BRUNT

ERECTION OF DWELLING ON LAND ADJACENT TO GLESNI, FONS GEORGE ROAD, TAUNTON

322541/123647

FULL

PROPOSAL

The proposal is for the erection of a dwelling between two detached properties, Glesni and Garden House on the north side of Fons George that comprises a row of individually designed, detached dwellings. The proposal would require the demolition of the garage attached to Glesni. The proposed dwelling would be 19.4 m long and 5.3 m wide. The dwelling would provide a minimum gap between the proposed and existing dwellings of 1.2 m with that distance increasing adjacent to Glesni to 2.2 m. Access would be via Fons George, a private roadway. There would be 4 off street parking spaces, 2 to the front of Glesni and 2 to the front of the proposed dwelling. The neighbouring property, the Garden House has a first floor terrace adjacent to the boundary with Glesni. The proposed dwelling would be 6.4 m high but set back a distance of 1.2 m at this point. The dwelling would have an original design with brick walls and grey interlocking slates, the latter to match Glesni.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY raise no objection to the proposal subject to the imposition of relevant conditions.

5 LETTERS OF OBJECTION have been received raising the following issues:- overdevelopment, out of character with the existing development; insufficient space between existing and proposed dwellings resulting in a cramped appearance; loss of gap between dwellings creating a wall of housing for residents opposite; increased traffic in narrow street where parking is already a problem; negative impact on the ambiance of the road; construction traffic likely to block the road making it difficult and at times impossible to pass; the proposal will result in a reduction of privacy and amenity for residents opposite the site.

POLICY CONTEXT

Somerset and Exmoor National Park Joint Structure Plan Review Policies STR1 - Sustainable Development, STR4 - Development within Towns, and Policy 49 - Transport Requirements for New development.

Taunton Deane Local Plan Policies S1 - General Requirements, S2 - Design, H2 - Housing Within Classified Settlements, M4 - Residential Parking Requirements.

ASSESSMENT

The northern side of Fons George comprises a row of individually designed dwellings with a variety of gaps between each dwelling and a variety of materials. The proposed dwelling reflects this character. It has been specifically designed for this site and as a result would be a long and narrow dwelling spanning from the front of Glesni to the rear of the Garden House. There are no living room windows on the western elevation of the Garden House and all the first floor windows on the eastern elevation of the proposed dwelling would face sections of blank walling so there would be no direct overlooking to the side of the proposal. At the first floor level of the proposed dwelling, facing down the garden, there would be two bedroom windows that would be able to see the garden of both neighbouring properties, but a degree of such overlooking already exists and I do not consider the additional overlooking created by the proposed dwelling would be unacceptable. The Garden House was erected on the boundary with Glesni's side garden and has a first floor terrace with a high boundary wall on for safety and to protect the amenity of occupants using the area. The proposed dwelling would be approximately 2.9 m above the top of the privacy wall and set back 1.2 m. As the Garden Room is located to the east of the proposed dwelling, I consider that the new building will have a minimal effect on the sunlight to the terrace area. The dwelling would be constructed of brick so that the need for maintenance along the side boundaries of the properties would be minimal. Dwellings in the area have a variety of space to their boundaries and the proposal would reduce the existing gap to 1.2 m. As the garden House is built immediately on its boundary with the neighbour I do not consider that the distance of 1.2 m is unacceptable. The proposal would necessitate the use of Fons George for construction vehicles and a note is recommended to request that any vehicles should not block the road during deliveries, however it is accepted that this may occur but only for relatively short periods with the driver at the site to move the vehicle in an emergency. The proposal provides for two off road parking spaces for each of the new dwellings. This is in excess of our required maximum of 1.5 parking spaces per dwelling but, taking into account the size of the dwellings and the character of the private road in this location I accept the increased level of parking. The dwelling does represent an increase in the built form of the road and will reduce the gap between properties at this point. However taking into account the individuality of the property designs and layouts in this section of the road, the need to maximum use of undeveloped land and the careful design used to minimise the impact on neighbours I consider the proposal acceptable.

RECOMMENDATION

Permission be GRANTED subject to conditions of time limit, materials, parking, no additional windows in the west or eastern elevations of the proposed dwelling, details to be provided before occupation, access constructed prior to commencement of use, vehicle crossover, disposal surface water, visibility splays. Notes re construction vehicles, energy and water conservation, secure by design, disabled persons.

REASON(S) FOR RECOMMENDATION:- The proposed dwelling is within the built up area of Taunton where new dwellings are acceptable and is considered to be in

accordance with Somerset and Exmoor National Park Joint Structure Plan Review Policy 49 and Taunton Deane Local Plan Policies S1 and H2.

