



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 13TH FEBRUARY 2008 AT 17:00.

AGENDA

1. Apologies.
2. Minutes of the meeting of the Committee held on 23 January 2008 (attached).
3. Public Question Time.
4. Declaration of Interests. To receive declarations of personal or prejudicial interests, in accordance with the Code of Conduct.
5. BISHOPS HULL - 05/2007/064
ERECTION OF CONSERVATORY AT REAR OF 91 GILLARDS,
BISHOPS HULL, TAUNTON
6. BISHOPS LYDEARD - 06/2007/064
USE OF LAND TO SITE 3 NO MOBILE HOMES AND PROVISION
OF SEPTIC TANK FOR ONE GYPSY FAMILY (RETROSPECTIVE)
AT SUNNY DENE, DENE ROAD, COTFORD ST LUKE, BISHOPS
LYDEARD AS AMENDED BY LETTER RECEIVED 7 DECEMBER
2007.
7. BRADFORD ON TONE - 07/2007/023
CHANGE OF USE, CONVERSION AND EXTENSION OF BUILDING
TO B1 USE AT BUILDING AT HEATHERTON PARK FARM,
BRADFORD ON TONE (REVISED SCHEME)
8. TAUNTON - 38/2007/573LB
CONVERSION OF LISTED BUILDING TO PROVIDE A THREE
BEDROOM HOUSE AND REMOVAL OF ALL OTHER BUILDINGS
ON SITE AT THE COTTAGE INN, 117 KINGSTON ROAD,
TAUNTON
9. TAUNTON - 38/2007/574
CONVERSION OF LISTED BUILDING TO PROVIDE A THREE
BEDROOM HOUSE AND ERECTION OF TWELVE DWELLINGS
AND PROVISION OF NEW ACCESS (AS REVISED BY DWG. NO.
5840/14A & 17 RECEIVED WITH LETTER DATED 8TH JANUARY
2008) AT THE COTTAGE INN, 117 KINGSTON ROAD, TAUNTON
10. WIVELISCOMBE - 49/2007/076

REDEVELOPMENT OF SHOP AND STORAGE/GARAGE TO FORM DWELLING WITH REPLACEMENT OF SHOPFRONT AT 24 SILVER STREET, WIVELISCOMBE AS AMENDED BY AGENTS LETTER RECEIVED 16TH JANUARY 2008 AND ACCOMPANYING BLOCK PLAN AND ALSO AS AMENDED BY...

- | | | |
|-----|--|--------------------|
| 11. | Taunton - 38/2007/537
Erection of first floor extension above garage, 10 Clifford Crescent, Taunton. | Miscellaneous item |
| 12. | E247/38/2007 - Unauthorised fence around building to the east of Fairwater at Taunton School, Staplegrove Road, Taunton. | Enforcement item |
| 13. | E17/38/2008 - Large advertisement on gable wall of Kilkenny House, Cheddon Road, Taunton. | Enforcement item |
| 14. | E263/49/2007 - High wall built adjacent to lane at Bavino, South Street, Wiveliscombe. | Enforcement item |

G P DYKE
Democratic Services Manager
05 February 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 – 23 January 2008

Present:- Councillor Mrs Hill (Chairman)
Councillor Mrs Allgrove (Vice-Chairman)
Councillors Bishop, Bowrah, Denington, Floyd, C Hill, House,
Miss James, McMahon, 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), Mrs J Moore
(Development Control Principal Officer – East), Ms M Casey
(Planning and Litigation Solicitor), Mr R Bryant (Democratic
Support Manager) and Mrs G Croucher (Democratic Support
Officer).

Also present:- Councillor Coles, Councillor Stone in relation to application No
24/2007/053, Councillors Durdan, Leighton and Mullins in
relation to application No 31/2007/026 and Councillor Meikle in
relation to application No 38/2007/523.

(The meeting commenced at 5.00 pm.)

1. **Apologies**

Councillors Critchard and Mrs Smith.

2. **Minutes**

The minutes of the meeting held on 12 December 2007 were taken as read
and were signed.

3. **Applications for Planning Permission**

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

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

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**

Conditions

- (a) C001 – time limit;
- (b) C102A – materials;
- (c) C201 – landscaping;
- (d) Full details of the arrangements to be made for the disposal of foul and surface water drainage from the development shall be submitted to, and approved in writing by, the Local Planning Authority before any work hereby permitted is commenced;
- (e) The area allocated for parking on the submitted plan shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted;
- (f) To ensure orderly parking on the site and to thereby decrease the likelihood of parking on the highway, the car parking area shown on the submitted plan shall be marked out in accordance with a scheme to be agreed by the Local Planning Authority prior to the car park being brought into use;
- (g) Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to, and approved in writing by, the Local Planning Authority;
- (h) The proposal shall provide visibility splays of 2.4 m back from the centre line and 70 m to both east and west of the site access and with no obstruction to the visibility within these splays above 600 mm. The access visibility shall be provided prior to occupation of the extension hereby permitted;
- (i) Before the development hereby permitted is first occupied, a properly consolidated and surfaced access shall be constructed (not loose stone or gravel) details of which shall have been submitted to, and approved in writing by, the Local Planning Authority;
- (j) Any entrance gates erected shall be hung to open inwards and shall be set back a minimum distance of 4 m from the carriageway edge.
(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 to ensure that the foul drainage system is satisfactory to provide drainage for the maximum likely number of occupants and any appliances that will discharge to the system; (3) Applicant was advised that it will be necessary for the developer to agree a point of connection onto the Wessex Water system prior to commencement of any works on site.)

Reason for granting planning permission:-

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 did not, therefore, conflict with Taunton Deane Local Plan Policies S1 and S2.

38/2007/613

Alteration to bin storage areas with deletion of one and extension to another at Woodards, former Convent Site, South Road, Taunton

Conditions

- (a) C001A – time limit;
- (b) C102 – materials;
- (c) C201 – landscaping;
- (d) The bin storage area shall be completed in accordance with the approved plan prior to completion and sale of the last property on the site.

Reason for granting planning permission:-

The proposal was 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 did not indicate otherwise.

- (2) That **planning permission be refused** for the under-mentioned development, subject to the standard reasons adopted by Minute Number 86/1987 of the former Planning and Development Committee and such further conditions as stated:-

38/2007/523

Erection of eight two bedroomed houses and one bungalow at 4 Wilton Street, Taunton.

Reason for refusal:-

The proposed scheme is considered an over-development of the site, resulting in difficulty providing a suitable access without detriment to highway safety.

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

The Committee was of the view that the over-development of this site would cause difficulty in providing suitable access to it.

