



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 23RD JANUARY 2008 AT 17:00.

(RESERVE DATE : MONDAY 28TH JANUARY 2008 AT 17:00)

AGENDA

1. Apologies.
2. Minutes of the meeting of the Committee held on 12 December 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. NORTH CURRY - 24/2007/053
EXTENSIONS AND ALTERATIONS TO RESIDENTIAL CARE HOME TO PROVIDE AN ADDITIONAL 15 BEDROOMS WITH CAR PARKING FOR 16 CARS AT THE WOODLANDS RESIDENTIAL CARE HOME, WRANTAGE
6. RUISHTON - 31/2007/026
CHANGE OF USE OF AGRICULTURAL LAND AND CONSTRUCTION OF A PARK AND RIDE FACILITY (INCLUDING SECURITY/INFORMATION BUILDING INCORPORATING TOILETS AND BICYCLE STORAGE, APPROX 1000 CAR PARKING SPACES, COACH PICK UP/DROP OFF POINT, ACCESS ROADS, BUS PRIORITY MEASURES AND CYCLE ROUTE CONNECTIONS) AND LANDSCAPING AT OS FIELD REF 0061, 0046, 8763, 7967 (PT) AND 6873 (PT), CAMBRIA FARM , ILMINISTER ROAD, TAUNTON
7. TAUNTON - 38/2007/523
ERECTION OF 8 TWO BEDROOMED HOUSES AND 1 BUNGALOW AT 4 WILTON STREET, TAUNTON AS AMENDED BY DRAWINGS NO.S 07020-01A, 02A, 03A, 04A, 05A, 06A AND 07A RECEIVED 9TH JANUARY 2008
8. TAUNTON - 38/2007/526LB
REFURBISHMENT, ALTERATIONS, REPAIR AND EXTENSIONS TO THE COUNTY MUSEUM, TAUNTON CASTLE, CASTLE GREEN, TAUNTON
9. TAUNTON - 38/2007/613
ALTERATION TO BIN STORAGE AREAS WITH DELETION OF ONE AND EXTENSION TO ANOTHER AT WOODARDS, FORMER

CONVENT SITE, SOUTH ROAD, TAUNTON.

10. E162/43/2007 - Roofing business conducted from domestic dwelling at 15 Oakfield Park, Wellington. Enforcement item
11. Planning Appeals - Appeals received and the latest decisions (attached). Appeals

G P DYKE
Democratic Services Manager
16 January 2008

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 C Hill

Councillor House

Councillor Miss James

Councillor McMahon

Councillor Mrs Smith

Councillor Watson

Councillor Ms Webber

Councillor A Wedderkopp

Councillor D Wedderkopp

Councillor Miss Wood

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 – 12 December 2007

Present:- Councillor Mrs Allgrove (Vice-Chairman) (In the Chair)
Councillors Bishop, Bowrah, Critchard, Denington, Floyd, C Hill,
House, Miss James, McMahon, Mrs Smith, Watson,
Ms Webber, A Wedderkopp, D Wedderkopp, Miss Wood and
Woolley

Officers:- Mr T Burton (Development Manager), Mr J Hamer
(Development Control Area Manager – West), Mr G Clifford
(Development Control Area Manager – East), Mr M Roberts
(Development Control – Area Manager), Mrs J Moore
(Development Control Principal Officer – East), Mr A Pick
(Principal Planning Officer – West/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 Mrs Whitmarsh in relation to
application No 35/2007/019 and Councillor Beaven in respect of
the enforcement item relating to Sunnydene, Dene Road,
Cotford St Luke.

(The meeting commenced at 5.00 pm.)

147. **Apology**

The Chairman (Councillor Mrs Hill).

148. **Minutes**

The minutes of the meetings held on the 21 and 22 of November 2007 were
taken as read and were signed.

149. **Firepool Lock Master Plan – Submission of details pursuant to Condition 02 of 38/2006/135 and application for non-compliance with Conditions 02 and 07 on Permission No 38/1999/394**

Reported that the Firepool Lock site (formally known as East Goods Yard),
was located between the main railway line and the Taunton and Bridgwater
Canal to the south. The site occupied approximately 13.1 ha of land. A
number of redundant railway buildings had been demolished on the site
although the Pumphouse and water tower remained in situ as it was a Grade
II listed building.

The site, the subject of the report, was 4.6 ha and formed part of the larger
Firepool area identified in the Taunton Vision Urban Design Framework
document produced by Terrence O'Rourke.

Planning permission was granted on the 20 August 2004 for the
redevelopment of part of the overall site to provide 3.3 ha of residential

development, approximately 0.9 ha of B1 employment uses, conversion of the Pumping Station to provide a public house/restaurant, new access road, canal side walkway, new infrastructure, landscaping, earth moving and the demolition of existing structures, construction of new walls and fences and all associated engineering works.

This permission was subject to a Section 106 Agreement relating to highway works, provision of, or contribution to, non-car modes of transport, provision of strategic footway/cycleway link, a contribution to suitable off-site related transport, an education contribution, a public open space contribution, 20.7% of the total units to be provided as affordable housing via a Registered Social Landlord and an obligation to ensure that the access road connected to the strategic road to the west. Numerous conditions were also imposed on the permission, many of which still remained to be formally discharged.

The original 2004 permission had contained a condition requiring the submission of a development brief indicating a draft layout of the whole site. This condition, together with a condition relating to the time limit for the submission of certain details, had subsequently been modified by application No 38/2006/135 which had been granted on the 19 May 2006. The revised condition read as follows:-

“02 – An indicative Masterplan for the entire site shall be submitted to the Local Planning Authority for approval with a supporting statement prior to any application for reserved matters. This application shall be approved by the Local Planning Authority prior to the determination of the first application for reserved matters. The indicative Masterplan shall indicate the following:-

- (a) General access arrangements including strategic cycleways and footpaths;
- (b) The broad areas of land allocated for housing, B1 employment and public house/restaurant;
- (c) The density, form, scale, height and massing of the development; and
- (d) The general location of landscaping amenity/open space and play areas.”

The details now submitted had been made pursuant to the requirements of this condition.

The Masterplan had been developed by the Gadd Group in conjunction with Barton Willmore Town Planners, LHC Architects (office development), Stride Treglown Architects (Area A residential and landscape strategy) and Highway Field Associates (Pumphouse redevelopment). Hydrock Consultant Engineers had produced the highways and infrastructure strategy and detailed design.

Following consideration of the main statutory constraints to the development of the site, the applicants had adopted the following principles for the Masterplan:-

- Street layout to open up views to the waterfront and beyond;
- “Towpath” canal side walkway on the bank of the canal;
- A mixture of apartments and townhouses fronting the canal;
- 3 – 7 storey buildings accentuating higher ground;
- The provision of part of the strategic cross-town route, the Northern Inner Distributor Road (NIDR);
- A mixed use development at the western entrance to the site with active frontages;
- A new bridge with viewing points and access for all to the river and tow path to be designed and constructed by Somerset County Council Highways;
- The Pumphouse to be restored as a focus for bars/restaurants with surrounding public open space;
- Characterised landscaped areas for the enjoyment of the public and provision of the footway/cycle routes linking to existing routes;
- Access to the canal for water uses; and
- Perimeter development allowing for better surveillance of private areas and streets.

The report outlined in detail the proposals for the site set out in the Masterplan. The site had been divided into areas and phasing of the development was intended as set out below:-

- (1) NIDR as required for construction of following phases;
- (2) A - Residential accommodation;
- (3) J - Offices and multi-storey car park (concurrent part overlap with phases (2), (4) and (5));
- (4) I – Offices;
- (5) E – Residential accommodation (Knightstone Housing Association);
- (6) B – Residential accommodation;
- (7) C – Residential accommodation;
- (8) Pumphouse;
- (9) D – Residential accommodation; and
- (10) H – Mixed use development.

The policy background of the proposed development was set out including National and Regional guidance, Local Plan Policies and the views set out in the Taunton Design Code, the Taunton Urban Design Framework and the Proposal for Change in the Taunton Town Centre Area Action Submission Stage Consultation.

The Masterplan had been widely circulated and consultation responses had been received from the South West Design Review Panel, Taunton and District Civic Society, Project Taunton, Somerset County Highways, British Waterways, the Environment Agency, the Conservation Officer, Environmental Health, Leisure and Recreation and Planning Policy.

Submitted for information the principal issues that had arisen from this consultation exercise. The concerns expressed had been subject to

discussions with the applicants and a variety of changes to the original submission had been proposed addressing the majority of the concerns raised.

The design of the NIDR and the junctions onto it had been the subject of extensive consultations and negotiations with the County Highways Authority and the design put forward had been agreed in principle. The proposed layout, with the NIDR as a central spine road, produced a significant number of positive benefits to the development. It also contributed towards forming an active street frontage, which, together with the residential and mixed-use development to the west, provided 24/7 surveillance, increased levels of safety and community usage.

The residential blocks at Area A to the east of the Pumphouse, had been designed to form a curved perforated screen providing a dramatic “backdrop” to the Pumphouse. The heights were higher than those in the Design Code produced by Terrence O’Rourke, but with the southern blocks set at two storeys lower than the northern block, and with the northern block also stepping back at its upper levels at the western end, this would further reduce the apparent scale and massing.

The provision of accommodation and associated landscaping within the various courtyards, had also been revised with various of the freestanding houses being removed in Areas B, C and D. Further step-backs had been introduced at the upper levels of Areas B and D.

Noted that additional areas of open space had been provided along the canal side, providing opportunities for play areas and general sitting out areas.

The requirements of the relevant condition as set out above contemplated a “broad brush” approach to set a framework against which future decisions on individual parts of the site could be assessed.

Many of the comments made related to matters of greater detail than was considered necessary at this stage. Furthermore, the Masterplan was only able to provide a framework for land within its control. Other documents as previously mentioned provided the context for the nature of surrounding development into which this scheme had to fit.

In the view of the Development Manager, the details received were adequate to discharge the requirements of Condition 02 of permission No 38/2006/135. They provided an acceptable level of development and on-site arrangements that would provide a pattern for the future development of the site. However, it had to be accepted that some variations to what was established by this framework would inevitably arise when detailed development control scrutiny was undertaken of the separate phases of development.

RESOLVED that the submitted details be accepted as complying with the requirements of Condition 02 of planning permission No 38/2006/135.

150. 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 the **detailed plans be approved** for the under-mentioned development, subject to the standard conditions adopted by Minute No 86/1987 of the former Planning and Development Committee and such further conditions as stated:-

38/2007/193

Erection of Phase 1 of B1 office development with associated temporary car park at former Goods Sidings, Firepool, Taunton

Conditions:-

- (a) No development shall take place until a plan for the approved road layout of the Northern Inner Distributor Road has been submitted to, and approved in writing by, the Local Planning Authority;
- (b) No development shall take place until amended plans showing a suitable means of access to the Northern Inner Distributor Road has been submitted to, and approved in writing by, the Local Planning Authority in association with the County Highway Authority;
- (c) There shall be no occupation of the office building hereby approved until that part of the distributor road, required to gain access to the proposed development, has been completed and opened to traffic;
- (d) A visibility splay of 4.5m x 90m shall be provided either side of the access point onto the Distributor Road prior to the use commencing and shall thereafter be maintained unobstructed;
- (e) The parking and turning area shall be provided following provision of a plan to be submitted to, and agreed in writing by, the Local Planning Authority and the parking shall be provided prior to occupation of the building and shall thereafter be maintained unless otherwise agreed in writing by the Local Planning Authority;
- (f) Prior to construction work commencing, the applicant shall examine the premises and land and identify what measures, if any, might be necessary to ensure that noise from existing sources and the proposed strategic road will not be detrimental to the amenity of the occupants of the offices. Details of any sound reduction scheme shall be submitted to the Local Planning Authority including the reasoning upon which any such scheme is based. The details shall be agreed in writing by the Local Planning Authority and the agreed works shall be completely carried out before the development is occupied;

- (g) Before works commence on the building hereby approved, a sample of all external materials, including roof and wall cladding, wall colour/texture, window glass and frames and rainwater goods shall be submitted to, and approved in writing by, the Local Planning Authority;
- (h) Before works commence on the building hereby approved, the following details in respect of each of the said areas shall be submitted to, and agreed in writing by, the Local Planning Authority:-
 - (i) Details of the important junctions of the roof area, the eaves detail and parapets, the coping to the rendered areas and external canopies with elevational plans and 1:20 scale sections;
 - (ii) A scheme for hard and soft landscaping, including a schedule of the size and species of plants which shall be maintained for five years;
 - (iii) The grey water recycling and storage area from the roof;
 - (iv) Any external lighting on the building and outside within the site; and
 - (v) The positioning of any pedestrian crossing.

(Note to applicant:- Applicant was advised that guidance on suitable internal noise levels in offices can be found in British Standard BS8233:1999 and other CIRA/BRE documents.)

Reason for approving detailed plans:-

The proposal was considered to comply with the outline scheme and Taunton Deane Local Plan Policies S1, S2, EC1, M2, EN16, EN25, T3 and T33 and material considerations did not indicate otherwise.

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

20/2007/026

Removal of agricultural occupancy Condition 06 of application 20/1991/027 at Millfield House, Parsonage Lane, Kingston St Mary

Condition

Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 (or any Order revoking and re-enacting that Order), no development shall be carried out without the prior approval in writing of the Local Planning Authority which would otherwise be permitted development under Part 1, Classes A, B, and E of Schedule 2 to that Order.