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

CONTACT OFFICER: 356467 MRS J. MOORE

NOTES:

38/2007/336

MR J UWEJOMA

ERECTION OF DWELLING AT LAND TO THE REAR OF 191/193 STAPLEGROVE ROAD, TAUNTON

321592/125824

FULL

PROPOSAL

Outline planning permission was granted in 2005 for the erection of a dwelling on the present application site. Earlier this year two full applications were refused as over-development of the site. The current application is for full planning permission for a detached dwelling on the site. The dwelling would be two storey in height and front onto the garage courtyard to the west. The main living room and bedroom windows front west and east. There would be no windows in the southern elevation and bathroom windows in the northern elevation which would be obscure glazed and restricting opening. At the front of the property would be an attached carport for the parking of two cars in association with the dwelling, accessed off Dowell Close.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY no comment received.

6 LETTERS OF OBJECTION have been received raising the following issues:- the garage courtyard is the existing access for other properties and this is the only access for emergency vehicles, any parking in the courtyard, private(domestic) or commercial (during construction) may block the access and this could be dangerous; the access from the rear courtyard to 193 Staplegrove Road conditioned on the previous approval has not been provided and the owner of 193 Staplegrove Road would not have purchased their property if they had not thought such an access was to be provided; windows facing east and west will overlook neighbouring gardens and down into the rear of properties in Staplegrove Road effecting privacy, light and amenity contrary to Taunton Deane Local Plan Policy H2; the proposal does not replace parking provided for the residents of 191 and 193 Staplegrove Road and will result in additional parking and congestion along Staplegrove Road; occupiers of adjacent properties have altered and will not be aware of the proposal; the proposal does not respect the conditions attached to the outline application; the design is out of keeping with the Victorian/Edwardian houses of the area; increased traffic in Dowell Close will be dangerous as there have already been developments in the area adding to volume of traffic and parking problems and the additional unit here will exacerbate the problem; the proposal will result in wear and tear of a privately owned and maintained courtyard and rear access is unacceptable and has already lead to drainage problems; there is no space on site for the storage of builders materials and this will result in materials being stored in the courtyard obstructing access and garages; there is no parking for the proposed dwelling or deliveries and a pull in should be provided to avoid other garages/accesses being blocked; the owner of the site already parks in front of my garage when visiting as a primary care

nurse I need instant access and this is inconvenient; Staplegrove Road is to become a new inner relief road and the gardens and parking will become increasingly important to residents of Staplegrove Road; a 4 bed roomed dwelling is not modest and would be overdevelopment; the front door will be in constant use and overlook neighbours hedge; the design and access statement is incorrect the land to the front of the proposed dwelling is private land not a communal area; there are no 3 storey dwellings surrounding the site and only one velux window in the roof space; increased noise and activity from occupation of the dwelling will have a detrimental impact on the amenity of neighbours; in other districts 30% of the land should be built on and 70% left for private amenity but this is not the case here; the downstairs rooms are too small for the size of accommodation; this would set a precedent for further unacceptable development of rear gardens in the area so destroying the character of Staplegrove Road

POLICY CONTEXT

Somerset and Exmoor National Park Joint Structure Plan Review Policy 49 - Transport and new development.

Taunton Deane Local Plan Policies S1 - General Requirements, S2 - Design, H2 - Housing Within Settlements and M4 - Residential Car Parking.

ASSESSMENT

In December 2005 Planning Committee accepted the principle of a dwelling on this application site. They imposed specific conditions on the approval for (1) the provision of a footpath link across the site from 193 Staplegrove Road to the parking facilities that were available at the rear; (2) the provision of 3 parking spaces to include one garage for use by the residents of 193 Staplegrove Road. In addition the permission include a note to the future developer that any dwelling should be designed in keeping with Dowell Close, insure a minimum 10 m rear garden to provide adequate separation between existing and proposed rear gardens and leave space at the side of the dwelling to avoid a cramped appearance. In the intervening period the owner of the site has sold 193 Staplegrove Road without any parking and has sold the application site to a third party. As a result the current application does not conform to the conditions of the outline permission. The Highway Authority have, on an earlier application, accepted that it is not reasonable for this application to provide parking for 193 Staplegrove Road and have not objected to the current proposal within the consultation period. The dwelling has been resited since the last refusal in order to maximise the size of the rear garden, as a result the applicant now proposes a 9 m rear garden rather than the 4.5 m garden previously considered inadequate. The proposed dwelling now provides a rear garden with 9 m from the dwelling to the boundary with 191/193 Staplegrove Road and a minimum of 28 m to the rear of the dwellings in Staplegrove Road. I consider that these distances are acceptable in this case. Neighbours are concerned that the garage courtyard may become blocked by future residents cars. However, I do not consider this any more likely than at the present time. The proposal includes the provision of two off street parking spaces which should cater adequately for the demand. Residents are also concerned that the courtyard may become blocked by construction vehicles, however if this does occur it is likely to be of short duration and the drivers would be

at the site if needed to move the vehicles quickly for an emergency. Proposal considered acceptable.