- (3) That **no objection be raised** to the change of use of agricultural land and construction of a Park and Ride facility (including security/information building incorporating toilets and bicycle storage, approximately one thousand car parking spaces, coach pick-up/drop off point, access roads, bus priority measures and cycle route connections) and landscaping at OS Field References 0061, 0046, 8763, 7967(PT) and 6873(PT), Cambria Farm, Ilminster Road, Taunton, subject to the further

detailed consideration of the following matters:-

- (a) 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;
- (b) The imposition of appropriate “Grampian” conditions to secure the implementation of all necessary off-site highway works and improvements including all necessary signalisation within a time scale to accord with estimated future traffic flow demands;
- (c) A landscaping proposal to take into account 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 the closest listed buildings should be achieved through the imposition of appropriate conditions;
- (d) Technical issues regarding flooding should be resolved prior to approval or made the subject of appropriate conditions; and
- (e) Detailed land form and landscaping schemes to provide adequate separation of the site and the setting of the adjacent listed building at Ruishton Court.

4. Refurbishment, alterations, repair and extensions to the County Museum, Taunton Castle, Castle Green, Taunton (38/2007/526LB)

Reported this application.

RESOLVED that subject to the receipt of no adverse views from the Secretary of State, the Development Manager be authorised to determine the application in consultation with the Chairman and, if listed building consent was granted, the following conditions be imposed:-

- (a) C002B – time limit – listed building;
- (b) C103 – materials – listed building;
- (c) Prior to relevant elements of the scheme for which consent is hereby granted are commenced, sample panels of rubble and ashlar stonework shall be erected on the site for the approval of the Local Planning Authority, with such approved panels being used as a template for such work throughout the scheme;
- (d) Prior to relevant elements of the scheme for which consent is hereby granted are commenced, specific details of the zinc cladding shall be submitted to, and approved in writing by, the Local Planning Authority with such approved details being strictly adhered to in subsequent work, unless any variation thereto is first approved in writing by the Local Planning Authority;
- (e) Prior to the works for which consent is hereby granted are commenced in respect of The Great Hall and relocation of the Alms House, specific

details of the re-use/relocation of the Hamstone Gate Piers adjacent to Castle House and the early stone fireplace and former St Mary Redcliffe Vicarage Staircase in The Great Hall shall be submitted to, and approved in writing by, the Local Planning Authority with such approved reuse/relocation being strictly implemented;

- (f) Prior to the relocation of the Alms House for which consent is hereby granted is commenced, a detailed method statement shall be submitted to, and approved in writing by, the Local Planning Authority with such approved statement being strictly adhered to, unless any variation thereto is first approved in writing by the Local Planning Authority;
- (g) Prior to the works for which consent is hereby granted are commenced, a detailed schedule of repairs to extant historic fabric shall be submitted to, and approved in writing by, the Local Planning Authority, with such approved schedule being fully implemented as part of the main contract, unless any variation thereto is first approved in writing by the Local Planning Authority;
- (h) Prior to commissioning, specific details of the following shall be submitted to, and approved in writing by, the Local Planning Authority with such approved details being strictly implemented, unless any variation thereto is first approved in writing by the Local Planning Authority:- roof glazing to the east and west passages and welcome buildings; new windows, doors, architraves, stair cases; café "screen"; lifts; welcome lobbies; drainage, soil stacks and ventilation of WCs; fixing and junction details of new first floor gallery to extant fabric; and glazed fire screen;
- (i) Notwithstanding the requirements of any associated ancient monument consent and prior to any works commencing, the applicant shall submit a programme of works in respect of extant structures to the Local Planning Authority which shall provide for reasonable access at all times for a nominated archaeologist to observe and record items of interest or finds, uncovered as a result of the approved works.
(Note to applicant:- Applicant was advised that the fireplace and staircase should be retained within the museum with public access to them being maintained.)

5. Roofing business conducted from domestic dwelling at 15 Oakfield Park, Wellington

Reported that it had come to the Council's attention that a roofing business was being conducted from 15 Oakfield Park, Wellington.

Although initially the owner of the project had stated that the materials being stored at the premises were in connection with a proposed extension to the property, over the last few months the business activity had increased with deliveries and more materials being stored on the site together with an increase in the number of vehicles visiting the property.

RESOLVED that:-

- (1) Enforcement action be taken to stop the domestic property known as 15 Oakfield Park, Wellington, being used for business purposes; 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.

6. Appeals

- (1) Reported that the following appeals had been lodged:-
 - (a) Appeal against enforcement notice – Unauthorised works to barn, creation of access and track and residential occupation of mobile home on land at Theats Farm, Creech Heathfield.
 - (b) Demolition of bungalow and erection of two one and a half storey dwellings at Rosewood, North End, Creech St Michael **(14/2007/027)**.
 - (c) 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 **(48/2005/072 and 48/2007/006)**.
 - (d) Erection of three storey building comprising eight flats at land to the rear of 81–85 Station Road, Taunton **(38/2007/314)**.
 - (e) Conversion of double garage and playroom to self-contained granny annexe including construction of dormer windows and roof extension at The Wynck, West Buckland **(46/2007/009)**.
 - (f) Conversion of Unit 5 to form dwelling, together with erection of conservatory and free-standing garage at Flead Farm, Wiveliscome **(49/2007/005)**.
 - (g) Change of use of annex to separate dwelling at Mayfield House, West Bagborough **(45/2007/015)**.
- (2) Reported that the following appeal decisions had been received:-
 - (a) **Erection of a single storey dwelling on land to the west of Allwinds, Fons George, Taunton (38/2006/324).**

Decision

Although within a Conservation Area, the Inspector considered that 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 illustrative scheme submitted showed that a modest bungalow could be constructed on the site to minimise the effect on the view from St George's Way with St George's Church remaining the most significant feature.

From the churchyard, one additional roof would not have a significant impact. The appeal was allowed, subject to conditions.

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

Decision

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 appeal was dismissed.

- (c) **Erection of a two-storey dwelling with garage, following demolition of double garage at 10B Newlands Crescent, Ruishton (31/2006/0208)**

Decision

The Inspector noted that 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, he felt this should not be at the expense of good design. He considered that the proposed dwelling would appear cramped and out of character with the street scene. He also 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 (38/2006/517LB)**

Decision

The Inspector felt that the façade was the most important feature of this 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)**

Decision

The Inspector noted that 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. He felt the proposal would radically alter the appearance of this pair of semi-detached houses, resulting in the buildings looking like a terrace of houses. In his view, the proposal would comprise a prominent and discordant addition to the street scene. The Inspector also noted that the proposed extension would result in a further first floor window being added which would overlook the neighbouring property. The Inspector felt that there would be an unacceptable increase in overlooking and a harmful loss of privacy for the neighbouring occupants. The appeal was dismissed.

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

Decision

The Inspector took the view that the building was utterly utilitarian and was of no merit architecturally. Although the Government Policy was to support the re-use of appropriately located and suitably constructed buildings in the countryside, where this would meet sustainable development objectives, the Inspector took the view that the appeal building located in open countryside would necessitate the use of a car to travel to and from it. She took the view that the conversion would amount to a rebuilding or replacement of the existing structure, with a new dwelling. 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 stated that the window(s) in the ground floor side elevation should be glazed with obscure glass and thereafter retained. The Inspector noted that there were four ground-floor windows on the side elevation of this new detached dwelling. 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 Pyles Thorne Road could be

seen. However views were limited by the narrowness of these two windows and the close proximity of an intervening tall boundary fence. In the Inspector's opinion, the degree of overlooking from these windows, would not justify inserting obscured glass. The appeal was therefore allowed.