Reason for granting planning permission:-

The applicant had demonstrated that the tests set out in Taunton Deane Local Plan Policy H13 had been accorded with and material considerations did not indicate otherwise.

25/2007/023

Change of use from stores to holiday units at Wick House, Norton Fitzwarren

Conditions

- (a) C001A – time limit;
- (b) C102A – materials;
- (c) C201 – landscaping;
- (d) C215 – walls and fences;
- (e) The new windows and doors indicated on the approved plans shall be made of timber only and no other materials, unless the written consent of the Local Planning Authority is obtained to any variation thereto and thereafter shall be retained in timber without the express written consent of the Local Planning Authority to the use of a different material;
- (f) P001A – no extensions;
- (g) C416 – details of size, position and materials of meter boxes;
- (h) C927 – contaminated land – barns/small sites;
- (i) Prior to the commencement of development, a plan identifying a parking and turning area for three vehicles shall be submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved details. This area shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted;
- (j) There shall be no obstruction to visibility greater than 900mm above adjoining road level forward of a line drawn 2.4m back from the carriageway edge on the centre line of the access and extending to the extremities of the site frontage. Such visibility splays shall be fully provided before the change of use, hereby permitted, is first brought into use and shall thereafter be maintained at all times;
- (k) No development shall take place until details of the foul drainage system and surface water drainage works have been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be carried out in accordance with the approved details before any dwelling on the site is occupied;
- (l) C412 – restriction of occupation for holiday lets in permanent buildings.

(Notes to applicant:- (1) Applicant was advised that the soakaways should be constructed in accordance with Building Research Digest 365 (September 1991); (2) Applicant was advised that the protection afforded to species under UK and EU legislation is irrespective of the planning system and you should ensure that any activity undertaken on the application site (regardless of the need for planning consent) must comply with the appropriate wildlife legislation; (3) Applicant was advised to contact the Landscape Officer to discuss the landscape

requirements of the site; (4) N126 – potential ground contamination.)

Reason for granting planning permission:-

The proposed development was considered sympathetic and would not harm the integrity and character of the barn or harm the visual or residential amenities of the area. The proposal did not therefore conflict with Taunton Deane Local Plan Policies S1, S2 or EC6 and material considerations did not indicate otherwise.

31/2007/020

Change of use and conversion of outbuildings to form two holiday cottages and domestic office/study at Toad Hall, Lower Henlade.

Conditions

- (a) C001A - time limit;
- (b) C413 – restriction of occupation for holiday lets in permanent buildings;
- (c) C927 – contaminated land – barns/small sites;
- (d) The area allocated for parking and turning on the submitted plan shall be kept clear of obstruction and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted;
- (e) There shall be no obstruction to visibility greater than 900mm above adjoining road level in advance of lines drawn 2m back from the carriageway edge on the centre line of the access and extending to points on the near side carriageway edge 60m either side of the access. Such visibility splays shall be fully provided before the access hereby permitted is first brought into use and shall thereafter be maintained at all times.
(Note to applicant - Applicant was advised that permanent residential use of these buildings in the future is unlikely to be forthcoming.)

Reason for granting planning permission:-

The proposed use was considered appropriate for the outbuildings and it was thought that the scheme would not harm the integrity of the outbuilding or the character, visual and residential amenity of the area and, therefore, did not conflict with Taunton Deane Local Plan Policies S1, S2 and EC6.

31/2007/022

Erection of link from house to garage and conversion of garage to form annexe, erection of conservatory and insertion of new flue pipe on north elevation at Toad Hall, Lower Henlade.

Conditions

- (a) C001A – time limit;

- (b) C102A – materials;
- (c) The accommodation hereby permitted shall be used solely in connection with the use of the existing house as a single family dwelling and shall not at any time be used, sold or let as a separate unit of accommodation.

Reason for granting planning permission:-

The proposed conversion and associated extension would not harm the character, visual and residential amenity of the dwelling and area and, therefore, did not conflict with Taunton Deane Local Plan Policies S1, S2, H17 and H18.

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

21/2007/026LB

Removal of part of wall, erection of wall and gate and formation of car parking space at Hillview, Langford Budville

Reason

The proposal would result in the undesirable loss of a section of wall that is Grade II listed and is of historic interest which contributes to the character of the street scene, thereby detracting from the visual amenities and character of this Conservation Area and the village as a whole, contrary to Taunton Deane Local Plan Policies EN16 and EN17 and Somerset and Exmoor National Park Joint Structure Plan Review Policy 9.

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

The Committee felt that the creation of an opening in this historic wall would be out of keeping with the adjacent listed church and surrounding area and that the proposed gate was not appropriate.

- (4) That the **following applications be deferred** for the reasons stated:-

35/2007/019

Erection of three Eco-cabins for tourism use at land to the south of Little Brimley, Appley, Wellington.

Reason

To enable an Environmental Statement to be submitted.

48/2007/019

Construction of a roundabout and alteration of associated roads and highway structure at the former chicken hatchery, Bridgwater Road, Monkton Heathfield.

Reason

For further negotiations.

151. Demolition of dwelling and erection of 8 No one-bedroom flats at 74 South Street, Taunton (38/2007/545)

Reported this application.

RESOLVED that subject to:-

- (1) The applicants entering into a Section 106 Agreement in relation to the provision of leisure contributions; and
- (2) The receipt of no further representations raising new issues by the 20 December 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) C101 – materials;
 - (c) C331 – provision of cycle parking;
 - (d) C416 – details of size, position and materials of meter boxes;
 - (e) C911 – aerials – combined system;
 - (f) C201 – landscaping;
 - (g) C927 – contaminated land – small sites;
 - (h) No development shall be commenced until the means of providing adequate play and recreation contributions for the area have been entered into and secured in writing in agreement with the Local Planning Authority;
 - (i) The development hereby approved shall not be occupied until details of the external door on the north-west elevation has been submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved details;
 - (j) The rear kitchen window on the north-west elevation shall be glazed with obscure glass which shall thereafter be retained. There shall be no alteration or additional windows in this elevation without the prior written consent of the Local Planning Authority.
(Notes to applicant:- (1) N126 – potential ground contamination; (2) Applicant was advised to contact Wessex Water to ascertain whether there is a public sewer crossing the site. 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.)

Reason for planning permission, if granted:-

The proposed development was considered acceptable and material considerations did not indicate otherwise. The development accorded

with Taunton Deane Local Plan Policies S1, S2, M4, M5 and C4.

152. Erection of supermarket (1965 sq m), with associated car parking and servicing, land to the rear of 36-46 High Street, Wellington (partial amendment to planning permission No 43/2004/141)

Reported this application.

RESOLVED that subject to the receipt of no further representations raising new issues by the 21 December 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) C101 – materials;
- (c) C112 – details of guttering, downpipes and disposal of rainwater;
- (d) C201 – landscaping;
- (e) C205 – hard landscaping;
- (f) C215 – walls and fences;
- (g) C219 – screening during demolition;
- (h) C917 – services – underground;
- (i) Detailed drawings indicating the height, appearance, intensity of light and manufacturers' specification of any external building or car park lighting including the access thereto shall be submitted to, and approved in writing by, the Local Planning Authority before any works are commenced. The lighting shall be provided in accordance with those details and shall be so located, installed and permanently maintained so that inconvenience from glare, whether directed or reflected, shall not be caused at any other premises;
- (j) The development hereby permitted, shall not commence until details of all petrol/oil interceptors have been submitted to, and approved in writing by, the Local Planning Authority. Such petrol/oil interceptors shall be installed in the surface water disposal system and permanently retained and maintained to the satisfaction of the Local Planning Authority thereafter;
- (k) C331 – provision of cycle parking;
- (l) C324 – parking;
- (m) C330 – internal road to be kept free from obstruction
- (n) The proposed lay-by and cross-hatched area adjacent to the boundary with 48 High Street and 1 and 2 Orchard Villas shall not be used other than for the purposes of loading/unloading and turning by vehicles accessing those properties;
- (o) C910B – archaeological programme;

- (p) Details of the length of stay for vehicles parking in the proposed car park shall be submitted to, and approved in writing by, the Local Planning Authority. Any change to this approval shall be submitted to the Local Planning Authority for written approval;
- (q) Details of measures to control the use of the car park outside the times of opening for the supermarket shall be submitted to, and approved in writing by, the Local Planning Authority and provided before the use of the car park hereby permitted is commenced;
- (r) No demolition or construction work shall be carried out on the site on any Sunday, Christmas day, or bank holiday or other than between the hours of 07:30 and 19:00 hrs Monday – Friday and 07:30 and 13:00 hrs on Saturday, unless otherwise agreed in writing by the Local Planning Authority;
- (s) C206A – existing and proposed levels;
- (t) The lighting to the car park and the external surfaces of the building shall be switched off within 30 minutes of the closure of the supermarket unless otherwise agreed in writing by the Local Planning Authority;
- (u) Before the use hereby permitted is commenced, the loading bay area shall be sound-proofed in accordance with a scheme to be submitted to, and approved in writing by, the Local Planning Authority;
- (v) Prior to the commencement of the development, a Code of Practice in relation to all vehicles accessing the site during demolition and construction of the development and operation of the supermarket shall be submitted to, and approved in writing by, the Local Planning Authority. The agreed Code shall include details of wash down facilities for HGV vehicles, details of delivery times and provision for vehicle-mounted refrigeration units;
- (w) Noise emissions arising from the air-handling plant, refrigeration or other machinery on any part of the land to which this permission relates shall not exceed background levels at any time by more than 3 decibels, expressed in terms of an A-weighted 1 minute Leq when measured at any point on the boundary of any residential or other noise-sensitive premises. For the purposes of this permission, background levels shall be those levels of noise which occur in the absence of noise from the development to which this permission relates, expressed in terms of an A-Weighted, 90th percentile level, measured at an appropriate time of day and for a suitable period of not less than 10 minutes;
- (x) No deliveries, other than bakery, dairy and other perishable products shall be made between the hours of 20:00 hrs on any one day and 08:00 hrs on the following day unless otherwise agreed in writing by the Local

Planning Authority. No delivery of bakery, dairy and other perishable products shall be made other than between 07:00 and 20:00 hrs;

- (y) Details of the arrangements to be made for the disposal of surface water drainage from the proposed development shall be submitted to, and approved in writing by, the Local Planning Authority before any work hereby permitted is commenced.
- (z) No development shall be commenced until such time as the detailed design of the proposed access from High Street, including incorporation of the private accesses to the residential properties to the east, has been submitted to, and approved in writing by, the Local Planning Authority. Such works as shall be approved shall be carried out in accordance with the approved design prior to occupation of any of the development;
- (aa) A pathway to the north-east and south-east sides of the proposed building shall be gated and fenced at both ends in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority and shall only be used for maintenance and emergency purposes only unless otherwise agreed in writing by the Local Planning Authority;

(Notes to applicant:- (1) Applicant was advised that the proposal should comply with the Food Hygiene (General) Regulations; (2) Applicant was advised of the need to have regard to the existing rights of way by third parties over the land; (3) N111 – disabled access; (4) N112 – energy conservation; (5) N115 – water conservation; (6) Applicant was advised that with regard to condition (o) the County Archeologist would be willing to provide a specification for this work and a list of suitable contractors to undertake it; (7) N117 – crime prevention; (8) N024 – development in accordance with the approved plans; (9) With regard to condition (p), applicant was advised that the length of stay should be restricted to 2 – 3 hours to ensure that the car parking spaces are available for shoppers; (10) N051B – health and safety; (11) N052 – fire safety; (12) N054 – fire safety; (13) Applicant's attention is drawn to the Conservation Area consent relating to this property numbered 43/2004/142CA; (14) N075 – Section 106 Agreement; (15) Applicant was requested to ensure that the appointed contractors subscribed to the "Considerate Contractor's Programme"; (16) Applicant was advised that the existing building contains asbestos panels which will need careful removal. If the asbestos is contained within something like cement, for example 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/material, 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 advised to contact the Environmental Health Officer in this respect; (17) Applicant was advised that the former Quik Save building is now located within the Conservation Area. Consequently, Conservation Area consent will be required for its demolition.)

Reason for planning permission, if granted:-

The site was a town centre site, the development of which is in conformity with the retail policy framework set out by Central Government in Planning Policy Statement No 6 and in the retail policies contained in the County Structure Plan and the adopted Local Plan. The proposal is considered to be in general compliance with the criteria set out in Taunton Deane Local Plan Policy W11.

153. Erection of extension and improvements to store to provide additional retail sales floor space and the relocation of the customer restaurant to the proposed mezzanine floor at Sainsburys Supermarket, Hankridge Farm Retail Park, Heron Gate, Bathpool (48/2007/055)

Reported this application.

RESOLVED that subject to the applicants entering into a Section 106 Agreement to provide financial contributions towards local road improvements and a Travel Plan, 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) No more than 30% of the total net sales area of the whole store, including the net sales area of the extension hereby permitted shall be used for the sale of the following comparison goods unless agreed in writing by the Local Planning Authority:- Clothing and footwear; books, comics and magazines; arts and crafts; stationers; 'phones and mobile 'phones; music and video; hardware and homewares; china goods; glass goods, gifts and leather goods;
- (d) At no time shall the superstore be sub-divided into smaller units or provide/sell:- Cars; prescription

medicines; sports or leisure goods (including fishing, golf, football or pools), luggage or antiques; or chemists and/or opticians, unless agreed in writing by the Local Planning Authority;

- (e) No more than 5869 sq.m of floor space shall be used for retail trading at any time without the written consent of the Local Planning Authority.