RECOMMENDATION

Permission be GRANTED subject to conditions of time limit, materials, windows on north and south restricted opening, parking, cycle parking, no new windows above ground floor. Notes re no obstruction of garage courtyard especially during construction, disabled persons, secure by design, energy and water conservation.

REASON(S) FOR RECOMMENDATION:- The proposed dwelling is within a residential area where its design and location are considered to be acceptable, in accordance with Taunton Deane Local Plan Policies S1, S2 and H2.

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

CONTACT OFFICER: 356467 MRS J MOORE

NOTES:

49/2007/034

MR G BISHOP

ERECTION OF 3 NO. ONE BEDROOM AND 2 NO. TWO BEDROOM FLATS IN A THREE STOREY BUILDING WITH ASSOCIATED PARKING AND CYCLE SPACES AT LAND AT REAR OF 6 HIGH STREET, WIVELISCOMBE, (ACCESSED FROM THE CAR PARK) AS AMENDED BY LETTER DATED 10TH AUGUST, 2007 AND PLANS NOS. 0711/01A AND 02A AND LETTER DATED 21ST AUGUST, 2007 AND PLAN NO. 0711/02B.

308071/127715

FULL

PROPOSAL

The site is in the Conservation Area, to the north of Croft Way, with vehicular/pedestrian access from the Croft Way Car Park. The site is to the rear of properties in High Street including a stable to the north, currently used as such, planning permission for the conversion of the stable to dwelling was refused in July 1998 on the grounds of overdevelopment, loss of amenity space and off street parking. Permission was granted in the erection of a two storey dwelling on land south-west of No. 6 High Street, the site being the same as the current application site.

The originally submitted scheme was for the erection of a block of 6 flats, in three stories with carparking to the southwest. The plans have now been amended to 5 flats, and the elevations amended. The proposal is now for 2 No. two bed units in the two storey element and 3 No. one bed in the three storey part, with limited windows facing east and north, and parking for 5 vehicles and 5 cycle spaces being under cover. The materials will be stone for the two storey and render with brick quoins for the three storey, with slate roof. The proposed flats will be approximately 30 m from the cottages to the north.

The agent has agreed on behalf of the applicant to provide one unit of affordable housing.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY the site is located within the centre of Wiveliscombe, close to services, facilities and a public car park. Car parking layout is unsatisfactory. Suitable position for refuse bins required, should be no more than 25 m to collecting vehicle. On amended plans:- vehicles can now manoeuvre with care within site; bollards required vehicle overhand 2 spaces; comment on gradient for wheelchairs; comment on surface water drainage, suggests conditions. COUNTY ARCHAEOLOGIST in an area of High Archaeological Potential, it is in the core of the medieval town, and it is possible that archaeological remains associated with medieval occupation will be impacted by this proposal. Suggests condition. ENVIRONMENT AGENCY no comments. WESSEX WATER in foul sewerage area, point of connection to be agreed; no public surface water drains in the area.

LANDSCAPE OFFICER the trees have limited amenity value, apart from the Liquidambar in the south east corner, suggest moving building to north, and landscaping to southern boundary. CONSERVATION OFFICER the site is in the Conservation Area, and will have significant impact on point of entry to Conservation Area whilst at the same time forming part of the historic backland area. Notes the historic connections of the site with the Listed Building, the linear route through the site. Concern about scale of proposal, normally 3 storey would be used for high class residential properties, it would be substantially taller than surrounding buildings. The design is also considered inappropriate, with its mock industrial format. The context would suggest a simple residential format. A poor pattern of windows. There is scope for a two storey development of 3 or 4 units. Comments on amended plans:- the impact of the building has been moderated by reducing the height of one part, and some of the more striking pastiche elements have been removed; the external appearance remains mediocre, some details require further amendment, avoid uPVC windows, should be natural slate; subject to the amendments on details/materials the scheme would be an acceptable compromise, but won't enhance the Conservation Area. RIGHTS OF WAY OFFICER no observations. DRAINAGE OFFICER no public surface water sewer available. Notes to applicant. HOUSING OFFICER on original plans - given housing need in Wiveliscombe, is looking for 2 units. CAR PARKS MANAGER no issues provided any inconvenience to users is kept to a minimum, any damage is rectified; a specific licence will be required for use of car park as access. LEISURE SERVICES no observations.