- (h) **Installation of a telecommunications base station incorporating a 15m high slim-line monopole incorporating three 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)**

Decision

The Inspector acknowledged that the whole mast would be visible within the immediate vicinity and from some nearby houses. It would also be a prominent feature of the street scene, significantly higher than local trees and street light columns. However, the large scale and utilitarian appearance of the 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 Inspector concluded that although the mast would result in some harm to the character and appearance of the street's scene, 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 – Erection of a 15 m high telecommunications mast not in accordance with details submitted for a slim-line monopole at Shoreditch Road, Taunton**

Decision

Due to the complexity of the Inspector's decision letter, a full copy was submitted for the information of Members of the Committee. The appeal succeeded in part and the enforcement notice was upheld as corrected and varied by the Inspector in terms set out in the formal decision. No award of costs was made.

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

The Chairman reported that she had certified that the item covered by Minute No 8 below should be dealt with as an urgent matter.

8. Large sign adjacent to A358, opposite Little Ashe, Thornfalcon

Reported that it had come to the Council's attention on 14 January 2008 that a large sign advertising new homes in Curry Rivel for Midas Homes had been erected without advertisement consent on land adjacent to the A358, opposite Little Ashe, Thornfalcon.

Contact had been made with both Midas Homes and the company who had erected the sign requesting that it be removed but, to date, the sign was still in position.

The sign was in a very prominent position adjacent to a dual carriageway which carried a considerable amount of traffic. It was felt the sign could detract a driver's attention from the road ahead and the movement of other vehicles and its presence was therefore potentially dangerous to road safety.

RESOLVED that the Solicitor to the Council be authorised to commence immediate prosecution action to secure the removal of the sign.

(The meeting ended at 8.02pm.)

05/2007/064

MRS ALISON HARDING

**ERECTION OF CONSERVATORY AT REAR OF 91 GILLARDS, BISHOPS HULL,
TAUNTON**

320679/124471

FULL

PROPOSAL

The property is a semi detached house with a garage to side linking with the neighbouring property. Permission is sought for a larger replacement uPVC conservatory (5m x 4.1m). All materials to match existing. The applicant's husband works for the Council.

CONSULTATIONS AND REPRESENTATIONS

None received

POLICY CONTEXT

Taunton Deane Local Plan Policies S1, S2 and H17

ASSESSMENT

The site is enclosed by a 1.6m wooden fence to side and high hedge to end. Neighbouring properties, to both sides, have white uPVC conservatories. The conservatory would appear to have no material impact on the residential amenity of the neighbouring properties.

RECOMMENDATION

Grant permission with conditions of time and materials

REASON(S) FOR RECOMMENDATION:-

The design and scale of the proposal is considered not to have a detrimental impact upon the visual or residential amenity and it therefore considered acceptable, and accordingly does not conflict with Taunton Deane Local Plan Policies S1, S2 and H17.

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

CONTACT OFFICER: 356371 MRS P HOGG

NOTES:

06/2007/064

MR HENRY SMALL

USE OF LAND TO SITE 3 NO. MOBILE HOMES AND PROVISION OF SEPTIC TANK FOR ONE GYPSY FAMILY (RETROSPECTIVE) AT SUNNY DENE, DENE ROAD, COTFORD ST LUKE, BISHOPS LYDEARD AS AMENDED BY LETTER RECEIVED 7TH DECEMBER 2007.

317420/127570

FULL

PROPOSAL

This application seeks the retention of three pitches at the site to accommodate Mr Small, his wife and their five children. The application was amended on the 7th of December to make reference to the applicant's claim of gypsy status. The mobile homes were brought onto the site over the weekend of the 24th/25th of November 2007. Two stop notices have subsequently been served, one for operational development and the second preventing further mobile homes being placed on the site. The mobile homes are positioned adjacent to the roadside on Dene Road to the north of Cotford St Luke. The access from the highway to the site was already in existence but there was previously no track into the field. The Council have allowed the applicant to lay down hardcore on a temporary basis, to enable vehicles to enter/leave the site as a result of highway safety concerns regarding mud being carried onto the highway. In addition a one metre access strip has been agreed to provide access to the mobile homes again using hardcore which is easily reversible. The application also relates to the provision of a septic tank on the site.

The applicant was granted permission, planning reference 06/2006/035, for the erection of a stable block in the southwest corner of the site. This has now been erected.

CONSULTATIONS AND REPRESENTATIONS

PARISH COUNCIL – The Parish Council strongly objects to the proposal on the following grounds:

- The development is contrary to the Taunton Deane and Cotford St Luke development plans.
- Use of land for siting of mobile homes is contrary to the original use agreed for the land.
- The development is in open countryside and has a detrimental impact on nearby residents' visual amenity.
- The Parish Council has concerns over the safety of access from Dene Road, both for passing motorists and for anyone attempting to enter or exit the field where the mobile homes are currently located.
- The Parish Council is concerned over the request for unlimited vehicles to be parked on the site and over the request for goods vehicles to be parked on what is claimed to be a residential site.

- The Parish Council notes that no claim of gypsy status was made by Mr Small in his original planning application.

LANDSCAPE OFFICER – The mobile homes are a significant skyline feature, out of character with the surrounding landscape – Policy EN12.

There are clear views of the mobile home and caravans from:

- the immediate lane both travelling to and from Cotford St Luke where the mobile home can be clearly seen above the existing hedge.
- from most of the first floors of neighbouring properties the mobile home and caravans are clearly visible.
- driving north along the A358 it is difficult to see above the roadside hedgerow from a car but from lorries, vans and coaches - it is the main tourist route to Minehead - the mobile home and caravans are clearly visible on the higher ground to the side and in front of Cotford St Luke.
- driving south along the A358 there are views to the site where the mobile home and caravan can be clearly seen above the hedgerow.
- the bridge over the West Somerset Railway to the south east has clear views of the mobile home and caravans against the hedgerow and skyline. I'm not sure but there may also be views from some part of the West Somerset Railway trains.
- the public footpath that runs to the north and west of the site has clear views to the site with the mobile home and caravans showing above the hedgerow.

In summary: it is not just the close views that show the mobile home and caravans to be incongruous in the local landscape but the wider middle distance views as well. There is a significant volume of traffic using the A358, especially during the holiday season, that will also be affected by the development.

DRAINAGE OFFICER – I note a septic tank is to be used to dispose of foul sewage. Percolation tests should be carried out to ascertain the length of the sub-surface irrigation drainage. The Environment Agency's consent to discharge to underground Strata is also required. With regards to the use of soakaways, these should be constructed in accordance with Building Research Digest 365 (Sep 91) and again made a condition of any approval.

HIGHWAY AUTHORITY – The proposed development site is located just outside of the development limit for Cotford St Luke. As a result, under normal circumstances if a proposal for residential development had been received, the Highway Authority would recommend the application for refusal on sustainability grounds. However, information in the ODPM and Policy 36 of the Somerset and Exmoor National Park Joint Structure Plan Review states that 'the provision of sites for gypsies and other travelling people should be made where the site is within reasonable distance of a settlement providing local services and facilities'. The site is in close proximity of Cotford St Luke and Bishops Lydeard, which are the nearest settlements with any services and facilities. I consider that the distance may not be so great as so conflict with Policy 36.