(Notes to applicant:- (1) Applicant was requested to give priority to local residents when appointing new employees; (2) Applicant was reminded of the need to improve the relationship of the 'town centre' store to the main shopping area by providing improved pedestrian links as soon as possible; (3) With regard to Condition (b), applicant was requested to use materials and building techniques that utilise a low carbon footprint and erect a plaque to advertise these measures to the public.)

Reason for planning permission, if granted:-

The proposed advantages in the ability to restrict the total floor space of comparison goods sales was balanced against the out of town location and was considered to result in a reduction of the potential impact on the vitality and viability of Taunton Town Centre and was considered to be in accordance with Government advice contained in Planning Policy Statement No 6 and Taunton Deane Local Plan Policies EC12, EC13 and EC14.

154. Operational development and the stationing of residential caravans at Sunnydene, Dene Road, Cotford St Luke, Taunton

Reported that planning permission had been granted for the erection of a stable block on land known as Plot 1, Dene Road, Cotford St Luke, in October 2006. The land was now known as Sunnydene.

Although work on this timber structure had commenced shortly after approval, it had been brought to the Council's attention on 23 November 2007 that a mini-digger, septic tank and associated pipes had been delivered to the same site. A visit was made where, as well as the stable building, it was discovered that a concrete hard-standing had been provided and that work to install a septic tank appeared to be about to take place.

A temporary stop notice was therefore served to prevent any further unauthorised works taking place. The owner of the land confirmed that he would be submitting a planning application for the unauthorised work already undertaken and the works he wished to carry out.

Further reported that over the weekend of 24/25 November 2007, a static caravan had been brought onto the land followed by two further caravans, one of which was a twin unit mobile home. This latter unit

had been positioned on the hard standing ready for connection to services.

Following the weekend, the owner submitted his application for planning permission for the three caravans, plus associated works on the land.

A further temporary stop notice was served to prevent any further caravans from being brought onto the site.

Noted that the temporary stop notices would expire shortly before Christmas. As the planning application was unlikely to be considered until January 2008, it was considered necessary to have in place an enforcement notice and stop notice once the temporary notices expired.

During the discussion of this item, it was reported that the owner of the land had requested consent to connect the main mobile home to an existing septic tank on the land. Members were recommended to allow this to ensure the health and welfare of the occupants of the mobile home.

RESOLVED that:-

- (1) An enforcement notice be served on the owner of the land at Sunnysdene, Dene Road, Cotford St Luke, requiring the removal of the mobile home and caravans and any associated unauthorised works;
- (2) A stop notice be served on the owner of the land to stop any additional caravans from being brought onto the site and to stop any further unauthorised operational developments;
- (3) Subject to being satisfied with the evidence, the Solicitor to the Council institute legal proceedings should the stop notice or enforcement notice not be complied with; and
- (4) In the event of the site being occupied, the owner of the land be notified that the Council would not take steps to enforce the stop notice in relation to any connection made from the main mobile home to the existing septic tank on site and in relation to any temporary measures put in place to mitigate against problems arising from mud on the site.

155. **Stationing of a motor home for use as a dwelling and the carrying out of an agricultural machinery repair business at Harpford Farm, Langford Budville, Wellington.**

Reported that following the sale of farm buildings and land at Harpford Farm, Langford Budville, it had been brought to the Council's attention that the new owner was living on the site in a large motor home situated within one of the farm buildings. This change of use had occurred without planning permission being obtained.

Furthermore, it appeared that the owner intended to use the farm buildings in connection with an agricultural machinery repair business. Nearby residents had reported that works had already taken place within the farm buildings which had been extremely noisy.

Reported that the owner had applied for planning permission in respect of the change of use of the farm buildings and the stationing of the mobile home.

RESOLVED that:-

- (1) Enforcement action be taken requiring the change of use of land for the stationing of a mobile home at Harpford Farm, Langford Budville to cease;
- (2) Subject to being satisfied with the evidence, the Solicitor to the Council institute legal proceedings should the enforcement notice not be complied with; and
- (3) Subject to the Environmental Health Department confirming that the criteria for serving a stop notice had been met, an enforcement notice and stop notice be served in relation to the alleged unauthorised industrial use of the site.

156. Mesh fence erected above existing wall at Brookfield House, Pitminster

Reported that despite planning permission being refused for the retention of a mesh fence erected above an existing wall at Brookfield House, Pitminster, no action to remove the unauthorised mesh fence had been taken to date.

RESOLVED that:-

- (1) Enforcement action be taken requiring the removal of the unauthorised mesh fence erected above an existing wall at Brookfield House, Pitminster; and
- (2) Subject to being satisfied with the evidence, the Solicitor to the Council institute legal proceedings should the enforcement notice not be complied with.

157. Alterations to existing field entrance onto classified road and removal of hedgerow on land opposite Vale View Cottages, West Bagborough

Reported that it had come to the attention of the Council that works had been undertaken to alter the existing field entrance onto a classified road on land opposite Vale View Cottages, West Bagborough. The works undertaken, had also resulted in the removal of a hedgerow along the roadside.

The owner of the land had been contacted and a planning application to regularise the situation had been submitted. However, this application had been refused in October 2007 and to date, no action to restore the field entrance to its previous condition had been taken.

RESOLVED that:-

- (1) Enforcement action be taken requiring the re-instatement of the field entrance on land opposite Vale View Cottages, West Bagborough, to include the replanting of the hedgerow; and
- (2) Subject to being satisfied with the evidence, the Solicitor to the Council institute legal proceedings should the enforcement notice not be complied with.

(The meeting ended at 9:05pm.)

24/2007/053

MRS E K PURVIS

EXTENSIONS AND ALTERATIONS TO RESIDENTIAL CARE HOME TO PROVIDE AN ADDITIONAL 15 BEDROOMS WITH CAR PARKING FOR 16 CARS AT THE WOODLANDS RESIDENTIAL CARE HOME, WRANTAGE

330904/122629

FULL

PROPOSAL

Woodlands residential care home currently has 12 no. bedrooms, and the proposed two-storey extension is for an additional 15 no. bedrooms with communal lounge facility and an entrance block linking with the existing building. The home offers long-term and respite care and has been offering accommodation for the elderly since 1994. The present staffing level is six full-time and 11 part-time, and the proposal will increase the permanent staff by four. The applicant advises that with new legislation for care: 12 rooms makes the home difficult to economically sustain; the additional 15 rooms making a 27 bed unit will be more economical; and the home gives a valuable service to the vulnerable and elderly and provides substantial employment for local people.

The two-storey extension is 6.9 metres from ground to ridge height; the layout incorporates substantial landscaping between the extension and the neighbouring property Rose Cottage; a large parking area is proposed; and visibility splays are increased to improve an existing dangerous access onto the A378.

A similar proposal, reference 24/2007/012, was withdrawn in May 2007. The current proposal sites the extension further away from the neighbour, additional planting is proposed, and staff accommodation has been omitted.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAYS AUTHORITY - The proposal is located outside development limits although the proposal will foster a growth in the need to travel it will only be increasing the additional movements that are already occurring at the site therefore the proposal accords with Structure Plan Policy STR6 (Development Outside Towns, Rural Centres and Villages). The proposal will utilise the existing access, however it should be noted that the site exists onto a Class 1 road (A378), which is designated county route. Therefore suitable visibility splays have been proposed for 2.4m back from the centre line with visibility splays of 70m in both directions in addition a turning area is included within the proposal to allow vehicles safe access to the highway, therefore the proposal accords with Structure Plan Policy 49 (Transport Requirements of New Development).

In terms of the Local Plan the proposal accords with Policy S1 (General Requirements) as there will be additional traffic generated from this proposal but

measures have been taken to reduce its impact on the adjoining highway with the improved visibility splays.

In terms of parking for the site it is proposed to utilise 16 parking bays this is found to be acceptable within the parameters of the Local Transport Plan Two.

Therefore I recommend that planning permission is granted for this proposal and would require that the following conditions be attached to the planning permission.

WESSEX WATER – Recommended notes

PARISH COUNCIL – Does not object in principle to this application except for the height of the buildings and loss of privacy to the adjacent property of Rose Cottage.

DRAINAGE OFFICER – Recommends conditions and notes.

LANDSCAPE OFFICER – I am concerned that the proposals are for a large building in 'open countryside' visible from several Public Rights of Way, that is likely to have a detrimental landscape mitigation.

1 LETTER OF SUPPORT has been submitted on the grounds that: the local environment will be improved visually; extra jobs will be created; residents will have a better and more dignified living space; and extra rooms are needed to make the home viable.

9 LETTERS OF OBJECTION have been received on the following grounds: Rose Cottage would be overlooked; the development would dominate the skyline; the development would be out of character with surrounding homes; an undesirable precedent would be set for development in open countryside; loss of light would result, and screen planting would add to the problem; the proposal should be designed more sympathetically; noise and light pollution would result; additional traffic is not sustainable and is of concern; and the proposal is contrary to policy.

POLICY CONTEXT

Policies S1 and S2 of the Taunton Deane Local Plan seek to safeguard, inter alia, visual and residential amenity, and road safety. Policy EC2 accepts proposals by existing firms to expand onto land subject to restrictive policies, where relocation to a more suitable site is unrealistic, and where the economic benefit of the proposal outweighs any harm to the objectives of the relevant policy. Mitigating measures will be sought to reduce any environmental impact to a minimum.

ASSESSMENT

Although the development constitutes a large extension, and would be visible from surrounding footpaths, it would barely be visible from the public highway. Furthermore, there would be a substantial and minimum distance of 16 metres between first floor windows and the boundary of the neighbouring property Rose Cottage. Accordingly, there would be no undue loss of privacy. In addition, there is suggested landscaping between the extension and the neighbours, and the

architectural detailing/design is not considered disagreeable with particular regard to the low key ground to ridge height of only 6-9 metres. It is not consequently considered that there would be any demonstrable harm. Having further regard to the improvements in road safety engendered by increased visibility, the increase in employment, and the valuable service that the home provides for the community, I consider that on balance the proposal is acceptable, subject to various conditions, which will include a demand for significant and appropriate landscaping.

RECOMMENDATION

That permission be GRANTED subject to conditions of time, materials, landscaping, drainage details, and highway conditions.

REASON(S) FOR RECOMMENDATION:-

The proposed development would not adversely affect the character of the building, the character or appearance of the open countryside, or visual or residential amenity, and does not therefore conflict with Taunton Deane Local Plan policies S1 and S2.

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

CONTACT OFFICER: 356465 MR J GRANT

NOTES:

31/2007/026

SCC

CHANGE OF USE OF AGRICULTURAL LAND AND CONSTRUCTION OF A PARK AND RIDE FACILITY (INCLUDING SECURITY/INFORMATION BUILDING INCORPORATING TOILETS AND BICYCLE STORAGE, APPROX 1000 CAR PARKING SPACES, COACH PICK UP/DROP OFF POINT, ACCESS ROADS, BUS PRIORITY MEASURES AND CYCLE ROUTE CONNECTIONS) AND LANDSCAPING AT OS FIELD REF 0061, 0046, 8763, 7967 (PT) AND 6873 (PT), CAMBRIA FARM , ILMINISTER ROAD, TAUNTON

325911/124580

COUNTY DECISION

PROPOSAL

This a "Consultation" from County Council, who are the determining Planning Authority, in respect of planning application for change of use of agricultural land and construction of a park and ride facility located at OS field ref 0061, 0046, 8763, 7967 (pt) and 6873 (pt), Cambria Farm, Ilminster Road, Taunton. This site lies on the south side of the A358 0.5km to the east of the Junction 25 on the M5. The proposal as submitted relates solely to land beyond the extent of the adopted highway but works are shown to the highway which are necessary in order to implement the scheme. These highway works are described below in relation to the other elements of the scheme.

The proposal incorporates various elements the predominant part of the proposal being the provision of approximately 1000 car parking spaces (incorporating 14 disabled parking spaces) with coach pick up/drop off point. These are arranged towards the centre of the site allowing significant space around the perimeter of the site to provide landscaping to all boundaries. All areas of carriageway and access routes will be surfaced with bitumen macadam. Parking areas will be surfaced in permeable paving (Formpave or similar) and parking bays delineated by white lining/alternative paving colour. Two existing hedgerows that cross the site in a north south direction will be removed as part of this proposal.

New accesses are to be provided to the site giving bus priority with a signal-controlled junction at the Ruishton Lane/A358 junction. These works will involve widening of the existing carriageway with provision of combined footway cycle way on both sides of the road which are all outside the application site and are consequently not part of the scheme. Cycleway and footpath links will continue into the centre of the parking facility. Loss of frontage trees and understory vegetation will result from these works and also the majority of the present parking lay-by on the south side of the road will be lost. Again, these works are outside of the application site. Whilst not part of the application, Ruishton Lane is also to be widened at its southern end where it joins the A358 with the loss of trees on the east side of that road. The Traffic Assessment as amended refers to the full signalisation of Junction

25 M5 roundabout to implement as part of the scheme but these works are not formally part of the application.

Within the site a building, to provide security/information incorporating toilets and bicycle storage, is proposed, which will house all the necessary CCTV controls and welfare facilities for the security staff. The building is of contemporary design and incorporates a palate of materials. It will be built using a number of sustainable construction materials and techniques. These include, rammed earth, straw bale/timber frame and glazing with a single roof span holding Photovoltaic panels.