PARISH COUNCIL objects, insufficient space for new development, and current vehicles associated with No. 6 and there will be increase in parking in Croft Way, which is already at capacity. The increase in vehicles accessing the flats will give rise to safety concerns for pedestrians using nearby recycling facilities, and accessing the Community Centre on foot. A three storey building was not appropriate within the Conservation Area and the proposal is over development. Reiterates objection on amended plans.

6 LETTERS OF OBJECTION have been received raising the following issues:- overlooking to roof garden; direct views into living room and bathroom, partial view to bedroom; overdevelopment; unattractive addition where all properties are 2 storey and set back from the road in Croft Way; 6 car parking spaces are inadequate for the couples in 2 beds; cars already park on street; congestion from new children's centre and recycling area will happen; should be a 2 storey family dwelling; submitted to make money not to be sympathetic to the area; loss of privacy to garden and property; the previous one dwelling unit was acceptable; concern about the addressing of the proposal, not appreciating that the proposal was accessed from Croft Way; no planning notice visible at first; the proposal is for a quick profit not for a quality homes; would be very visible from the Croft Way car park; out of keeping with the area; feels that the description of the address is misleading; concern about the vehicular access to the stables, all access should be from Croft Way; should not have a pedestrian way through; should be two storey and twice the number of parking spaces; the right of way should be withdrawn; as an alternative there should be small light industrial units or offices on the site; loss of privacy to High Street property and its gardens; overpowering; need to consider Wiveliscombe as a whole

not just grant a series of permissions; should have a pedestrian link through to the town; wonder if the stables are to be demolished; the proposed plans result in more effect as the property has been move 1.5 m further north, privacy affected, and the proposal is out of character and too high for the site.

POLICY CONTEXT

The site is within the Conservation Area, just outside the Area of High Archaeological Potential, the northern part is in the water protection area, but outside the Central Area in Taunton Deane Local Plan – the following policies apply: - S1 General requirements, S2 Design, S4 Rural Centres, appropriate for selective development which enhances or maintains their social and economic role and environmental quality and is unlikely to lead to a significant increase in car travel, H2 Housing within settlements, H9 Affordable Housing, EN14 Conservation Areas, EN16 & 17 Listed Buildings, EN23 Archaeological Potential, EN27 Water Source Protection and Public Water Supply Source Protection Zones, M4 Residential Parking, WV2 new housing in Wiveliscombe will be limited to small scale developments including infilling within settlement limits.

ASSESSMENT

The site is within the town centre area, where residential uses are usually acceptable. The proposal has been moderated such that the southern part is 2 storey and the northern part would be three stories. The buildings fronting the Square and High Street are generally tall three storey structures, with the heights generally dropping to 2 storeys away from the town centre. The street scape of Croft Way is not one of building frontages, it is the rear parts of gardens/buildings and the carpark which dominate. It is not considered essential that the areas to the rear of the buildings in the Conservation Area are kept free from development and there is no detrimental effect on the listed building due to the position of the site some distance from it (at least 40 m). The plans have been amended to take account of the Conservation Officer's views and concerns, although there is still a view by the Conservation Officer that this is not the most appropriately designed building for the site. The movement of the building 1.5 m to the north was to allow for the retention and allowance for growth of a Liquidambar tree in the south east corner fronting the Croft Way frontage. In an area of few trees, the retention of this tree is considered important. This moving of the building is not thought to have any further detrimental effect on surrounding properties, the windows facing east will be obscure glass, with the landing windows currently being shown as clear glass. The positioning of the building in relation to the gardens and windows to the north and west is such that it is not considered that there will be undue overlooking or overpowering effect. There may be a need for light employment sites in Wiveliscombe, but given the location, residential use is considered most appropriate. The parking provided meets the County Highways Authority requirements, although access is through a car park and adjacent to the recycling banks. In conclusion, whilst the scheme is for 2 and 3 storeys, such buildings are found within the town, it will sit within the site and is not considered to be overpowering or too high.

RECOMMENDATION

Permission be GRANTED subject to conditions of time, drainage, materials to be submitted, landscaping, protect trees, no trenches under trees, retain parking, cycle parking, underground services, no further windows, obscure glass, archaeology, S106 re affordable housing, render, details of glazing units and sample panel. Notes re drainage, refuse bins, Archaeologist, Wessex Water notes, contact Environment Agency, render colour.