In detail the proposal will derive access onto a classified unnumbered highway, which is subject to the national speed limit, however vehicle speeds are generally lower than 60mph. It is imperative in the interests of highway safety for all road users that adequate visibility splays are incorporated, which may result in the loss of part of the roadside hedge/trees, together with sufficient onsite parking and turning within the site to avoid reversing to or from the public highway. Given the size of the applicant's land it would appear that this would be achievable, however no layout has been submitted with the application. I am aware there have been personal injury accidents on this stretch of highway to the east of the site, however I do not consider that this proposal would result in a significant increase in traffic over and above that, which currently occurs on this stretch of highway.

If the Local Planning Authority is minded to approve the application a number of highway related conditions are recommended.

HOUSING OFFICER – Initially there is reason to believe that if unable to remain on their land at Cotford that the family would be threatened with homelessness, and therefore put TDBC under a duty to carry out enquiries under Section 184, Part 7 of 1996 Housing Act (as amended by Homelessness Act 2002). If homeless they appear to be eligible for assistance. If found to be homeless unintentionally and if they could establish a local connection with TDBC, which initially they do not appear to have one, then the onus would be for TDBC to accommodate. The Council would find it very difficult to discharge this duty and TDBC would need to be able to secure for them suitable land to site their trailers/mobile homes owing to their aversion to bricks and mortar. Authorities must give gypsies special consideration to securing accommodation that will facilitate their traditional way of life. (R (Price) v Carmarthenshire CC (2003).

(Planning Officer Comment – Further investigation work is being carried out and Members will be updated of the outcome).

WESSEX WATER – It is advised that your Council should be satisfied with any arrangement for the disposal of foul and surface water flows generated by the Development. Turning to water supply, there is a water main in the vicinity of the proposal. It will be necessary for the developer to agree a point of connection onto the system for the satisfactory supply of water. The developer should also be aware of the importance of checking with Wessex Water to ascertain whether there maybe any unchartered sewers or water mains within (or very near to) the site.

COTFORD ST LUKE COMMUNITY ASSOCIATION strongly objects to the development for the following reasons: -

- The original Cotford St Luke development plan and TDBC's ten year plan did not include this land for residential purposes and therefore, it should not be built upon.
- The land is registered for agricultural use and does not have any Planning Permission for building a dwelling or installing drainage.
- Mr Small's previous Planning Application was based on the building of a stable block only. Mr Small is a well known horse trader. Mr Small stated in

his Planning Application that he only wanted the land to graze his horses. This is clearly not the case.

- The erection of these three mobile homes is in contravention of the present Planning Permission granted in application 06/2006/036.
- The erection of these three mobile homes is not in keeping with the present built environment of the village, the natural beauty of the area and spoils the view of those villagers living in North Villas.
- A significant amount of vehicles each day travel from/to Cotford St Luke using Dene Road as the thoroughfare. Situating the entrance to these three mobile homes so close to the sharp bend where a fatality happened a few years ago would potentially be the cause of another fatality or serious accident along this stretch of road.
- Mr Small states in this Planning Application that unlimited vehicles are to be parked on site and will include goods vehicles. Does Mr Small intend to run a business on the site? If this is the case, then the change of land usage is not only for residential but commercial as well.
- There is the potential for cars and goods vehicles to be parked in Dene Road which has a 60mph speed restriction. Parking vehicles on Dene Road will cause an obstruction to fast flowing traffic and the potential for another fatality or accident to occur.
- The erection of three mobile homes so close to Norton Manor Camp would raise security concerns for the Ministry of Defence.

Cotford St Luke Community Association therefore proposes that the application be refused and an Enforcement Notice and permanent Stop Notice are served on the applicant as a matter of urgency.

43 LETTERS OF OBJECTION have been received. Summary of objections: - Contrary to development plan; Outside settlement limits; Unsustainable; Creeping development; Detrimental impact upon visual amenity of the area and erodes the rural landscape; Loss of hedgerow from visibility requirements; Development sited in a very prominent and elevated position and should have been carefully planned and positioned within the site; Contrary to the original use of the land previously approved (stables); livestock in relation to earlier approval have never materialised; Applicant owns other land elsewhere; No design and access statement submitted; Proposal does not integrate with the development style; scale or layout of the surrounding area by reproducing any of the building characteristics found within Cotford St Luke; Highway safety concerns regarding the proposed access from Dene Road, both for motorists, cyclists, walkers and anyone attempting to enter or exit the field where the mobile homes are currently located; No details of parking, turning heads or visibility splays submitted with the application; application form states parking provision for 'unlimited vehicles'; applicant to run business from the site; Lack of information; Challenge response from the Highway Authority in relation to interpretation of gypsy guidance on location – site would be a nuisance to local residents, the road is not safe, Somerset and Exmoor National Park is an 'Area of Outstanding Natural Beauty', suitable plots for gypsy sites should be allocated with Taunton Deane not on ad hoc; Blot on the landscape – close to AONB; Many local people unable to get on the housing ladder – why shouldn't they be able to buy cheaper agricultural land?; Unfair precedent; fear of crime and intimidation; Concern for the protection of data of individuals who chose to make representations;

Applicant has changed stance from non-gypsy to gypsy status; Application should not be amended for convenience; Challenge use of house name to define the site until any change of use is established; To live in a static caravan or park home is not conducive to nomadic way of life and are synonymous with a settled way of life for people (non gypsy or travellers); proposal does not meet the requirements of Policy H14; applicant should be moved onto one of the sites identified by Somerset County Council; development took place without permission being sought; prohibitive conditions should be imposed to restrict the number of units; reduction in house prices; Council should deal with this effectively; The village of Cotford St Luke cannot accommodate more development – the school is full to capacity; This could lead to another North Curry situation; Despite being ‘homeless’ applicant has resources to purchase the land, caravans, mobile home and ancillary equipment; applicant claims to be a gypsy but wishes to ‘settle’ in Cotford St Luke; Is a mobile home not in reality merely a pre-fabricated house and therefore a housing development.

ONE LETTER OF SUPPORT - One mobile home and two caravans are fine provided the surrounding areas are kept clean and tidy and kept within the laws.

ONE LETTER OF CONCERN at the nature of comments made in respect of the applicant, reference to the village forum.

POLICY CONTEXT

Somerset and Exmoor National Park Joint Structure Plan Review

POLICY STR6 - Development Outside Towns, Rural Centres and Villages.

Development in the Countryside will be strictly controlled to that which benefits economic activity, maintains or enhances the environment and does not foster growth in the need to travel.

POLICY 5 - Landscape Character

The distinctive character of the countryside of Somerset and the Exmoor National Park should be safeguarded for its own sake. Particular regard should be had to the distinctive features of the countryside in landscape, cultural heritage and nature conservation terms in the provision for development.