Drainage works proposed include the provision of four on-site amenity and attenuation ponds. Surface water run-off will be controlled through a number of different Sustainable Urban Drainage Systems; including permeable paving, storage lagoons, swales and oversized piping

The application is accompanied by a Planning Supporting Statement, Design and Access Statement, Options Appraisal Report, Site, Environmental Impact Table, Design Concept Statement for the building, Landscape Design Statement and Draft Management Plan Transport Assessment and Traffic Modelling final report, Noise Assessment, Air Quality Assessment, Flood Risk Assessment, Ecological Surveys, Archaeological Field Evaluation, Drainage Strategy Report and a Ground Investigation Report.

CONSULTATIONS AND REPRESENTATIONS

As this is a County Matter application, any neighbour consultations are carried out by SCC. However, one letter has been received which has been passed to the County for their consideration. This representation considers that this is the wrong location that will lead to increase congestion and all other associated problems.

The following consultations have been undertaken by Taunton Dean regarding this consultation with responses to date as indicated below.

FOOTPATH DIVERSIONS OFFICER - The public footpaths T20/22 and T26/12 are in close proximity to the (current) proposed development but will not be affected by it.

LANDSCAPE OFFICER - Overall I considered it a good landscape scheme that over a reasonable period of time will. I think more could be done to screen the car parking from A358 and more planting to the west and southwest would help to soften the impact from the wider local countryside. To provide more screening from the A358 I suggest using gabions as well as earth mounding to narrow the access and exit roadways.

SOMERSET DRAINAGE BOARDS CONSORTIUM - The site lies outside the Board area and therefore comments in an advisory manner. The resultant surface water run-off will discharge eventually into the Board's area via the viewed rhyne or main river network. It is my understanding from consulting the application details that the disposal of the surface water run-off from the proposals will be attenuated to the existing Greenfield run-off via proposed balancing ponds and sustainable urban

drainage systems. The Board has not been consulted with regard to the surface water disposal but notes that within the detailed drainage strategy the Environment Agency has been appraised of the proposed strategy.

The Board has been experiencing access problems with one of the Board's "viewed rhynes" known as Black Brook and therefore it is our intention to remove this watercourse from the viewed rhyne network. If it is, the intention to direct the resultant surface water generated from the proposals to the Board's viewed rhyne then this should be revised and an alternative disposal point be suggested.

The principal requirements for surface water drainage from developments are set out in PPS 25 annex F and are understood to be 'a material consideration' this point is emphasised in the Councils' own policies EN26, 27 & 28. As stated above the Board has difficulties in maintaining the viewed rhyne known as Black Brook and is proposing to take the watercourse out of view. Consequently, it is the Board's viewpoint that the proposed discharge from the proposals should be directed to the main river watercourse known as "Broughton Brook". There are no known local flooding issues to the Board's knowledge and the proposals indicate the use of sustainable drainage techniques (Suds) to reduce the proposed development's impact on the receiving land drainage system.

With the current proposals, the Board require that a maintenance strategy be agreed. This should identify the various responsible parties within the drainage strategy and their particular responsibility to maintain the drainage systems proposed within the development proposals. This document would also be necessary to the operators of the facility and should include the requisite CDM information.

CONSERVATION OFFICER - Views awaited.

TOURISM OFFICER - Views awaited.

PLANNING POLICY - Views awaited.

As part of this proposal, as noted in the Planning Statement, the County Council has held meetings with Ruishton & Thornfalcon Parish Council when various issues concerning the proposed Park & Ride were discussed. A presentation was also given to Stoke St Mary Parish Council.

Public exhibitions were held in the Parish of Ruishton & Thornfalcon at the village hall at which 187 people attended and a further exhibition was held in Taunton Town centre where details of the site were displayed with officers on hand to answer questions and discuss the proposals with Questionnaires given out at the exhibitions for the attendee to fill out.

The results of the analysis of the questionnaires returned show that generally the public supported a park & ride facility. However, residents that live near to the site are not convinced about the chosen location.

Of the 53 questionnaires that were returned, 34% said that they would use the park & ride facility and 66% said that they would not. Of the people who said that they would use the park & ride, the majority advised that the purpose of the journey

would be shopping.

Of the returns from the exhibition at Ruishton (45 no) 40% supported the provision of a Park & Ride (18 No) of which 11 considered that Cambria Farm was the wrong location and 7 considered it was the correct location. When the returns from the second exhibition in the Old Market Centre are added, 47% are in favour of a Park& Ride (25 No) with 11 considering that Cambria Farm not the right location and the remainder (14) felt it was the most appropriate.

The County Council were still awaiting responses from the Highway Agency and the County Highway Authority at the time preparation of this report response. The response just received from the Environment Agency has raised technical objections to the Flood Risk Assessment

POLICY CONTEXT

PPS1 (Delivering Sustainable Development), PPS9 (Biodiversity and Geological Conservation), PPG13 (Transport), PPG15 (Planning and the Historic Environment), PPG16 (Archaeology and Planning), PPS23 (Planning and Pollution Control), PPG24 (Planning and Noise), PPS25 (Development and Flood Risk), RPG10 (South West) and Draft RSS.

Somerset Local Transport Plan (2006-2011);

Taunton Deane Local Plan (TDLP), Policies S1 (General Requirements), S2 (Design), M1 (Non-residential Developments), M5 (Cycling), EN3 (Local Wildlife and Geological Interests), EN5 (Protected Species), EN6 (Protection of Trees, Woodlands, Orchards and Hedgerows), EN8 (Trees in and around Settlements), EN12 (Landscape Character Areas), EN21 (Nationally Important Archaeological Remains), EN28 (Development and Flood Risk), EN29 (Flooding due to Development) & T28 (Park and Ride Sites).

Taunton Transport Strategy Review (November 2004)

ASSESSMENT

Site and Surroundings

The site is located approximately 3km to the east of Taunton town centre, and approximately 0.5km east of junction 25 of the M5 motorway. It is bounded by the A358 to the north, a small stream to the south-west and a field boundary to the east. The site lies with a general slope from approximately 20.75m Ordnance Datum (AOD), at its highest point on the knoll at the northwest end of the site to 11.50m AOD along the south-west boundary. The existing site is a green field area covered by open grassland and fields. It is a triangular shaped site with an area of approximately 9.9 hectares. A small stream flows northwesterly along the south-west boundary of the site where it meets the Blackbrook.

The site is underlain by Mercia Mudstone overlain locally by thin layers of head deposits and permeability tests have indicated that the soil has a very low level of permeability.

Policy implications

The provision of "Park and Ride" facilities is supported by National and Regional Policy. The Adopted Local Plan makes specific reference to a park and ride through Policy T28 which states: "a park and ride site is proposed at East Taunton" and comments at Paragraph 8.60 that the East Taunton site is: 'intended to attract drivers from the A358 and M5 motorway'. Paragraph 8.262 of the TDLP explains that: 'Park and ride facilities are a necessary part of the strategy and will be provided on the two main routes into Taunton'. They will allow car-borne commuters from outside the urban area of Taunton to avoid town centre congestion by changing mode at the edge of town and using buses which take advantage of the bus priority corridors set out in policy T27. Paragraph 8.263 of the TDLP highlights that: 'the design of the sites will be extremely important, balancing their potential landscape impact with the need to provide an attractive, secure environment for all-day car parking.'

The Taunton Transport Strategy Review (TTSR) overall aims is to:

"undertake a baseline review of transport conditions in Taunton. This will be followed by a review of the existing transport strategy, in particular a qualified critique of the likely outcomes of the strategy against the current Local Transport Plan (LTP) objectives. The next stage will inform the outcomes of the land-use allocations arising from the Taunton Urban Extension Study (UES) with a view to optimising the sustainability of the transport system. The study will conclude with the identification of a preferred transport strategy to support the preferred land-use plan".

The Taunton and Surrounding Region Traffic Model (TSRT), is a traffic model that broadly covers the M5 Motorway from J23 to J26, the parallel A38 and any connecting roads that would be necessary to properly represent the interaction between these two competing routes, and the urban areas of Taunton, Bridgwater, and Wellington in sufficient detail to accurately represent the route choices available to drivers. It is a wide-ranging SATURN sub regional traffic model and is generally used to forecast traffic generation and characteristics through considering likely influences such as new development.

The model has also been used to examine complementary transport related measures and policies that could be introduced to optimise patronage and fare levels. This includes Park and Ride facilities and can be used to justify the schemes in economic terms.

Alternative Options

A Site Options Appraisal Report (SOAR) was commissioned by Somerset County Council through Engineering Consultants, Atkins, to identify and evaluate different sites to the east of Taunton. This report established a range of assessment criteria based upon policy context, good practice, environmental and transportation considerations.

The feasibility study identified a long list of 13 sites to the east of the motorway which provided the required direct access to serve the A358 southeast all but two of which lay along the existing A358 corridor. Following assessment against the established criteria a shortlist of two potential sites, one being Cambria Farm and the second

being a site to the east of Henlade was produced and these were subject to a more detailed appraisal taking into account effects on the highway network and other revenue implications.

This appraisal indicated the application site had significant advantages over the other site in that it would attract a significantly greater level of use, the overall network travel distance and time, improve network efficiency and air quality benefits, work well in tandem with the existing site at Silk Mills and pro rata for the same running costs it provides additional revenue income to the overall Taunton park and ride service.

Environmental Impact Assessment Issues

The County Council as Local Planning Authority has prepared a screening Opinion expressing the view that an Environment Impact Assessment should not be carried out in connection with an application.

In coming to this conclusion they state that the proposal was not considered to be a Schedule 1 development, but was considered to fall within Schedule 2 of the Regulations as a development that may require an EIA. They have considered the proposal under part 10 (c) of the regulations as an Infrastructure Project - 'Intermodal terminals' with a site area in excess of the threshold of 0.5 hectares.

Circular 02/99 advises under paragraph A20 'Intermodal transshipment facilities and intermodel terminals' that:

"In addition to the physical scale of the development, particular impacts for consideration are increased traffic, noise, emissions to air and water. Developments of more than five hectares are more likely to require EIA".

In examining the Selection Criteria for Screening Schedule 2 Development, the characteristics of the development have been considered. Regarding noise, it is acknowledged that there are properties within 50m of the boundary, but noted that the background noise of the A358 will be high and that space is available for mitigation measures such as bunding to be put in place. Whilst in terms of local air quality there will be some changes associated with the proposal the overall scheme is expected to reduce traffic volumes within Taunton and improve air quality.

Landscape and visual assessment refer to the need maintaining the nature of public rights of way that cross the site and mitigate the visual impact on neighbouring properties and the wider area.

In Heritage and Historic Resources terms, the County consider that the proposal is likely to have an adverse impact on the Grade II listed buildings of Woodlands House and Ruishton House and its stable blocks.

No significant biodiversity harm is expected to arise from the proposal with replacement planting proposed.

The proposed includes sustainable drainage systems which can be designed to treat waster before discharge from the site dealing with concern regarding water runoff and possible discharge of pollutants into watercourses and soils.

The County consider that given its scale and intended use the development is considered to be of only local importance and will affect a localised area. The proposed development will be permanent, the use constant and any impacts are likely not to be reversible. They have concluded that the development will not be sited within any sensitive area as defined in Regulation 2(1) and that it is not considered to be a development with particularly complex and potentially hazardous effects that would cause significant impact on the environment. It is expected that the potential impacts as listed above will be addressed by information in support of the planning application.

For those reasons they have deemed that in this case an EIA will not be required.

Building Design

The concept of the building design is that it should clearly illustrate and utilise sustainable design and constructions techniques, thereby exploiting the opportunity for learning. Hopefully visitors should be intrigued and encouraged, both passively and actively, to enquire into and investigate the building's sustainable virtues.

The intention in the design is to convey a clear message and illustrate the potential of sustainable design, to look beyond and challenge current perceptions of sustainable and ecological design and to look towards innovation as a positive and exciting process of learning.

Landscaping

With regard to the proposed ground level formations, to accommodate the volume of fill material resulting from the car park and highways cut, a series of mounded bunds are proposed along the edge of the northern boundary. Not only does this reduce the amount of material to be removed from the site, it also helps to create the visual screening required into the site.

To accentuate this screening, dense broad leaved woodland behind native hedgerows is also proposed along this edge. Lower level bunding has been provided at the interface between the edge of the parking zone and the existing public footpath to the east of the site.

The central section of the scheme, where the park and ride facility is to be located, is set within open grassland adjacent to the A358. The scheme contains four drainage attenuation ponds; two to the south of the parking area, a further amenity pond is located adjacent to the central bus loop with a further pond to the north. Some of these will be dry in normal conditions.

All ponds are to be planted with a variety of aquatic and marginal vegetation to provide a degree of filtration to runoff water from the park and ride areas and to provide visual interest to these areas.

The majority of the soft landscape work is concentrated adjacent to the four

attenuation ponds and around the periphery of the scheme between the parking zones and the site boundary. Primary planting types include broad-leaved woodland and shrub species; woodland, native boundary hedging with standard trees strategically planted plus wet areas and neutral grassland areas.

Existing trees and hedgerows have been retained where the development permits. Retention is predominantly along the eastern and southern boundaries where mature vegetation is well established and is a great asset to the site.