REASON(S) FOR RECOMMENDATION:- The proposal, as amended, is considered to be an appropriate form of development for a site within the Conservation Area, and to accord with Taunton Deane Local Plan Policies S1, S2, S4, H2, H9, EN14, EN16, EN17, EN23, M4 and WV2, without detriment to the amenities of the locality or the character of the area.

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

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

NOTES:

52/2007/032

MR JOHN BLACKMORE

ERECTION OF PORCH, CHANGE OF USE OF LAND TO DOMESTIC CURTILAGE AND ERECTION OF BOUNDARY WALL AT 5 LONGMEAD WAY, COMEYTROWE

321836/123592

FULL

PROPOSAL

The proposal comprises the erection of a porch on the western, side elevation of the property, and the change of use of a strip of land from highway verge to domestic curtilage and the erection of a new boundary fence, also on the western boundary of the property.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY the proposal will see an extension to the existing boundary wall line up to 1 m from the existing public footpath. Whilst also seeing the erection of a new porch to the west elevation of the house. I do not raise objection to this proposal but if planning permission were to granted I would require that a condition is attached to the permission.

PARISH COUNCIL objects to the proposal.

FIVE LETTERS OF OBJECTION have been received raising the following issues:- this may set a precedent for the area which is open plan; proposal will spoil nature of open plan area; the strip of land should remain for the enjoyment of people in the area; detriment to the environment; deeds state no fences should be erected; road safety issue- will create a blind corner.

POLICY CONTEXT

Taunton Deane Local Plan Policies S1 (general requirements), S2 (design) and H17 (extensions to dwellings).

ASSESSMENT

The porch is considered to be subservient in terms of scale and design and will not have a detrimental impact on visual or residential amenity of the area or property. The proposed change of use of land includes a small area which would have minimum detriment to the area considering the scale of the area of land to be changed. The fence is to be moved outwards by approximately 1.7 m and replaced with a similar size and style to the existing boundary fence. It is considered the proposal will not harm amenity any more than the existing fence does, and therefore the proposal is deemed acceptable.

RECOMMENDATION

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

REASON(S) FOR RECOMMENDATION:- The scale and design of the extension and fence is considered to be acceptable and it is not thought that they will harm the appearance of the street scene or neighbouring amenity. Therefore, the scheme accords with Taunton Deane Local Plan Policies S1, S2 and H17.

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

CONTACT OFFICER: 356469 MISS C NUTE

NOTES:

Planning Committee – 26 September, 2007

Report of the Development Manager

ENFORCEMENT ITEM

Parish: Bishops Lydeard

1. **File/Complaint Number** E88/06/2006 and 06/2006/029
2. **Location of Site** Mill Field, Minehead Road, Bishops Lydeard.
3. **Names of Owners** Dr T Woodgate-Jones, Combe Farm, Combe Davey, Brompton Ralph, Taunton, TA4 2RY
4. **Names of Occupiers** Unknown

5. **Nature of Contravention**

Use of land for pheasant rearing and siting of an agricultural workers mobile home.

6. **Planning History**

It came to the Council's attention in 2006 that a mobile home had been brought onto the site. At the time it did not appear that the unit was occupied. However after a few weeks had elapsed a septic tank was provided and the mobile home became occupied and the pheasant rearing operation commenced. The owner was contacted and advised that an application for planning permission was needed and eventually an application was submitted on 20 June, 2007. The application was subsequently refused under delegated powers on 14 August, 2007. The mobile home is still on site and connected to all services however it is thought that the unit is not occupied on a full time basis.

7. **Reasons for taking Action**

The site is located in the countryside where new development will be strictly controlled. It is not considered that sufficient evidence of an overriding functional need and financial justification for an agricultural workers dwelling has been submitted and in the absence of this the proposal is contrary to PPS7 Annex A and Taunton Deane Local Plan Policies S7 and H12.

Inadequate information has been submitted to satisfy the Local Planning Authority that a satisfactory means of access to the site can be achieved, as a consequence the proposed development would be contrary to Somerset and Exmoor National Park Joint Structure Plan Review Policy 49.

The existing access does not incorporate the necessary visibility splays, which are essential in the interests of highway safety. As a consequence the development is contrary to Somerset and Exmoor National Park Joint Structure

Plan Review Policy 49.