POLICY 36 - Sites For Gypsies and Travelling People

The provision of sites for gypsies and other travelling people should be made where the site is within reasonable distance of a settlement providing local services and facilities.

POLICY 49 - Transport Requirements of New Development

Proposals for development should be compatible with the existing transport infrastructure, or, if not, provision should be made for improvements to infrastructure to enable development to proceed. In particular development should:-

- (1) Provide access for pedestrians, people with disabilities, cyclists and public transport;

- (2) Provide safe access to roads of adequate standard within the route hierarchy and, unless the special need for and benefit of a particular development would warrant an exception, not derive access directly from a National Primary or County Route; and,
- (3) In the case of development, which will generate significant freight traffic, be located close to rail facilities and/or National Primary Routes or suitable County Routes subject to satisfying other Structure Plan policy requirements.

Taunton Deane Local Plan

Taunton Deane Local Plan. The following policies are considered especially relevant:-

S1 General Requirements

Proposals for development should ensure that:-

- (A) additional road traffic will not lead to overloading of access roads or road safety problems;
- (C) the appearance and character of any affected landscape, settlement, building or street scene would not be harmed as a result of the development;
- (E) potential air pollution, water pollution, noise, dust, glare, heat, vibration and other forms of pollution or nuisance, which could arise as a result of the development will not harm public health or safety, the amenity of individual dwellings or residential areas or other elements of the local or wider environment;
- (F) the health, safety or amenity of any occupants or users of the development will not be harmed by any pollution or nuisance arising from an existing or committed use.

S7 Outside Settlements

Outside defined settlement limits, new building will not be permitted unless it maintains or enhances the environmental quality and landscape character of the area and

- (B) accords with a specific Development Plan policy or proposal;

H14 Gypsy and Travellers sites

Outside the defined limits of settlements, sites for gypsies or non-traditional travellers will be permitted, provided that:

- (A) there is a need from those residing in or passing through the area;
- (B) there is safe and convenient access by bus, cycle or on foot to schools and other community facilities;
- (C) a landscaping scheme is provided which screens the site from outside views and takes account of residential amenity;
- (D) adequate open space is provided;

- (E) accommodation will enjoy adequate privacy and sunlight;
- (F) accommodation for incompatible groups of gypsies and/or non-traditional travellers are not mixed on the same site;
- (G) areas for business, where appropriate, are provided within sites, with satisfactory measures for their separation from accommodation spaces and the safety and amenity of residents; and
- (H) in the case of transit sites, there is convenient access to a County or National route;
- (I) the site is not within an Area of Outstanding Natural Beauty or a Site of Special Scientific Interest, or would harm the special environmental importance of any other protected area;
- (J) adequate fencing, capable of preventing nuisance to neighbouring areas, is provided.

EN12 Landscape Character Areas

Development proposals must be sensitively sited and designed to respect the distinct character and appearance of Landscape Character Areas.

Executive report dated 3rd May 2006 - Providing for Gypsies and Travellers

Impact of Circular 01/2006 on the Determination of Planning Applications.

However, in light of the new Circular the criteria may need to be considered more flexible in cases where an identified need has been established. The fact that a site may be in an area with a landscape, wildlife or conservation designation should no longer in itself be a reason for refusal, unless it can be demonstrated that the development would undermine the objectives of that designation. A more flexible approach should also be taken in terms of distance to local facilities. Whilst sites immediately adjoining settlements may best meet sustainability criteria they can also give rise to other problems, particularly in relation to impact upon residential amenity.

Circular 01/2006 identifies the issue of the scale of sites in relation to existing settlements. Large-scale gypsy sites should not dominate existing communities. In implementing Policy H14, the relative size of any proposed site in relation to nearby settlements must be taken into account.

RELEVANT CENTRAL GOVERNMENT GUIDANCE

Up to date Government advice is contained within ODPM Circular 01/2006 Of particular relevance are paragraphs referred to below

Paragraph 4

This circular will help to promote good community relations at a local level, and avoid the conflict and controversy associated with unauthorised developments and encampments

Paragraph 12 The Circular's main intentions are;

- (a) to create and support sustainable, respectful, and inclusive communities where gypsies and travellers have fair access to suitable accommodation, education, health and welfare provision; where there is mutual respect and consideration between all communities for the rights and responsibilities of each community and individual; and where there is respect between individuals and communities towards the environments in which they live and work;
- (b) to reduce the number of unauthorised encampments and developments and the conflict and controversy they cause and to make enforcement more effective where local authorities have complied with the guidance in this Circular;
- (c) to increase significantly the number of gypsy and traveller sites in appropriate locations with planning permission in order to address under-provision over the next 3-5 years;
- (d) to recognise, protect and facilitate the traditional travelling way of life of gypsies and travellers, whilst respecting the interests of the settled community;
- (e) to underline the importance of assessing needs at regional and sub-regional level and for local authorities to develop strategies to ensure that needs are dealt with fairly and effectively;
- (f) to identify and make provision for the resultant land and accommodation requirements;
- (g) to ensure that DPDs include fair, realistic and inclusive policies and to ensure identified need is dealt with fairly and effectively;
- (h) to promote more private gypsy and traveller site - provision in appropriate locations through the planning system, while recognising that there will always be - those who cannot provide their own sites; and
- (i) to help to avoid gypsies and travellers becoming homeless through eviction from, unauthorised sites without an alternative to move to.

Paragraph 19

A more settled existence can prove beneficial to some gypsies and travellers in terms of access to health and education services and employment and can contribute to a greater integration and social inclusion within the local community. Nevertheless the ability to travel remains an important part of their culture. Some communities of gypsies and travellers live in extended family groups and often travel as such. This is a key feature of their traditional way of life that has an impact on planning for their accommodation needs.

The scheme of C1/2006 is that all local planning authorities must carry out Gypsies and Travellers Accommodation Assessment (GTAAs) to ascertain the need for

pitches in their districts. These must be submitted to the relevant regional authority. The regional authority will use the information from the GTAAs to impose quotas of gypsy pitches on all the districts in the region. Each district will be obliged to allocate sufficient land in their Development Plan Documents (DPDs) to meet its quota. The circular contemplates that this process will lead to the provision of an adequate number of gypsy sites.

C1/2006 sets out what is called 'transitional arrangements' to govern the period before quotas are imposed by the relevant regional authority (paragraphs 41-46). In certain circumstances it may be necessary for local planning authorities to make allocations in this period. Further, in districts where there is a clear need for additional sites and a likelihood that allocations will be made within a defined period, it may be appropriate to grant temporary planning permissions for gypsy sites.

Paragraph 48

In applying rural exception site policy, local planning authorities should consider in particular the needs of households who are either current residents or have an existing family or employment connection.

Paragraph 53

However, local landscape and local nature conservation designations should not be used in themselves to refuse planning permission for gypsy and traveller sites.

Paragraph 54

Sites on the outskirts of built-up areas may be appropriate. Sites may also be found in rural or semi-rural settings. Rural settings, where not subject to special planning constraints, are acceptable in principle. In assessing the suitability of such sites, local authorities should be realistic about the availability, or likely availability, of alternatives to the car in accessing local services. Sites should respect the scale of, and not dominate the nearest settled community. They should also avoid placing an undue pressure on the Local infrastructure.