A landscape Management Plan has been submitted which provides for the following broad objectives:

- Enhancement of the Landscape - to maintain and develop the proposals for the planting scheme such that they are integrated with the surrounding landscape.
- Nature Conservation and Biodiversity - to create and maintain habitat types where possible and to encourage a greater bio-diversity which is sustainable within the limits of the site.
- Recreation/Education - to enhance local use of the site for passive recreation such as walking and for the appreciation of the natural environment.
- Visual Amenity - to provide a pleasant, attractive park and ride facility that is visually pleasing and safe for commuters and pedestrians, through the rapid establishment of plant material with the resultant total ground cover helping to suppress weed growth and reduce maintenance requirements. This objective also includes the screening of various elements to reduce their visual impact.
- User Safety - to ensure the health and safety of all park and ride users. All design proposals shall be in line with H&S requirements including warning signage at water bodies and clear way-marking. These items will need to be included as part of the hard landscape proposals set out by SSC. All proposals shall be compliant with 'Disability Discrimination Act' (DDA) and 'Access for All' requirements. Site security shall also be ensured. Car park tree pruning shall maintain clear stem heights to between 2 - 2.5m and car park hedgerows to approximately 1.5m height from car park ground level to ensure clear views across the scheme. Tree arrangements and CCTV column locations are to be coordinated to ensure full site coverage.

Traffic Issues

The submitted information indicated that results of the TRANSYT analysis show that the proposed Park & Ride signalised junction will operate within capacity in both the morning and the evening peak hours in 2009 and 2017. Where queues exist, they will not adversely affect the operation of the junction. The pedestrian crossings shown can be accommodated within the P&R junction without having a significant impact on its operational effectiveness.

The model shows queues in both peak hours of the assessment years in both directions on the A358 between the M5 Junction 25 and the P&R junction; however these are not of such a length so as to affect the operation of either junction. The report indicates that overall, the proposed signal controlled Park & Ride access

junction has been shown to operate well in 2017 and queues will not effect the operation of M5 Junction 25.

The following is noted with regard to the operation of the M5 Junction 25 roundabout that this will not be adversely affected by the presence of a signalised junction at the P&R access although some approaches on this roundabout are approaching or are over capacity in 2009.

Information shows that there will be severe congestion on the A358 Toneway out of Taunton. The north-bound off-slip from the M5 and the A358 East approach are also approaching maximum capacity in the 2009 AM and PM peak respectively.

By 2017, before roundabout improvements are implemented this situation will be significantly worse, although this is not the result of the P&R traffic which has shown a minimal impact in comparison to traffic growth rates. When the roundabout improvements and full signalisation are implemented then congestion and delays will be significantly reduced.

Noise

The submitted Noise Report indicates that construction activities have the potential to significantly affect the amenity of the nearest noise sensitive receivers. This impact can be minimised through the use of mitigation measures and best practice techniques. It is expected that through these measures, the impacts can be reduce to "minor - moderate" in significance. It should also be noted that these impact are a "worst-case scenario" and are based on activities occurring at their closest location to the noise sensitive receiver. The majority of the works will occur at distances greater than this and impacts may be further reduced to "no significant change - minor" in significance when works occur furthest from a given noise sensitive receiver.

With regard to Traffic Noise, the opening and design year impacts both indicate that there are likely to be no increases or decreases of greater than +/-1dB on any of the main roads in the study area excluding a short section of the existing A358. In the opening year, the introduction of the park and ride scheme results in a perceptible decrease in noise on the short section of road. This is attributed to the reduction in the average speed of traffic approaching and pulling away from the new signal controlled junction.

In the design year, the use of the park and ride scheme results in a perceptible increase in noise on the short section of road. This is partly due to a large percentage increase in traffic flow resulting from the use of the park and ride scheme, and partly due to higher average speeds at which vehicles approach and pull away from the junction. This is because there are overall fewer vehicles on the road in the design year, a product of the introduction of the new bypass.

The predicted impact from operational noise levels from the park and ride is 'negligible' upon the existing ambient levels at Ruishton Court and Cambria Farm which are the closest properties. It is likely that intermittent noise events from the

park and ride will still be perceived at both of these locations.

The overall opening year ambient noise impact from the proposed park and ride is likely to be neutral. The overall design year ambient noise impact from the proposed park and ride is likely to be perceptible at nearby properties. It is likely that individual noise events from the operation of the park and ride will be perceived at nearby properties in both the opening and design years.

Air Quality

In terms of Air Quality, the submitted report refers to the two Air Quality Management Areas (AQMAs) in relation to exceedences of the annual mean nitrogen dioxide AQS objective. The East Taunton Park and Ride scheme is situated approximately one kilometre North West of the Henlade AQMA.

An assessment of the effect of additional traffic likely to be generated by the park and ride on local air quality was undertaken using the DMRB screening method. The results show that there will be no exceedence of the AQS objectives at receptors around the park and ride site or adjacent to significantly affected roads.

Adjusted annual mean nitrogen dioxide concentrations were estimated to be below the AQS objective at all receptors for all modelled years and scenarios. The estimated increases in concentrations of nitrogen dioxide with the development are assessed to be negligible.

Modelled results of PM10 concentrations indicate that the AQS objective will be met at all receptors over all years in all scenarios.

A Local Air Quality assessment worksheet was prepared and completed, in accordance with Transport Analysis Guidelines. An improvement in air quality was estimated at the majority of properties within 200 metres of the affected links in the opening year (2009).

Emissions of carbon along the affected routes are expected to decrease slightly (2%) with the scheme in the opening year.

There is the potential for air quality to be affected by dust-raising activities during construction. However, where appropriate mitigation measures are applied as the best practicable means to control dust generation, this should not cause a statutory nuisance.

Ecological Issues

An Ecological Survey has been carried and is also submitted as part of this planning application. This indicates that Badger setts exist and badgers are active within the development area such that badgers are a material consideration in planning approval. A subjective evaluation of the badger setts and badger activity found would suggest that two social groups of badgers occupy territories which include parts of the survey area.

A mitigation plan will be put in place and a licence obtained from Natural England to allow development, as it will be necessary to exclude badgers and destroy one sett and potentially disturb another. Badger movement around the site will be maintained as part of the mitigation plan. Operatives working on site will be briefed that badgers are in occupation within the site and active in the area.

Otters or Dormice were not considered present on the site but the proposal for attenuation ponds will mitigate in favour of Otters as those habitats develop.

At least six bat species were detected during the surveys. It is possible that other species may frequent the site, as they are known to occur in the locality.

The retention of the hedgerows at the eastern and southern boundaries will favour bats, but the removal of the woodland area at the northwest of the site and the dividing hedgerow will not. There were few findings of bats feeding over the grassland suggesting that it does not provide significant foraging for bats. The attenuation ponds and replacement landscaping proposed for the site will potentially enhance the foraging for bat and dormice.

All the birds identified as being present on the site were 'common' species and none afforded special protection. With the exception of the woodland area adjoining the A358 road, most of the bird nesting activity was in or near the eastern and southern boundaries. However, the removal of the woodland area and sub-dividing hedgerows will destroy potential bird nesting sites. Planting schemes included in the development proposals will compensate when established for nesting sites lost, but will need to include appropriate plant species.

Removal of hedgerow and woodland is proposed to be undertaken outside of the bird-nesting season where possible. The planting scheme proposed for the development will use species that enhance and protect the ecosystem and biodiversity for all the above considerations.

Heritage Issues

Four Grade II Listed Building are located within the vicinity of the site. These comprise Woodlands House approximate 100m to the north, Ruishton House and Stale block immediately to the west of Acklands Farm House approximately 350m north-east, with the site of the former WWII anti-aircraft battery 350m to the south.

Your Conservation Officers views are awaited on the impact of the scheme on those properties. Any impact on the setting of these properties could be mitigated by careful planting.

The Archaeological evaluation revealed a total of 14 ditches/ gullies, all of which were confined to trenches the southern half of the Site. All of these features probably relate to a network of former field boundaries and/or enclosures. Five ditches/ gullies produced dating evidence. Bone from a range of domesticated animals was also recovered from the evaluation and the majority of this assemblage was found in the prehistoric ditches/gullies. This is likely to have been dumped as part of refuse disposal although it is suggested that the character of the bone group might indicate that this area is away from the main focus of settlement activity,

Although the majority of features could not be dated, it is clear that these reflect multi-phased activity on the Site. There is tentative evidence for activity from the Late Neolithic/Early Bronze Age but it is the evidence for occupation activity during the Late Bronze Age/Early Iron Age that is most prominent here. This is significant in that it represents the first record of activity from this period in the immediate area. The Romano-British evidence, albeit from a minority of finds, adds to a growing corpus of evidence for the environs that attest to some degree of occupation. Despite the hypothesis that the ditches/ gullies may be peripheral to a focus of settlement, the southern half of the Site at least, has the potential to reveal more intensive occupation activity and provide a fuller understanding of the nature of the archaeological resource. In addition, given the recovery of possible plant macrofossils from the evaluation, it is likely that further organic remains could be preserved on the Site, particularly in the low-lying areas where preservation of waterlogged deposits would be high. The analysis of any surviving plant macrofossils from such deposits offers an important opportunity to examine the evolution of past environments in the area.

Drainage Issues

There are no surface or foul water sewers within the proposed car parking area, and the existing highway drainage in the A358 is not suitable for the revised road alignment. The soil at the site is impermeable and as such it is anticipated that surface water at the site flows directly into the stream, which bounds the southern edge of the site.

To comply with the government's policy for flood risk (PPS25) for new developments, the environment agency was requested to provide the details for the predicted flooding for a 1-in-100 year storm event. Part of the site is within the 1 in 100-year flood zone and mitigation in relation to the drainage design is described in section 6.

The Drainage Report recommendations option 2. This requires the areas where cars will be parked, which will be intersected by Bitumen Macadam access roads, should be constructed with a permeable paving system which will include a 350mm sub base. Underlying the sub base a geo-membrane should be installed, which will prevent the water percolating into the ground beneath.

A 3m wide by 1 m deep filter drain will be constructed around the exterior of the car park and will be connected to the permeable paving system at sub base invert level. The drainage catchment will be divided in two and drain to either the north or the south attenuation pond. The eastern filter drain will drain via a piped connection to the northern attenuation pond which will have a base area of 500m². The western catchment filter drain will connect into a grass swale, 50m in length. This connecting grass swale will connect into the southern attenuation pond which will have a base area of 1000m².

The existing highway drainage should be removed or abandoned. It should then be replaced with drainage pipes in alignment with the new highway. Type A or B manholes, as detailed in Sewers for Adoption [Ref. 2] should be used, depending on

depth to invert.

An oil interceptor should also be installed prior to the highway drainage discharge into the tributary to the River Tone watercourse. Determination of the proposed interceptor should be made during detailed design, for this report it is noted that the NSBD024 produced by Klargestar would be suitable.

The foul water drainage shall consist of a 150mm diameter conduit which connects directly from the amenities to the existing combined sewer to the north-west of the site. This will require a manhole survey to be completed prior to any finalised design.

A ground water investigation will have to be conducted to allow the final design of the attenuation pond to be undertaken. This should include any seasonal variations in ground water level.

Mitigation Measures

In respect of this scheme, various mitigation measures are included to address issues that have arisen from the detailed reports on the development prepared as part of the evolution of the scheme.

Earth shaping/bunding will be utilised throughout the site to help visually screen the site from the surrounding properties and from the A358 and M5 corridors. In addition scattered trees and shrubs will be planted throughout the development to replace a number of trees that will be removed as part of the construction. This will help with visual screening of the site and the breaking up of what has the potential to be a large flat area of development.

Attenuation ponds are shown around the site to assist in flood mitigation measures and drainage provision as well as adding to the encouragement of biodiversity within the site. Marginal vegetation and open water vegetation will be planted in and around the attenuation ponds to encourage insect life as well as aid cleaning of water run off. Also wet woodland and woodland areas are included within the development site to further help with the screening of the site as well as encouraging bird and bat life within the site boundary.

Different types of grass seeding have been chosen to encourage best growth within the wetter and drier areas of the site and some grass seeding will be of a type to provide habitat/food source suitable for invertebrates as well as the encouragement of insect life.

Mitigation measures for the protection of badgers will be included. Retention of as much hedgerow as possible and the enhancement of these east and southern hedgerows where possible with native species and the use of native species will also be used for all new hedging provision will allow for potential nesting sites, encourage bat life, provide a dormouse habitat and mitigate the removal of other trees and. The provision of attenuation ponds will mitigate in favour of otter activity. The aquatic plants will be species that encourage insect life providing a food source. Bat boxes will also be provided. Infra red CCTV will be used to allow for lighting of the site to be kept to a minimum. Wood piles will be placed around the site to provide a further wildlife habitat and encourage insect life within the site

A full archaeological excavation will be commissioned prior to any construction start.

The application indicates that night/weekend working may need to be utilised to mitigate against traffic management issues during construction with two-way traffic being maintained at all peak times along the A358.

Conclusions

The proposed scheme has been through extensive public consultation through the Local Plan, TTSR and LTP2 processes as well as meetings with the local community most affected by the proposals. In reviewing technically acceptable options, this site has been considered to be the most appropriate site.

In particular the site would contribute substantially to the delivery of the objectives of the Taunton Transport Strategy Review, the Somerset Local Transport Plan and to the delivery of sustainable growth in Taunton as a "Strategically Significant Town" (LTP2) in the South West.