8. Recommendation

The Solicitor to the Council be authorised to serve an enforcement notice to secure removal of the mobile home and to take prosecution proceedings subject to satisfactory evidence in the event 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: Mr J A W Hardy Tel: 356479

Planning Committee – 26 September, 2007

Report of the Development Manager

ENFORCEMENT ITEM

Parish: Comeytrove

1. **File/Complaint Number** E217/52/2007
2. **Location of Site** 23 Glasses Mead, Comeytrove, Taunton.
3. **Names of Owners** Mr Betts, 23 Glasses Mead, Comeytrove, Taunton.
4. **Names of Occupiers** Mr Betts, 23 Glasses Mead, Comeytrove, Taunton.
5. **Nature of Contravention**
Erection of trellis on top of existing wall.
6. **Planning History**

It was brought to our attention on 27 July, 2007 that the owner of 23 Glasses Mead had erected a 1.2 m high trellis on a wall to the rear of his property. The wall is approximately 2.36 m high and is not in the ownership of 23 Glasses Mead. The owner stated that the reason for the trellis was to stop the unacceptable overlooking of the newly built houses at Beechfield Gardens. The developers of the site have already provided 2 m high close boarded fencing to the rear of the new properties together with the existing 2.36 m high wall. They are of the view that it is unnecessary to increase the height the rear screen fence. However the owner of 23 Glasses Mead states that No 8 Beechfield Gardens can look into his first floor bedroom windows which is why the trellis was erected.

7. **Reasons for taking Action**

The provision of the trellis fixed to the existing wall increases the overall height to 3.58 m. Under the Town and Country Planning (Control of Development) Order 1995 any gate wall or fence over 2 m in height requires planning permission. The existing wall already exceeds 2 m but this was an existing wall to a dwelling that was demolished in order for the development to take place. The additional trellis is considered to be excessive and affects the visual amenities of the area. It is also a very dominant feature on the boundary and is visible from a number of properties both in Glasses Mead and Beechfield Gardens.

8. **Recommendation**

The Solicitor to the Council be authorised to commence enforcement action to secure the removal of the fence. Prosecution action to be taken subject to satisfactory evidence being obtained should the notice not be complied with.

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

CONTACT OFFICER: Mr J A W Hardy Tel: 356479

TAUNTON DEANE BOROUGH COUNCIL

PLANNING COMMITTEE – 26 September 2007

1. The following appeals have been lodged:-

Applicant	Date Application Considered	Proposal
Dr S. Kasai (05/2006/019)	DD	Erection of dwelling at Rumwell Farm, Bishops Hull.
Mr J.W. Hester (43/2006/053)	DD	Erection of dwelling on land to rear of 31 Blackmoor Road, Wellington.
Miss S. Tilley (48/2006/068)	DD	Erection of dwelling at 45 School Road, Monkton Heathfield.
Mr R. Herrod (41/2006/008)	16/08/06	Erection of poultry buildings at Glebe Farm, Tolland (Phases 1 and 2).
Mr J. Gale (29/2006/027LB)	DD	Erection of lean-to conservatory at Lower Fyfett Barn, Otterford.
Glenmill Homes Ltd		Enforcement appeal – Unauthorised erection of fencing on land west of Maidenbrook Farmhouse, Cheddon Fitzpaine.
Hutchinson 3G U.K. Ltd (43/2007/017TEN)	DD	Installation of telecommunications base station incorporating 15m high slimline monopole with 3 No. antennas together with ancillary equipment cabinets at ground level adjacent

		to the Kings Centre, Blackdown Trading Estate, Scotts Lane, Wellington.
Mr D. Grant (48/2007/001)	DD	Erection of two storey extension at Pennystone, Yallands Hill, Monkton Heathfield.
Mr D. Follett and Mrs P. Follett		Appeal against enforcement notice – site at land to the rear of 39 Whitmore Road, Taunton
Anita Jane Pelham Hayes (38/2006/517/LB)	DD	Remove existing 7 upvc double glazed windows and replace with double glazed hardwood windows at 108 South Street, Taunton.
A.P. and S.M. Parris and Son (38/2006/478) (38/2006/479)	DD	Retention of agricultural workshop and machinery repair/ store shed, Sherford Bridge Farm, Taunton.
A.P. and S.M. Parris		Appeal against enforcement notice – site at Sherford Bridge Farm, Sherford Road, Taunton.
Charmaine Packman (24/2006/046) Tracey Holland (24/2006/047) Jim Smith (24/2006/048) Mary O' Neil (24/2006/049)	28/02/07	Change of use of land for the siting of one touring caravan and one mobile home for gypsy occupation and the erection of a day room at Plots No.1, 8, 16 and 7. Greenacres, Oxen Lane, North Curry.