Paragraph 60In particular questions of road access, the availability of services, potential conflict with statutory undertakers or agricultural interests and any significant environmental impacts should be resolved at the earliest opportunity.

Regional Spatial Strategy (RSS)

The regime of the Planning and Compulsory Purchase Act 2004 provides for Regional Spatial Strategy (RSS) to be formulated by the regional authority, the South West Regional Assembly. This Authority is to determine the amount of provision within each district for additional gypsy and traveller sites.

In April 2006 the Regional Assembly published a draft RSS of which paragraph 6.1.1.13 states 'at the time of publication of the draft RSS the RPB was of the view that there was not sufficiently robust information on which to establish district level numbers, that it is necessary to establish transitional arrangements in accordance with C1/2006 and that there will be an early review of the draft RSS 'to fully implement the Government's requirements' (i.e. to impose quotas).'

For the South West, this regional context can be summarised as follows:-

- The extent of existing provision in the region is approximately 550.
- The following parts of the region have relatively high numbers of unauthorised sites; South Gloucestershire, City of Bristol and North Somerset, Unitary Authority areas, and parts of Devon, Gloucestershire and Dorset counties.
- An interim estimate of the additional pitch requirements at regional level is about 1,100 pitches which will be used to monitor delivery in LDDs.

Regarding pitch requirements, the indicative regional figure set out above will serve as a monitoring basis until local authorities have completed their needs assessments and are able to provide a more comprehensive position for site requirements. It is anticipated that all local authorities in the region will have completed their GTAAs in 2007, and it is hoped a single issue review of the Draft RSS can be completed in step with this.

The partial revision of the RSS to review additional pitch requirements is now well underway, with public consultation on the draft Revision running until 31 October. Additional pitch requirements to 2011 are included for Unitary Authority and District Council areas. The requirement for Taunton Deane is 17 pitches, of which 8 have already been provided.

The Ark Report and the GTAA

Circular 1/2006 requires all Local Authorities to undertake a needs assessment (GTAA) for new pitches within their areas. Taunton Deane, in association with the other Somerset Local Authorities, had commissioned the Ark Consultancy to undertake a needs assessment prior to the publication of the Circular, although this did not produce specific pitch numbers. However, in response to the request for First Detailed Proposals to inform the preparation of the partial revision of the RSS, further work was undertaken to update the assessment of identified need, and produce figures. This work was undertaken by a group that included officers of the District and County Councils and representatives of the Gypsy and Traveller communities. It identified a requirement for 17 additional pitches in Taunton Deane to 2011, and was based on detailed consideration of the known situation within the Borough in terms of unauthorised sites and the circumstances of individual households.

The assessment did not identify the current gypsy family needs. However, it is recognised that the scale of need identified only reflected known needs at that time. In submitting the results as First Detailed Proposals it was recognised that the process by which the results had been produced had pre-dated the publication of the government guidance, and that further work would be needed to produce a more thorough and robust assessment that complied fully with the government guidance on GTAAs. The implication of this is that there may have been an under estimate of the need for sites, and that additional pitches might be required in the course of time.

RELEVANT LEGISLATION

European Convention for the Protection of Human Rights and Fundamental Freedoms (Human Rights Act 1998)

Articles 8 and 14 of the Convention and the First Protocol Articles 1 and 2 are of particular importance in the consideration of this application.

Article 1

1. Everyone has the right to respect for his private and; family life, his home. The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association
2. No person shall be denied the right to education. In the exercise of any function which it assumes in relation to education and to teaching, the State shall respect the right of parents to ensure such education and teaching in conformity with their own religion and philosophical convictions.

ASSESSMENT

The latest Circular Guidance (01/06) relating to gypsy and traveller sites has amended the definition of 'gypsies and traveller's' to be more wide-ranging. The new definition is:-

'Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling show people or circus people travelling together as such'.

The applicant has been interviewed with regards to his gypsy status and in relation to the housing needs assessment. The Somerset County Gypsy Liaison Officer attended the meeting and was satisfied that the applicant had demonstrated that his gypsy status was bona fide. The written confirmation of this view has been sought and the recommendation of this report will be subject to the receipt of this.

The Housing Officer considers that there is reason to believe that the applicant would be threatened with homelessness should they not be able to remain on site and appear to be eligible for assistance. Due to the applicant's aversion to 'bricks and mortar' this would put a duty on the Council to accommodate the family on suitable land. Notwithstanding the applicant's claim to have local family connections, the Circular advice makes it clear that Local Planning Authorities should not refuse private applications solely because the applicant has no local connection.

Circular 01/06 recognises that traditional patterns of work are now changing and that the community has generally become more settled. The Circular states that a more settled existence can prove beneficial to some gypsies and travellers in terms of health and education services. The applicant has indeed expressed his belief that as traditional employment opportunities have changed there is now a desire to settle in the locality and to be in close proximity to educational and health care facilities.

The application site is located in the open countryside where normal policies resist the erection of new dwellings or the siting of new residential caravans. However, there can be exceptions to this policy including policy H14, which allows the principle of gypsies and traveller sites within rural areas provided they can fulfil certain criteria. These criteria were amended as a result of Government advice contained within Circular 01/06. In particular the Executive Committee agreed a more flexible approach in terms of distance to facilities and accepted that sites could be provided in areas of local landscape designation provided they do not undermine the purpose of the designation. The guidance contained within Circular 01/06 identifies that sites in rural settings, where not subject to special planning constraints, are acceptable in principle.

The site is not located in an area of nationally recognised designations as referred to within the Circular 01/06. The site is not located within an Area of Outstanding Natural Beauty. Despite concerns from the public regarding the impact upon the Quantocks AONB to the north it is considered that given the distance from the site to the AONB that the proposal would not affect the AONB landscape.

Circular advice states that local landscape and local nature conservation should not be used in themselves to refuse planning permission for gypsy and traveller sites, but impact on the landscape remains an important material consideration. It is therefore important to assess whether the position of the mobile homes causes demonstrable harm to the rural character and appearance of the landscape in this location. It is the conclusion of the Landscape Officer that the use of the land as a permanent residential site (including all the domestic paraphernalia and mobile structures) would have a harmful impact on the rural landscape. In particular the position of the mobile homes would appear a prominent feature on the skyline which would detract from the rural character and appearance of the landscape. In addition, the required visibility splays to meet the technical requirements of the Highway Authority would involve the potential loss of sections of hedgerow and limit the possibility of screening the development from the roadside.

The provision of the fencing which bounds part of the site, whilst appearing rather stark, incongruous and visually intrusive, does not in itself require planning consent.

The potential danger to road users is a recurring theme raised in the representations to this application. However, the Highway Authority do not consider that this proposal would result in a significant increase in traffic over and above that which currently occurs on this stretch of highway subject to the imposition of the necessary improvements to the access and necessary visibility splays. As such there is no highway objection to the proposal. Local residents concerns raised in relation to the provision of numbers of vehicles parked on site could be controlled by condition. The application does not seek any business activity as part of the application other than the provision of vehicle parking for cars/light goods vehicles.