This scheme meets many National, Regional and Local aims and objectives for Sustainable Transport. However, the situation has been complicated by the recent Government decision to not proceed with the "Stonehenge Bypass" and associated works such as the realignment of the western section of the A358. In the light of these changes it is disappointing that this proposal cannot be said, in its current form, to have the full acceptance of the Highways Agency (who have right of Direction on such applications) and the County Highway Authority. Both these bodies are yet to comment on the scheme.

It also unfortunate that all associated highways works necessary to operate this scheme are not included within the development proposal but will need to be secured by "Grampian" conditions.

It is considered that some additional careful landscaping could be introduced to minimise the impact of the scheme from views from the highway and to reduce its impact on the setting of the closest Listing Buildings.

The Environment technical objections also need to be resolved prior to the approval of this scheme.

Notwithstanding those concerns, the proposals are in compliance with many National and Local Policies, in particular the Local Plan and the Local Transport Plan. The proposals will also assist in reducing the rate of growth in congestion in Taunton Town Centre, which will assist in improving air quality in general. In raising no fundamental objection to this project the Local Authority would recognise that this proposal would make a significant contribution to the sustainable transport proposals for Taunton which will contribute to the growth and prosperity of Taunton in particular, and Somerset's overall economic growth.

RECOMMENDATION

That Taunton Deane Borough Council supports this application subject to further detailed consideration of the following matters:

1. Clarification of the views of both the Highways Agency and the County Highway Authority regarding the acceptability of this site in highway design and traffic flow terms.
2. Imposition of appropriate of "Grampian" conditions to secure the implementation of all necessary off-site highway works and improvements including all necessary signalisation within a timescale to accord with estimated future traffic flow demands.
3. Landscaping proposal to take on board the suggestions of the landscape officer to keep accesses from the site as narrow as possible. In addition adequate replacement planting to mitigate against the loss of all highway trees and help preserve the setting of closest Listed Buildings should be achieved through the imposition of appropriate conditions.
4. Technical issued regarding Flooding should be resolved prior to approval or made the subject of appropriate conditions.

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

CONTACT OFFICER: 356454 MR M ROBERTS MON/TUE/THUR/FRI

NOTES:

38/2007/523

VENTURE PROPERTIES

ERECTION OF 8 TWO BEDROOMED HOUSES AND 1 BUNGALOW AT 4 WILTON STREET, TAUNTON AS AMENDED BY DRAWINGS NO.S 07020-01A, 02A, 03A, 04A, 05A, 06A AND 07A RECEIVED 9TH JANUARY 2008

322269/123998

FULL

PROPOSAL

The proposal as originally submitted was for 10 x two-bedroom, two-storey houses on 0.184 of a hectare. The application was subsequently amended by the omission of houses on plots 1 and 2 and a proposed bungalow on these plots.

The site is located in a backland situation to the west of Wilton Street and is served by an existing access from Wilton Street, some 3.0m wide and 45m long. This is a narrow, unmade track situated between no. 2a Wilton Street and the recently constructed 3 storey block of flats on the former Red Cross site. The main part of the site is roughly rectangular in shape and abuts the rear of properties in Wilton Close to the north west, the rear of properties in Mount Nebo to the west, no 24 Wilton Street to the south, and the rear of properties fronting Wilton Street to the east. The site is currently occupied by a disused bungalow and garage set in a large garden area, although much of the site has been cleared.

Pre-application consultation was undertaken by the applicants with both the public and the Planning Officer. A letter was sent to all the properties in the neighbouring streets enclosing a questionnaire about the development, a questionnaire regarding car free housing, and the initial drawings. 30 local residents responded and in summary the main concerns were overdevelopment, viability of a sustainable car free development, overlooking issues pertaining to the 3 storey properties, out of keeping with the character of the area, rooms and garden sizes too small, refuse collection provisions, boundary treatments and treatment of gable end of unit 10. There were also several comments in support. The Planning Officer's concerns were with the relationship between units 1, 2, 3 and 4 and the rear of properties in Wilton Close. The scheme was amended following the pre-application consultations. This will be a car free development with the 4 pairs of houses and the bungalow arranged around a turning circle provided for fire appliances and refuse lorries. The application was submitted with a Planning Statement, a Design and Access Statement which incorporates the results of the community consultation exercise undertaken in September and a Parking Survey of the area, and an Ecological Survey.

Bins and Cycles - Wheelie bins will be in the rear garden of each property and individual owners will be responsible for moving the bin adjacent to the turning circle on collection days. Each property will be provided with a small shed for cycles.

Access to the site will be restricted to emergency vehicles, refuse lorries and delivery/removal vehicles. Non-permitted vehicles will be excluded by a collapsible, lockable bollard located in the driveway. A vehicle track analysis has been carried out to ensure that the access, driveway and turning circle are satisfactory. It is intended that although the access road will not be adopted, it will be constructed to adoptable standards.

Materials - will be mostly red brick and render, with clay tiled roofs.

CONSULTATIONS AND REPRESENTATIONS

LANDSCAPE OFFICER - There are no trees on the site although the site survey appears to show fruit trees which may have had wildlife value. Given that the access road is very prominent with little scope for planting it is important that rear gardens are landscaped with larger growing trees where appropriate.

NATURE CONSERVATION OFFICER - Although the ecological survey did not find any signs of badgers, bats or reptiles using the site there is always the possibility that protected species may be detected at a later date. Suggests conditions and Notes to Applicant re. Wildlife.

LEISURE DEVELOPMENT TEAM - In accordance with Policy C4 provision for play and active recreation must be made. A contribution of £1,023.00 for each dwelling should be made towards the provision of facilities for active outdoor recreation and a contribution of £1,785.00 for each 2 bed plus dwelling should be made towards children's play provision. The contributions should be index linked and would be spent in locations accessible to the occupants of the dwellings.

DRAINAGE OFFICER - Note that surface water is to discharge to rainwater butts. These should have an overflow connecting to a soakaway constructed in accordance with Building Research Digest 365 and conditioned.

WESSEX WATER - Foul sewerage available. No existing public/separate surface water sewers in the vicinity. Developer should investigate alternative methods. Water mains are in the area.

PARKING AND CIVIL CONTINGENCIES MANAGER - The development site lies completely within the E09 Residents' Parking Zone. The Council's present parking policies do not extend to excluding any new development within a Zone, other than the Town Centre Zone, from the residents' parking provision. All ten new properties would be entitled to the current maximum provision of 2 Residents' and 2 Visitors' Permits. If the development proceeds as planned all residents' vehicles and those belonging to anything other than very short term visitors will be required to park on the public highway either within the existing areas designated for residents' use or in such unrestricted areas as may be found. This will increase the pressure on the existing arrangements.

In this context the proposed development is, in itself "car free". However, neither the developer nor the Council can prevent residents actually owning and using cars. The proposed Management Board will have to closely monitor the presence of

vehicles in order to preserve the intended “car free” environment. I presume the bollard control will be operated by individual residents in response to casual visitors, including deliveries.

COUNTY HIGHWAY OFFICER - No objection to the principle of residential development in this location. In detail, there are 2 issues: (1) the fact that the development is, in essence, car free, only having a private delivery and refuse collection access road, and (2) the affect that the lack of car parking will have on the surrounding streets.

In terms of the principle of car-free development, it is clear that the location is reasonably close to the town centre, and similar developments in other parts of Taunton with similar locations in terms of proximity to the town centre have been approved as car-free development. It is my view that, from a transport point of view, it will be difficult to sustain a recommendation of refusal on insufficient car parking within the site.

In terms of the affect on the parking on the local streets, the area is covered by residents' parking. I appreciate that parking is at a premium but I do not believe that this development will exacerbate the problem to such an extent that highway safety hazards are created.

It is clear that the development access will not be an adopted highway. If it is not to be adopted as public highway, it must be designed to adoptable standards. The applicant must be aware that it is likely that the internal layout of the site will result in the laying out of a private street and, as such, under Section 219-225 of the Highways Act 1980, will be subject to the advanced payments code (APC). This will require private drainage systems, together with a private power source for lighting.

WARD MEMBER - 1. This application seeks to meet many of the objectives of the Regional Strategy and Local Plan with regard to affordable homes, car parking and density. The applicant clearly also has had regard to the valid observations of the local residents.

By concentrating on the availability of parking locally however, the applicant appears to have accepted that this will not be a car free development merely a “parking free” development. The applicant seems to assume that Resident Parking permits will be available to new residents. This should be verified with TDBC parking manager, as I understand parking permits already exceed the number of available spaces and issuing more defeats the objectives of a car free environment. Alternative parking facilities on and off road are some distance walk away and where on street parking exists it is unlikely to be retained as the Highways Authority intend to implement restrictions after the opening of the East Taunton P & R. Problems of parking on street already exist in the area and exacerbation should be avoided. Some amount of parking, perhaps 4 communal spaces is necessary, if only for the inevitable use of visitors and trades people. Density - at a density of 55 dwellings to the hectare the proposal is at the upper limit of the RSS recommendations but is out of keeping with the nature of existing dwellings. This density has consequences for the impact and overlooking on neighbouring properties and is of considerable concern to adjacent residents. Believe a development of eight semi-detached houses would allow many

of these difficulties to be avoided. Welcome a development at this site but suggest a reduction in density is appropriate.

WARD MEMBER 2 - Associate very much with the other Ward Member. His expression of a "parking free" development exposes its essential weakness. There just has to be at least four car parking spaces on the site, which would cut out two houses reducing it to eight.

WILTON AND SHERFORD COMMUNITY ASSOCIATION - Car free development is unrealistic in an already over subscribed area of residential and commuter parking. There will undoubtedly be cars owned by new residents, which will be forced onto already oversubscribed and full streets. The site is small with a very narrow access which will cause difficulty for emergency vehicles trying to access the site. All vehicles will be traversing a public footpath and pavement causing concern to existing residents. This is overdevelopment of a very small backland site, endeavouring to put as many units as possible on site by omitting any parking for residents, visitors etc. Whilst we appreciate the Deane's policy of sustainable car free development within Taunton Town Centre, this would be seen more applicable to blocks of 2 bedroom flats with central location addressing demographic social requirements.

20 LETTERS OF OBJECTION relate to the following points:

1. Layout - The principle of developing this site to produce more accommodation is entirely acceptable, but applicants have gone beyond what is reasonable, by seeking to place 10 small houses on an area, which would comfortably take 5 or 6. This would reduce the density to a scale more in keeping with the neighbourhood and allow for car parking. One objector considers that 2 or 3 houses on the site would be acceptable.
2. Car Free Zone - this indicates a further strain on the already congested Wilton Street and parking area EO9, to accommodate a further possible 10-20 residents cars. Car ownership is continuing to grow and if no parking is provided cars will be parked across the pavements and verges. This would be likely to bring disputes between neighbours, and bring down the whole appearance and atmosphere of the cul-de-sac. How effectively can a car free area be enforced? Bollards can be removed.
3. Lack of parking provision will adversely affect workmen and visitors to the site.
4. Access - the access road to the site is very long, narrow and with a severe bend. Appears inadequate for emergency and maintenance vehicles etc. for 10 dwellings.
5. Need for cycle park available for residents? Also a refuse bin park as there is no garaging?
6. Density is too high and there are overlooking issues with plot 10 being built too close to neighbouring boundaries. No 10 will be across the whole width of the back garden and means that no light, sun or outlook which will have a devastating effect on house and property.
7. Boundary treatment with Wilton Street not identified.
8. Error on the plans misrepresents the overlooking problem and implies that existing trees will reduce any overlooking.

9. Site was cleared prior to an ecological survey being carried out. Developer has not stated plans for the remaining boundary hedges or their replacement.

POLICY CONTEXT

Somerset and Exmoor National Park Joint Structure Plan Review - Policies STR2 (Towns), STR4 (Re-use of urban land), 49(Transport requirements).

Taunton Deane Local Plan - Policies M4 (Parking), S1 (General Requirements) and S2 (Design).

ASSESSMENT

The site is located in an area of no notation on the Taunton Central Area Inset Map, and is just outside the defined Central Area. (The boundary of the Central Area runs down Wilton Street some 40 metres to the east).

The site is currently occupied by a disused bungalow, and residential development in principle, is acceptable. The main issues which are of concern to local people are as follows:

Car Free Development - Whilst not being within the boundary which identifies the Town Centre, the site is very close to it and Policy M4 of the Taunton Deane Local Plan encourages car-free residential developments in appropriate locations such as within or adjoining town centres. The County Highway Officer has confirmed that it would be difficult to sustain a refusal reason on this basis.

Parking on Adjacent Streets - Whilst there are no proposals to incorporate parking provision within the site this does not mean that residents will not own cars, and the proposal could result in a demand for parking on streets in the area. The Highway Officer does not believe that this would exacerbate the problem to such an extent that safety hazards are created and the Parking and Civil Contingencies Manager has confirmed that future residents would be entitled to apply for residents and visitors parking permits. The development incorporates provision for cycle parking which is in accordance with Policy M4 of the Taunton Deane Local Plan.

Density - Some of the objectors are concerned that the proposal is overdevelopment and the density is too high. The density is 54 dwellings/hectare and whilst the density is clearly higher than the older development which abuts the site, there are more recent blocks of flats close to the site, planning policies at national and local level encourage higher densities, and the visual impact of the development on the area will be low as the site cannot be seen from the roads. When the public consultation on the proposals first began, the scheme was for 11 dwellings. This has now been reduced to 9.