Mr M.J. and Mrs D. Gammon (38/2007/157)	DD	Erection of a two storey extension at 39 Shakespeare Avenue, Taunton
Mr and Mrs R. Brown (36/2007/003)	DD	Erection of first floor extension at The Barton, Woodhill, Stoke St. Gregory
Mr Frounks (48/2007/025)	DD	Erection of 1.8m fence at 70 Meadway, Monkton Heathfield, Taunton
Mr and Mrs Dickinson (43/2007/004)	DD	Erection of 4 new dwellings on land to the south of Foxdown Lodge, Foxdown Hill, Wellington
Mr L. Small and Mrs L. Small (24/2006/043)	28/02/07	Change of use of land for the siting of one touring caravan and one mobile home for gypsy occupation and the erection of a toilet block at Plot 15, Oxen Lane, North Curry.
Mr R.N. Cocking (49/2006/061)	DD	Change of use of kennel block to residential accommodation at Higher Whitefield, Wiveliscombe
Mr and Mrs M. Phillips (14/2007/020LB)	DD	Installation of metal rooflights in place of glass tiles at Rock House, Adsborough
Mr and Mrs C. Powell (31/2007/011)	DD	Conversion of outbuildings and garage to form three holiday units and domestic office Toad Hall, Lower Henlade.

<p>Millfield Nurseries Ltd (20/2006/037) (20/2006/038) (20/2006/039)</p>	<p>28/03/07</p>	<p>Amendment to wording of Condition 05 of permission 20/2005/05, amendment to wording condition 06 of permission 20/2005/05 and amendment to wording of condition 06 of permission 20/2005/022, Millfield Nurseries, Kingston St. Mary</p>
<p>Mr Habib Farbahi (27/2006/023)</p>	<p>24/01/07</p>	<p>Erection of 13 holiday chalets and provision for 50 No. camping pitches and amenity block at land south of Harris's Farm, Hillcommon.</p>
<p>I.P. Evans</p>		<p>Appeal against enforcement notice – the alteration of an existing gateway to form a revised wider access from the classified road leading to Bickenhall into the field immediately adjacent to the Greyhound Inn car park, together with the creation of an earth bank to the rear of the original gateway.</p>
<p>Trevor J. Spurway (Architect) Ltd (38/2007/223)</p>	<p>DD</p>	<p>Conversion and erection of two storey extension to provide four flats at 38 Priory Avenue, Taunton.</p>
<p>Mr T.B. Coles (31/2006/028)</p>	<p>DD</p>	<p>Erection of two storey dwelling with garage following demolition of double garage at 10b Newlands Crescent, Ruishton</p>

2. The following appeal decisions have been received: -

(a) Demolition of dwelling and erection of 1 bedroomed flats together with delivery access at 5& 7 Compass Hill, Taunton (38/2005/356)

The main issue in this appeal was the effect of the proposal on highway safety.

The appellants accepted the need for the delivery bay, which would allow delivery vehicles access to the site without obstructing Compass Hill, which was a busy one way street.

The Inspector did not consider that the proposed development would add to any problems that might arise from the narrowness of Compass Hill and there was no evidence to suggest that vehicle movements from the delivery bay would be higher than if the existing access served one dwelling.

He considered it important that the proposed development did not prevent the highway authority from widening the road, should they wish to do so. However, he felt it was unreasonable to prevent the occupation of the flats until this widening had taken place.

The appeal was allowed, subject to a condition that the delivery bay should be in place prior to occupation of the flats and that the front boundary of the flats should be moved back to allow the road widening.

(b) Demolition of the existing garage and the erection of a two storey extension at 12 Tamar Avenue, Taunton (38/2006/425)

The appeal property was a semi-detached house on the south side of this cul-de-sac. The Inspector noted that the facing elevation of the proposed two storey extension would be only some 200-300mm from the boundary line and would have an overbearing effect on the rear access path to the adjoining property to the east.

The adjoining property also had four windows in the side elevation and the daylight to the ground floor windows of this elevation would be severely restricted by the proposed extension. The first floor window was clear glazed, but the outlook from this would be totally obscured by the proposed extension in such close proximity.

The appeal property would also unbalance not only the pair of which it would be part of, but also the rhythm and run of the houses.

The Inspector concluded that the proposed development would harm both the living conditions of the occupiers of the adjoining dwelling and the character and appearance of the street scene.

The appeal was dismissed.

(c) Change of use of a BT Repeater Hut, Taunton Road, Milverton, Taunton (49/2006/017)

The Inspector considered the appeal on the basis it was to be used for storage and an office for administration.

BT had confirmed that the building was previously unmanned and would have been visited only by engineers when they carried out operational duties. The Inspector therefore considered that the proposed storage and office use would be likely to generate significantly more traffic, even if it were only used by one person.