In assessing the potential adverse impact upon local residents it is considered that whilst the development would be visible from residential properties in the vicinity, given the separation distances involved it would be difficult to substantiate that the

proposal would give rise to any unreasonable loss of amenity as to be harmful to the living conditions of those occupiers.

To conclude, whilst the applicant's circumstances for choosing this unauthorised site are noted, to offer a settled base for the family to provide for their education and health requirements, this needs to be balanced against the degree of landscape impact. It is concluded that in this instance the visual harm of the mobile homes in this location is such to outweigh the applicants need.

RECOMMENDATION

Subject to the comments of the Gypsy Liaison Officer and any further comments from the Council's Housing Officer that: -

Permission be REFUSED for reason that the siting of the mobile homes appear an incongruous and significant skyline feature and have a harmful impact upon the rural character and appearance of the landscape. Furthermore, the required visibility splays would be likely to require a significant amount of hedgerow to be removed and would also reduce the availability to provide landscape mitigation measures. As such the development is contrary to the provisions of Policy 5 of the Somerset & Exmoor National Park Joint Structure Plan Review and Policy S1, S7, H14 and EN12 of 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: MR A PICK 01823 356586

NOTES:

07/2007/023

MR TIM EVERETT

**CHANGE OF USE, CONVERSION AND EXTENSION OF BUILDING TO B1 USE
AT BUILDING AT HEATHERTON PARK FARM, BRADFORD ON TONE
(REVISED SCHEME)**

317008/122055

FULL

PROPOSAL

The proposal is to convert and extend an existing disused farm building to form an art restoration studio, a B1 use. Such use is relocating from a more remote location in the district. The works involve a new pitched roof in slate for security purposes. Permission for the conversion and use of the building was previously granted in November 2007. This revised scheme includes a 3.5m extension to the eastern gable end and a 3.8m x 21m lean-to to the south to provide a timber store and wood working area.

CONSULTATIONS AND REPRESENTATIONS

PARISH COUNCIL - The Parish objects to the proposal for reasons that the building appears much larger than the plan approved in November, the height appears to correspond with the permission but it is wider and so the height appears more noticeable. There appears to be 3 small pieces left of the original building on the west and north sides. Overall, it appears to be not so much a conversion as a new building. None of the nearest neighbours has been approached by Mr Everett. It is understood that the road to the site is owned by someone else and has only agricultural rights over it. Of concern it was noticed material was being tipped to the west of the site and it is hoped this is not for a car park.

9 LETTERS OF OBJECTION on the basis the extensions will make the building more intrusive to neighbours, it will be closer to residential property, the roof lights will add to the aesthetic obstruction and block the view, the extension will be a dominant structure, the mass of the building will be increased by 50% over the approval which is unacceptable and out of context with a residential area, the erection of a 2m fence will not screen the roof, loss of daylight, roof lights, and any windows/doors will overlook, concern over security, lighting, impact on the Grade II listed building and its setting, hours of operation to include Saturdays, concern over materials, no right of access, building different from approved scheme, doubling the size will allow for greater activity, parking or extension to the east will adversely impact on the landscape.

POLICY CONTEXT

RPG10

Somerset & Exmoor National Park Joint Structure Plan Review Policies
STR1 – Sustainable Development,
STR6 – Development Outside Towns and Villages

Policy 19 – Employment and Community Provision in Rural Areas
Policy 48 – Parking
Policy 49 – Transport Requirements of New Development.

Taunton Deane Local Plan Policies

S1 – General Requirements

S2 – Design

S7 – Outside Settlements

EC6 – Conversion of Rural Buildings

EC7 – Rural Employment Proposals

M2 – Parking

EN34 – External Lighting

ASSESSMENT

The proposal is a revised conversion and extension scheme to this barn to allow its use for art restoration, a B1 use. The revised scheme involves a large extension for a wood store on the south elevation and a 3.5m extension on the eastern gable end. These alterations are in addition to the previous scheme which altered the roof height to 6m to 6.5m at ridge level to provide for slate, a secure roof for the art restoration building.

PPS7 and policy EC6 allows for some alteration of buildings for commercial use. The new roof will make the building more prominent locally, however this is as previously approved and the appearance of a new slate roof is not considered significant or to have an adverse detrimental impact on neighbours. This new roof will also allow for better sound insulation. One of the neighbour concerns relates to noise and Environmental Health had previously recommended a noise condition. Concerns have also been raised over the nature of a B1 use close to residential properties. B1 uses are normally acceptable in such locations and subject to noise conditions and operating hours (09:00hrs – 17:00hrs) it is not considered necessary to limit the nature of the B1 use or to make it a personal permission, which circular advice advises against. The applicant has indicated that retention of the operating hours condition previously imposed would be acceptable and so the re-imposition of this condition is proposed.

The proposal does create additional floor space over and above that previously approved. The increase with the extensions proposed is approximately 40% more in floor area and while this is large, the alterations are considered in keeping with the character of the building and not to harm the amenity of the area. The lean-to on one side will have no windows or doors in the wall and the roofline is set down below the existing. While there are two sets of roof lights in this lean-to the impact on the neighbours is considered an acceptable one. Details of the boundary treatment are to be conditioned and hedge planting to this boundary is considered appropriate. It is not considered the proposal is therefore contrary to policies S1 or EC6 of the Local Plan.

There has been objection in terms of the impact on the listed building at Heatherton Park House. While the application site is visible, from the house, it is around 90m away from it and the proposal is not considered to adversely affect the setting of the listed building to warrant refusal of the scheme.

The access is intended to be via the northern drive as before and the applicant claims to have a right of access over this. This is disputed but is a civil issue. The Highway Authority advise that there should only be access via this route as the southern option leads to a sub-standard junction. It also passes a number of residential properties. The applicant does not own the access and therefore it is not possible to condition the passing place referred to by the Highway Authority. However, it is possible to condition parking and access and ensure the southern route is no longer used and it is proposed to reiterate previous conditions. This would include the provision of a parking area to the north of the building.

Conditions in terms of controlling external lighting, new openings and swallow nest provision are all considered appropriate in view of previous comments received.

RECOMMENDATION

Permission be GRANTED subject to conditions of time limit, materials, landscaping, swallow mitigation, boundary treatment, parking, no access to south, noise limit, working hours, timber windows/doors, no additional openings and external lighting. Notes re visibility, passing place, access right and wildlife protection.

REASON(S) FOR RECOMMENDATION:- The proposed development is not considered to adversely affect the amenity of the area and is considered to comply with Taunton Deane Local Plan Policies S1, S2, EC6, M2 and EN34 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: MR G CLIFFORD 01823 356398

NOTES:

38/2007/573LB

MR R CARTER - GREENDALE INVESTMENTS LTD

CONVERSION OF LISTED BUILDING TO PROVIDE A THREE BEDROOM HOUSE AND REMOVAL OF ALL OTHER BUILDINGS ON SITE AT THE COTTAGE INN, 117 KINGSTON ROAD, TAUNTON

FULL

PROPOSAL

This application follows the withdrawal of an earlier Listed Building application (38/2007/326).