Relationships with existing dwellings/overlooking - The layout is tight with minimal amenity spaces around the dwellings. However, the dwellings have been designed so that there is no overlooking in close proximity between properties on the site and those around. On the original submission, plot 2 had a first floor bedroom window which overlooked the rear garden of 11, Wilton Close. However, the pair of houses

on Plots 1 and 2 have been replaced with a bungalow, which will not overlook or dominate. This has also enabled the amenity areas for plots 3 and 4 to be increased slightly. Plots 3 - 10 will not overlook existing dwellings to the rear as there is a 4 metres high wall along the western boundary of the site and a high conifer hedge along the southern boundary (the hedge is owned by the adjacent house). Whilst front windows of plots 3 -6 will face towards the rear gardens of dwellings which front Wilton Street, this will be at a distance of some 20 metres. Plot 10 is close to the boundary at the rear of dwellings fronting Wilton Street, but will only have a bathroom window in the side elevation, and this can be obscure glazed. Building to building distance will be some 20 metres, which is considered to be acceptable, and the top half of the side wall will be in light render in response to the public consultation exercise, where the agent states that the adjacent residents specifically requested a "light" wall.

Conclusion - In principle, residential development on this site is acceptable. In detail, a car parking free development is acceptable in this location close to the town centre and residents will be eligible for street parking permits. Provision for cycle parking will be made on site. High density development in appropriate locations is encouraged by national and local policies and no unacceptable overlooking/loss of privacy will occur from the proposal. A contribution to the provision of play and recreation areas and protection of wildlife can be required by condition.

RECOMMENDATION

Subject to there being no new issues raised as a result of the publicity given to the 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 limits, estate road details, MWA ecological survey, protection for nesting birds , surface water drainage, soakaway, materials, floor levels and finished heights, landscaping, extensions dwellings, ancillary buildings, no further windows, window at first floor level, adequate play and recreation contributions, lockable bollard, cycle and bin storage. Notes for Section 184 Permit, nesting birds, bats, badgers, wildlife legislation, Wessex Water, Chronically Sick and Disabled Person Act 1970, energy conservation, meter boxes, secure by design.

REASON(S) FOR RECOMMENDATION:-

It is considered that the proposal represents sustainable development which will not give rise to any unacceptable visual or neighbour impact, and it is in accordance with Policies S1, S2 and M4 of the Taunton Deane Local Plan.

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

CONTACT OFFICER: 356454 MRS H PULSFORD (MON/TUE/WED)

NOTES:

38/2007/526LB

SOMERSET COUNTY COUNCIL

REFURBISHMENT, ALTERATIONS, REPAIR AND EXTENSIONS TO THE COUNTY MUSEUM, TAUNTON CASTLE, CASTLE GREEN, TAUNTON

322588/124629

LISTED BUILDING CONSENT-WORKS

PROPOSAL

The proposal involves a number of works internally and externally. The external work is to erect single storey extensions to provide a welcome building (with new access to Jubilee Gardens), improved circulation space through east and west passages, together with new toilets and café seating area, improving facilities for the museum. In addition, a plant screen for the roof is provided as is the relocation of the almshouse and alterations to relocate gate piers. The internal works largely relate to the provision of a new gallery inserted into the Great Hall to improve exhibition space, as well as a new stair and lift and alterations and changes to reflect the extensions proposed.

The application is one made by the County Council and has to be reported to the Secretary of State prior to determination. A separate planning application is required for the external works and is to be determined by the County Council while an application for Ancient Monument consent is also required. A wider scheme for major improvements to the setting of the Castle is likely to be submitted in due course.

CONSULTATIONS AND REPRESENTATIONS

CONSERVATION OFFICER - I fully concur with the views of English Heritage. The County Council have been advised that bat mitigation measures need to be addressed by amended plans or a fresh listed building application if applicable. As advised, certain concerns noted by English Heritage should be capable of control via conditions. I therefore support the proposals subject to the views of the Secretary of State and suggested conditions.

ENGLISH HERITAGE - Generally we are in support of the refurbishment of the museum if it secures necessary conservation works to the historic buildings and an improved design for the gallery within the Great Hall. The impact of the alterations on the historic fabric of the Castle is not harmful and the new additions are sympathetic in form whilst clearly contemporary in design. The redesign of the gallery within the Great Hall represents part of a continual process of evolution of its interior and will allow its historic form to still be legible, albeit in a more contemporary context than is currently the case. However, the issue we have already raised regarding the displacement of two architectural exhibits within it; - the late medieval fireplace and the grand eighteenth century staircase; and the need to find a meaningful home for them - does not seem to have been progressed since our pre-application discussions. Whilst not originating in the Castle, these features do have

historic significance and are part of the cultural assets of the building, which were presumably donated to it on the understanding that they would both be preserved and displayed to the public. It is somewhat risky, we feel, for consent for their removal to be granted with no, or little, idea of their ultimate fate. If the museum is unable at this stage to offer definitive locations for these features then conditions need to be built into any consent ensuring that the solution is built into the development process and the features do not simply disappear into storage. Equally, a condition may be needed to approve at least a method statement for the relocation of the timber-framed almshouse. Whilst the supporting statement asserts that its relocation “provides the opportunity to address its fragmentary character and loss of context”, it does not explain exactly how it does so. Will there for example be additional interpretation of the history of the almshouse? Since the almshouse is a somewhat unusual feature within the castle courtyard, improved interpretation is certainly desirable. One alteration of a retrograde nature is the location of obtrusive plant equipment on the flat roof of the Wyndham Gallery building. Whilst this may be one of the least historically sensitive of the buildings on the site, locating the plant on top of it gives an unfortunate prominence which detracts somewhat from the adjoining historic buildings. Some form of mitigation of the visual impact would be highly desirable. We understand mitigation of possible impact of bat roosts may be a requirement of English Nature and this could impose additional impacts on the listed buildings. Until we know what these are, we are unable to comment in more detail but we assume that we will be consulted further should any such works prove necessary which affect the fabric of the listed buildings.

The supporting information refers to conservation benefits that this scheme will bring to the listed buildings and improved interpretation of them without detailing any such works. Since that is part of the justification for the overall project it would be helpful if those works were described in more detail and we would suggest a detailed schedule of works to the listed buildings is required for approval as a condition of any consent should it be granted. The archaeological impact of the proposal on the scheduled ancient monument is being addressed by our Inspector of Ancient Monuments, who is writing separately on the issue to Somerset County Council. In relation to the listed building, we are aware that the full extent of the works may involve uncovering/disturbing historic fabric, which is not currently visible and may need to be recorded. We suggest a programme of archaeological supervision/recording, similar to that which will be required in relation to buried archaeology, should be required in respect of the historic buildings, according to a programme of works approved by the County Archaeologist.

POLICY CONTEXT

PPS1 (Delivering Sustainable Development) and PPG15 (Planning and the Historic Environment).

Somerset & Exmoor National Park Joint Structure Plan Review Policies STR1 (Sustainable Development), STR4 (Development in Towns), POLICY 8 (Outstanding Heritage Settlements), POLICY 9 (The Built Historic Environment), POLICY12 (Nationally Important Archaeological Remains).

Taunton Deane Local Plan Policies S1, (General Requirements), S2 (Design), EN14 (Conservation Areas), EN21 (Nationally Important Archaeological Remains).

ASSESSMENT

The proposed scheme involves a numbers of changes to the existing fabric of the building to improve the facilities and internal layout to the benefit of the future of the museums service. The main works involve the demolition of two flat roof projections on the main front elevation within the Inner Ward and replacement with a modern flat roof links together with a new link building serving as a welcome building. This new area will allow better circulation space together with a new café seating area and toilets as well as an improved entranceway into the museum. The design of the new extensions are considered to be in appropriate materials and to be of an appropriate modern design not to detract from the character and setting of the listed museum buildings. English Heritage supports this view. The moving of the existing almshouse within the Inner Ward and gate pier alterations are not considered to adversely affect the character of the conservation area or the listed building and these works are also considered acceptable.

Internally the main change relates to the Great Hall with removal of the existing gallery and staircase as well as a fireplace exhibit. A new gallery, staircase and lift are proposed and the changes are considered to respect the character of the building and to be acceptable. Conditions are considered necessary to ensure that the fireplace and staircase exhibits are retained for display and the provision of a method statement concerning the almshouse relocation. A condition requiring a detail schedule of works is also considered appropriate.

The works involve internal alterations and removal of a number of trees from the Jubilee Gardens. These works have been considered under the planning application and the Landscape Officer has raised no objection. This has also been considered from an ecological perspective and specifically with regard to any bat impact. It is not considered bat mitigation that would affect the character of the listed building is likely to be required. If this were to be the case a separate listed building application for any mitigation would be necessary.

English Heritage has raised concern over the relocation of the plant to the roof of the Wyndham Gallery building because of its potential prominence. Existing plant is sited on the flat roof of the link building adjacent to the Wyndham Gallery and is considered prominent from the Inner Ward of the Castle as well as from the gardens to the north as it is unscreened. An alternative to the screening proposed is the raising of a parapet wall around the building. However, this would need to be over 1m high to screen long distance views and the impact of this on the building is not considered appropriate. While this building has been altered in the past, the raising of a parapet wall would over-emphasize the existing blank upper storey. The screening of air conditioning plant on the roof of the building as proposed with a 1.5m zinc panelled screen is considered appropriate. The view from the Inner Ward is limited and the long distance views of the centrally sited and screened plant from the north is considered acceptable in terms of the impact on the character of the listed building.

A further application in terms of the landscape setting of the Castle is expected in the near future.

RECOMMENDATION

Subject to the views of the Secretary of State consent is recommended subject to conditions of time limit, materials, sample panel of stonework, detail of zinc cladding, details of relocation/re-use of the almshouse, stone gate piers, staircase and fireplace, method statement for almshouse relocation, schedule of repairs, details of roof glazing, windows/doors, architraves, staircases, café screen, lifts, ventilation, fixing of gallery and fire screen and programme of archaeological supervision.

REASON(S) FOR RECOMMENDATION:

The development is considered to preserve the character and fabric of the listed building and to comply with advice in PPG15 and Taunton Deane Local Plan policies S1, S2 and EN21 and material considerations do not indicate otherwise.

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

CONTACT OFFICER: 356398 MR G CLIFFORD

NOTES:

38/2007/613

CHARLES CHURCH WESTERN

ALTERATION TO BIN STORAGE AREAS WITH DELETION OF ONE AND EXTENSION TO ANOTHER AT WOODARDS, FORMER CONVENT SITE, SOUTH ROAD, TAUNTON.

323149/124101

FULL

PROPOSAL

The proposal is to extend an existing bin store from 4.7m x 5m to 4.7m x 8m. This is required in place of a bin store area that has had approval elsewhere on the site but which there have been neighbour objections to. The bin store to be deleted lies approximately 5m from the listed building on the site and 8m from the front of a row of terraced dwellings. The bin store to be extended is a brick structure with landscaping on either side and is located 7m across the road from a new end of terrace property with windows facing it.

CONSULTATIONS AND REPRESENTATIONS

HIGHWAY AUTHORITY - No observations

BUILDING CONTROL - proposals as previously agreed with Building Control.

CONSERVATION OFFICER - No objection.

7 LETTERS OF SUPPORT as proposal would replace "orchard" bin store that would be a visual eyesore, affect amenity and create a nuisance and the proposed extension is in a satisfactory location, well screened and would not cause such problems.

9 LETTERS OF OBJECTION on the basis that the extended bin store would create an eyesore at the entrance to a landscape garden, spoiling the curve of walling and an avenue of trees to be planted. It will add to pedestrian traffic and noise and disturbance and would add to rat and smell problem, would be better sited in car park, a specialised store area for bulkier items at entrance would be better.

POLICY CONTEXT

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

ASSESSMENT

The proposal is to extend an existing bin storage area, which is a brick walled enclosure to enable adequate bin storage on this residential site. The enclosures are to serve the residential properties without adequate private amenity space on this development which consists of a number of flats within the listed building and a number of terraced houses with communal amenity space that were granted

permission to part fund the improvements and conversion of the listed building. The new area of storage involves a 3m projection to the rear of an existing store.

The new store is proposed in lieu of one previously granted permission but has not been constructed due to objections from the neighbours, as it was directly in front of their properties 7-8m away and only 7m from the listed building. The extension of the existing store is not considered to have any adverse visual impact or amenity impact on neighbours given the existing structure. The proposal is not considered to have an adverse amenity impact on the street scene and the landscaped garden area is not considered to be materially affected. A landscaping condition to ensure a softening of the rear brick elevation is considered beneficial. The use of the store will potentially be increased by its extension and the nearest property facing the site is 7m across the road. However the increase in pedestrian traffic to use this site is not considered so severe to warrant an objection in terms of the amenity impact on neighbours. There is no objection from the Conservation Officer and the Building Control Officer considers the additional space necessary and acceptable.

RECOMMENDATION

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

REASON(S) FOR RECOMMENDATION:-

The proposal is not considered to adversely affect the amenity of the area and not to be contrary to Taunton Deane Local Plan policies S1 and S2 and material considerations do not indicate otherwise.

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

CONTACT OFFICER: 356398 MR G CLIFFORD

NOTES:

Planning Committee – 23 January, 2008

Report of the Development Manager

Enforcement Item

Parish: WELLINGTON

- 1. File/Complaint Number** E162/43/2007
- 2. Location of Site** 15 Oakfield Park, Wellington, TA21 8EX
- 3. Names of Owners** Mr R L Baker
- 4. Name of Occupiers** Mr R L Baker

5. Nature of Contravention

Roofing business conducted from domestic dwelling.