There had been a series of reported accidents in the vicinity of the appeal site. Accordingly any increase in traffic to the building should be provided with safe access and turning facilities. Whilst this could be achieved from the east it could not be achieved to the west without relying on land which was outside the appeal site. Given the likely speed and volume of traffic on the road together with its accident record, the Inspector considered that the alternative of parking on the road would be seriously detrimental to highway safety.

The Inspector acknowledged that the site might fall into disrepair without a beneficial use, but any benefit which arose would be outweighed by the harm to road safety.

The appeal was dismissed.

(d) Erection of an oak and stone conservatory at Lower Fyfett Barn, Otterford, Chard (29/2006/027LB)

The appeal property was part of a group of former agricultural buildings associated with the adjacent Grade II listed 19th century dwelling. Although it had been converted into residential use the appeal property and others in this group had a simple form, reflecting their former use and complemented the setting of the farmhouse.

The proposed conservatory would match the materials in the external finish of the appellant's dwelling. However, it would be a prominent addition on one of the main elevations and would disrupt the simple form and architectural qualities and detract from the setting of the listed farmhouse.

The Inspector concluded that the proposal would erode the character of the building and harm the integrity of the group.

The appeal was dismissed.

(e) Erection of a dwelling and demolition of prefabricated garage and re-siting of front door to existing house at 45 School Road, Monkton Heathfield, Taunton(48/2006/068)

The Inspector noted that the development would be located in a street which contained a mixture of semi-detached and terraced housing as well as some flats and a local convenience store.

The proposed dwelling would occupy a corner plot and would be readily visible from large sections of the street. It would however be designed and finished to match neighbouring dwellings. The new dwelling would also be set back from the road with space retained between the building and the back of the footways. This would ensure that the proposal was not unduly prominent within the street scene and would avoid any cramped effect.

The Inspector saw the relationship between the appeal site and neighbouring dwellings and did not consider it resulted in any harmful overlooking of adjacent properties.

The appeal was allowed subject to conditions.

(f) Display of poster panel on garage at rear of Lowdens House Hotel, 26 Wellington Road, Taunton (38/2007/033A)

The main issue was whether the sign harmed the character and appearance of the surrounding area.

Although the sign was modest, it occupied much of the wall of the garage. Along the road frontage and behind the garage there were mature trees and shrubs.

The nearest houses were some way away and as a result the garage stood out as the only building along this side of the road. The area was dominated by the Tesco store and its car park, but these were on the other side of the road.

The sign was mostly seen in the context of the garage and the surrounding trees and stood out as incongruous and harmful.

The appeal was dismissed.

(g) Erection of three dwellings and car parking spaces – land to the rear of 39 & 47 Trull Road, Taunton (38/2006/339)

The main issues of this appeal were whether the proposed dwellings would preserve or enhance the character and appearance of the Conservation Area and whether they would have any unacceptable implications for road safety.

The proposal would represent a small scale housing development on a brown field site in a sustainable location and would make a contribution to meeting acknowledged housing needs.

This area supported fairly grand properties in spacious surroundings, whereas a terrace of three relatively low terraced houses on an attractive garden

abutting the area would neither enhance the character or appearance of the immediate surroundings. On the contrary they would represent an incongruous feature resulting in a permanent loss of openness.

With regard to road safety, Trull Road was a busy Class 3 road and its junction with Haines Hill was characterised by poor visibility to the extent whereby the Inspector felt that no additional site should be encouraged.

The appeal was dismissed.

(h) Formation of a new access to a cattery at Abbeywood House, Churchinford, Taunton (29/2006/022)

Planning permission had been granted in July 2006 for the erection of a cattery building and mobile dwelling on the appeal site. There was an existing cattery elsewhere, within the grounds of Abbeywood House.

The new cattery buildings would be quite well screened from the lane passing the site by a plantation of trees.

The plan submitted with the current application showed the formation of an access with a drive through the plantation to the approved car parking area for the cattery.

The Inspector considered the proposal would harm the landscape character of the area and result in the unnecessary loss of existing trees.

The cattery as permitted could use the existing access further to the south of Abbeywood House. The existing cattery also used that access and this had caused no particular difficulty. The Inspector could see no need for the proposed access sufficient to outweigh the harm to the landscape he had identified.

The appeal was dismissed.

(i) (a) Change of use, conversion and extension to form dwelling at the Pound House Trents Farm, Churchinford (10/2005/023)

(b) Removal of onerous condition 05 of planning permission 10/2003/018 (10/2006/006)

(c) Extension of dwelling at The Pound House, Trents Farm, Churchinford (10/2006/023)

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

Appeal A was dismissed and Appeals B and C were allowed. Costs were also awarded against the Council in relation to the Appeal B proceedings.