6. Planning History

A complaint was received in June 2007 regarding the carrying out of a business from the dwelling. Large vehicles have been seen delivering materials to the premises and the materials are being stored within the domestic curtilage. Mr Baker was contacted and was served a planning contravention notice, which requested information regarding the alleged use. The form was returned stating that only small quantities of materials are stored at the house and only his works vehicle and one other is kept on the driveway. He has 4 employees who occasionally park their vehicles at the property prior to going to sites. Mr Baker also stated that he was intending to apply for a two-storey extension at the property and was having deliveries made in connection with that project which may have been the cause for concern. It was agreed that Mr Baker would reduce the scale of the activity of the business thereby overcoming the need for a planning application to be made. However over the last 2–3 months the business activity appears to have increased with deliveries and more materials being stored together with an increase in the number of vehicles visiting the property.

7. Reasons for Taking Action

It is considered that the business has grown to such a level that it is now affecting the amenities of the neighbouring properties. It is also causing disturbance to neighbours with deliveries and employees visiting the property. In view of this it is contrary to Policy EC4 of the Taunton Deane Local Plan.

8. Recommendation

The Solicitor to the Council be authorised to serve an enforcement notice and take prosecution action subject to satisfactory evidence being obtained that the notice has not been complied with.

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

CONTACT OFFICER: Mr J A W Hardy 01823 356479

TAUNTON DEANE BOROUGH COUNCIL

PLANNING COMMITTEE – 23 January 2008

1. The following appeals have been lodged:-

Applicant	Date Application Considered	Proposal
John Miller		Enforcement appeal – Unauthorised works to barn, creation of access and track and residential occupation of mobile home on land at Theats Farm, Creech Heathfield.
Ian Wright (14/2007/027)	DD	Demolition of bungalow and erection of two one and a half storey dwellings at Rosewood, North End, Creech St. Michael
Redrow Homes (West Country) (48/2005/072) and Persimmon Homes (South West Ltd) (48/2007/006)	22/11/07 22/11/07	Appeals against non-determination of applications – Proposed mixed use urban extension development comprising residential employment, local centre, new primary school, A38 relief road, green spaces and playing fields at Monkton Heathfield.
Barratt and Canniford Ltd (38/2007/314)	DD	Erection of three storey building comprising eight flats at land to the rear of 81-85 Station Road, Taunton
R.G. Biggs (46/2007/009)	DD	Conversion of double garage and playroom to self-contained granny annex including construction of dormer windows and roof extension at The Wynck, West Buckland
Mr and Mrs S. Parnell (49/2007/005)	DD	Conversion of Unit 5 to form dwelling, together with erection of conservatory and free standing garage at Fleed Farm, Wiveliscombe
Mr Hugh Davey (45/2007/015)	DD	Change of use of annexe to separate dwelling at Mayfield House, West Bagborough

2. The following appeal decisions have been received: -

(a) Erection of a single storey dwelling on land to the west of All Winds, Fons George, Taunton (38/2006/324)

The Inspector considered that the main issue was the effect of the proposal on the character and appearance of the Fons George Conservation Area.

Although, within a Conservation Area, much of the visual context of the site was formed by existing bungalows within the vicinity, which were characterised by low pitched gable roofs.

The dominant building in the area was St George's Church and whilst any building with a pitched roof would be visible, the extent to which it would impinge on the setting of the church and the wider area, would depend on its detailed design. The illustrative scheme showed that a modest bungalow could be constructed to minimise the effect on the view from St. Georges Way with the church remaining the most significant feature. From the churchyard, one additional roof would not have a significant impact.

The Inspector acknowledged the neighbour's concern about possible noise, disturbance and other difficulties which might arise from the use of the existing double garage which formed part of the common boundary, but considered that certain conditions would alleviate these problems.

The appeal was allowed, subject to conditions.

(b) Erection of a 1.8m fence at 70 Mead Way, Monkton Heathfield (48/2007/025)

The appeal property was situated in a cul de sac of semi-rural residential character towards the edge of a settlement. The Inspector found a mix of boundary treatments, including low brick walls, chain-link fencing and some timber fencing, generally just over 1m high.

The proposed fence would be 1.83 m high and constructed of feather-edged vertical boarding panels set between wooden posts. The Inspector considered that the proposed fence would appear incongruous, set amidst the softer organic planting of the boundary. This would be detrimental to the semi-rural character of this area and he therefore found the proposed development contrary to the Local Authority's plans.

The Inspector noted the appellants concerns regarding littering and unauthorised entry to the property, but did not view these concerns as a basis for allowing the appeal.

The appeal was dismissed.

(c) Erection of a two storey dwelling with garage following demolition of double garage at 10b Newlands Crescent, Ruishton (31/2006/028)

Although the density of the development was relatively high, the Inspector considered that the estate generally had an open character due to the space around the detached dwellings and the gaps created between the semi-detached dwellings by single storey garages.

The proposal would introduce a detached chalet type dwelling between the rear elevation of the host property and the side elevation of the adjoining house. Although planning policy accepted higher densities, this should not be at the expense of good design. The proposal would occupy the full width of its plot, unlike the neighbouring properties and would be only 2.5 metres from the rear elevation of the host property.

The Inspector considered that the proposed dwelling would appear cramped and out of character with the street scene.

The proposed dwelling would have a main ridge height of approximately 6.4 metres and although it would not be sited immediately in front of the rear ground floor windows of the existing house, it would lead to it appearing unacceptably intrusive when viewed from these windows. Moreover a blank brick gable was to be introduced in front of a large window in the side elevation of the adjoining property which would affect its outlook.

The Inspector concluded that the proposal would be detrimental to the living conditions of the occupiers of adjoining properties in terms of loss of outlook.

The appeal was dismissed.

(d) Removal of seven existing upvc double glazed windows and their replacement with hardwood double glazed windows at 108 South Street, Taunton (38/2006/517/LB)

The appeal property was one of a group of early/mid 19th century terraced cottages listed at Grade II. The facades were characterised by brickwork with sash windows. The Inspector noted that many windows appeared original, but others had been modified.

The appeal property had upvc double glazed replacements, which the Inspector understood had been unauthorised. However, although enforcement action had been approved in 1994, it was subsequently resolved not to take further action. In 2000 it was advised that when properties changed hands or windows required replacing, single-glazed timber multi-pane vertical sliding sashes would be supported/expected.

The Inspector felt that the façade was the most important feature of the listed building and the windows were an important aspect of this. He accepted the merits of single glazed windows, but considered the existing upvc windows were abhorrent to the special architectural and historical interest of the listed cottage. Since the original windows had long been removed, he considered the proposals would be far more appropriate and would not harm the listed building.

The appeal was allowed, subject to conditions.

(e) Erection of a two storey extension at 39 Shakespeare Avenue, Taunton (38/2007/157)

The two main issues were the effect upon the street scene and the effect upon the living conditions of neighbouring residents, especially the occupants of 44 Milton Road.

Although, the proposed two storey extension would be set down from the existing roof ridge and set back from the existing wall that faced Shakespeare Avenue, it would both enlarge the house and extend the overall length of the building significantly.

From Shakespeare Avenue, the elongated building, by virtue of its mass and design, including a new entrance doorway facing the street, would appear unduly large and would look like an additional dwelling.

This proposal would radically alter the appearance of this pair of semi-detached houses, resulting in the buildings looking like a terrace of houses. In the Inspector's view, the proposal would comprise a prominent and discordant addition to the street scene.

At present, only one first floor window in the appeal premises overlooked the neighbouring property. The proposal however, included adapting the bathroom with its frosted glass window to a bedroom, with the addition of a further window. The Inspector considered that there would be an unacceptable increase in overlooking and a harmful loss of privacy for the neighbouring occupants.

The appellant had suggested omitting the additional facing window. However, its removal would result in a largely unbroken mass of wall, which would be overbearing to the neighbours and would harmfully erode their outlook. The Inspector also felt that the use of frosted glass in the new window would be unsuitable for a habitable room.

The appeal was dismissed.

(f) Change of use of kennel block to residential accommodation at Whitefield Kennels, Higher Whitefield, Wiveliscombe (49/2006/061)

At her site inspection the Inspector found the building to be of no merit architecturally. It was utterly utilitarian, being of concrete block laid inside a rusted, thin metal frame with a thin slate roof.

The Government's policy was to support the re-use of appropriately located and suitable constructed buildings in the countryside, where this would meet sustainable development objectives. The Inspector took the view that this building was located in open countryside where travel to and from it would necessitate the use of a car and it had no architectural merit.

She took the view that the conversion would amount to a rebuilding or replacement of the appeal structure with a new dwelling. The result would be substantial new work. As so little could be re-used from the existing building, she did not consider this could be described as the re-use of a rural building as the national and local policy intended.

The appeal was dismissed.

(g) Erection of a dwelling on land to the rear of 31 Blackmoor Road, Wellington (43/2006/053)

The condition in dispute was No. 01, which stated that the window(s) in the ground floor side (north) elevation should be glazed with obscure glass and thereafter retained.

The appeal site comprised a new detached dwelling which had been built adjacent to the boundary of No.19 Pyles Thorne Road. There were four ground floor windows on the side (north elevation). Two of these were bay windows, which caused no harmful overlooking of neighbouring properties.

The other windows comprised two small windows from which part of the conservatory attached to No. 19 could be seen. However, views were limited by the narrowness of these windows and the close proximity of an intervening tall boundary fence.

The Inspector considered that those using these rooms would not be inclined to stand and gaze toward the neighbouring conservatory and even if they did so, the degree of overlooking would not justify inserting obscured glass. He also noted that blinds in the conservatory further assisted in maintaining privacy.

The Inspector concluded that Condition No.01 was not necessary for maintaining the privacy/amenity of the occupiers of No.19

The appeal was allowed.

(h) Installation of a telecommunications base station incorporating a 15 m high slimline monopole incorporating 3 No. antennas with equipment cabinets adjacent to the monopole at ground level on land adjacent to The Kings Centre, Blackdown Trading Estate, Scotts Lane, Wellington (43/2007/017TEN)

The main issue was the effect on the character and appearance of the street scene and whether any harm was outweighed by the need and a lack of less harmful alternative sites.

The mast would be sited in the heart of the small Blackdown Business Park. The whole mast with the cabinets at its base would be visible within the immediate vicinity and from some nearby houses, on higher ground to the south east. It would also be a prominent feature of the street scene, significantly higher than the trees on the verges, which were less than half its height, and the street light columns.

However, the large scale and fairly simple utilitarian appearance of the older trading estate buildings in the vicinity provided a setting far more appropriate to the scale and appearance of the mast than the surrounding residential areas. The slimline design with a shroud surrounding the antennas would also help to reduce its impact on the street scene. The upper mast would be seen from houses in the wider surrounding area, but again in the context of commercial buildings.

Although strong concerns about the possible health risks arising from the development had been expressed by local residents, the application was accompanied by an ICNIRP Certificate indicating that the proposed equipment would be in full compliance with the limitation of exposure to electro magnetic fields.

The proposed monopole would be seen from residential properties around the edge of the estate, but it would not be so dominant as to be a constant reminder of its presence.

The Inspector concluded that the mast would result in some harm to the character and appearance of the street scene, but this would not be excessive and was outweighed by the need for the facility and the lack of any satisfactory alternative.

The appeal was allowed.

(i) Appeal against Enforcement Notice - the erection of a 15 metre high telecommunications mast not in accordance with details submitted for a slim line monopole at Shoreditch Road, Taunton.

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

The appeal succeeded in part and the enforcement notice was upheld as corrected and varied in the terms set out in the Formal Decision. No award of costs was made.

Planning Committee – 23 January 2007

Report of the Development Manager

Enforcement Item

Parish: THORNFALCON

- 1. File/Complaint Number** E8/40/2008
- 2. Location of Site** Adjacent to A358, Opposite Little Ashe
- 3. Names of Owners** Midas Homes, Alternative Advertising Ltd
- 4. Name of Occupiers**

5. Nature of Contravention

Large sign adjacent to A358 advertising Midas Homes new development in Curry Rivel

6. Planning History

The sign was noticed on Monday 14 January 2008. The sign measures approx. 3.0m x 3.0m advertising New Homes in Curry Rivel for Midas Homes. Contact was made with Ms Louise Frost of Midas Homes informing her that Advertisement Consent was required for the sign but was unlikely to be granted and therefore the sign should be removed. Ms Frost said that she would arrange for the sign to be removed within the next two days. On Tuesday 15 January Tony White Associates rang to say they had submitted an application in respect of the sign however the application was not received until 16 January and is currently awaiting registration. To date the sign is still displayed.

7. Reasons for Taking Action

The sign is in a very prominent position adjacent to the A358. The adjacent road is a dual carriageway and carries a considerable amount of traffic. It is considered that the sign is likely to detract driver's attention from the road ahead and the movement of other vehicles and its presence is therefore potentially dangerous to road safety. The sign represents an unnecessary commercial intrusion into open countryside and results in demonstrable harm to the visual appearance of the area and therefore contrary to Policy EC26 of the Taunton Deane Local Plan

8. Recommendation

The Solicitor to the Council be authorised to commence prosecution action to secure the removal of the sign

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 01823 356479