This is an application for Listed Building Consent to convert the existing two storey pub, which is a Grade II Listed Building, into a 3 bedroom dwelling. Also proposed is the demolition of existing single storey buildings to the north and south of this central section.

An application for planning permission has also been made which seeks provision of one 4 bedroom house to the north of the central section new access with associated parking, a terrace of 5 dwelling comprising one 2 storey 2 bedroom dwelling and four 2 storey 3 bedroom dwellings with bedrooms in the roof space to the south of the new access and a 3 storey building with pitched roof containing six 1 bedroom flats at the southern end of the terrace.

The conversion proposes a combined lounge/kitchen, utility room and bathroom and two entrances on the ground floor with three bedrooms, bathroom and separate WC above.

The application is accompanied by a Design and Access Statement which includes a flood risk assessment and a separate report prepared by Mr Robert Ladd, B Sc., Dip T.P., Dip Arch Cons, MRTPI, IHBC regarding the Historic nature and structural condition of the building.

CONSULTATIONS AND REPRESENTATIONS

Conservation Officer - No objection conditions regarding time limits and materials.

TWO LETTERS HAS BEEN RECEIVED from local residents specifically in relation to the Listed Building application. The principal points made are as follows:

- Concerned about the lost of a community facility
- Supports the retention of the Listed Building

POLICY CONTEXT

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

Taunton Deane Local Plan S1 (General Requirements), S2 (Design), EN19 (Recording of Listed Buildings Affected by Development) & EN28 (Development and Flood Risk)

ASSESSMENT

This application follows the withdrawal of a previous scheme and has now been revised to take into account the concerns all of the Conservation Officer and County Highways. The design now attempts to improve the street scene, as well as issues raised by residents on the last submission. It provides for an additional 12 dwellings and represents a residential density of per hectare, which is within guidance sets out in PPS3 & PPG15

The Cottage Inn was recognised as a building of special historic and archaeological interest in 1975 and accordingly is accredited, Listed Grade II. Formerly a simple two-storey brick and slate cottage, it was converted to an Inn in the late 19th Century. The interior of the principal building was opened up in conversion works through the 1960's and 1970's. Save for a bedroom door frame on the first floor, there is no evidence of historic fabric.

The applicant's report on the building concludes, inter alia, that the principal building (Building (B)) is worthy of retention. The various additions to it, identified as buildings (A), (C), (D), (E), (F), (G), (H), (J) and (K) were considered to a different conclusion, in terms that they should be recorded but were not worthy of retention. The Conservation Officer agrees with this view

RECOMMENDATION

Listed Building Consent be APPROVED subject to the conditions re: time limit, and making good following demolition.

REASON(S) FOR RECOMMENDATION:

The proposal represents an acceptable conversion of the Listed Building in manner that will preserve its character in accordance with guidance in PPG15.

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

38/2007/574

MR R CARTER - GREENDALE INVESTMENTS LTD

CONVERSION OF LISTED BUILDING TO PROVIDE A THREE BEDROOM HOUSE AND ERECTION OF TWELVE DWELLINGS AND PROVISION OF NEW ACCESS (AS REVISED BY DWG. NO. 5840/14A & 17 RECEIVED WITH LETTER DATED 8TH JANUARY 2008) AT THE COTTAGE INN, 117 KINGSTON ROAD, TAUNTON

FULL

PROPOSAL

This application follows the withdrawal of an earlier application (38/2007/327).

The proposal seeks permission for one 4 bedroom detached house located to the north of the existing Public House with a two-storey bay window on the north elevation facing up Kingston Road.

The existing two-storey pub, which is a Grade II Listed Building, is to be converted into a 3 bedroom dwelling with demolition of existing single-storey buildings to the north and south of this central section.

Following removal of the single-storey buildings to the south a new entrance into the site will be formed flanked with car parking spaces. This leads into the site to an access road with associated parking, which runs almost the full length of the west boundary and adjoins the rear of gardens of properties fronting Roseberry Street. In association with the access a 2m wide footpath is to be provided across the whole site frontage backed by a 0.5m high brick wall with painted railings above.

South of the new access is a terrace of 5 dwellings comprising one two-storey 2 bedroom dwelling and four two-storey 3 bedroom dwellings with bedrooms in the roof space. This terrace has been designed with proportions and fenestration to match the existing terraced properties to the south of the site.

At the southern end of this terrace is a three-storey building with pitched roof containing six 1 bedroom flats arranged with two flats on each floor. This building is provided with a curved full height feature glazed window to the stairwell of the building. The windows on the west elevation of the block, which provide light to bedrooms on each floor, are indicated to be obscure glazed. Windows to the lounges of each of these flats are on a splay facing obliquely across the rear access road.

The development will be constructed all in brickwork and tiles to match nearby terraced properties.

The application is accompanied by a Design and Access Statement which includes a flood risk assessment.

CONSULTATIONS AND REPRESENTATIONS

County Highway Authority - There is no objection to this proposal in principle, but I do have the following comments to make. As the site has immediate frontage onto the public highway, and as a result the Highway Authority would not look to adopt this proposal. In addition the proposed turning area indicated on drawing number 5840-14 is considered to be substandard. It is therefore presumed that the site will remain within private ownership.

In terms of the disposal of surface water the information provided by the applicant on drawing 5840-14 A is broadly acceptable but the applicant should look to carry out percolation tests on site to ascertain whether or not there is highly permeable strata below the surface.

Therefore if planning permission were to be granted I would recommend the following conditions:

Housing Officer - Unfortunately the development falls under the Affordable Housing threshold.

Conservation Officer - No objection in principle. New build "success" will depend on all important details and selection of materials.

Drainage Officer - I note that all foul and surface water is to discharge to mains sewer. Wessex Water comments on the proposal should be sought.

Leisure & Recreation Officer - Contribution required towards facilities £1023 per Dwelling active outdoor Recreation Total £12276; £1785 each 2+Bed (No.7) for Children's play Total £12495

7 LETTERS OF OBJECTION have been received from residents in respect of this scheme the principle points made are as follows:

- Impact on traffic in Kingston Road
- Possible inadequate parking
- Noise from Parking area.
- Too many dwellings and flats on site
- Overlooking and loss of privacy.
- Height excessive
- With difference in site levels replacement boundary wall needed
- Loss of existing Holly tree
- Too close to Fish and Chip shop
- Bin store too close to neighbouring property
- Affect trade due to lack of visibility of Fish and Chip shop

POLICY CONTEXT

PPS1 (Delivering Sustainable Development), PPS3 (Housing), PPG13 (Transport) & PPG15 (Planning and the Historic Environment)

Taunton Deane Local Plan S1 (General Requirements), S2 (Design), H19 (Designing Out Crime), M4 (Residential Parking Provision), EN19 (Recording of Listed Buildings Affected by Development) & EN28 (Development and Flood Risk)

ASSESSMENT

This application follows the withdrawal of a previous scheme and has now been revised to take into account the concerns all of the Conservation Officer and County Highways. The design now attempts to improve the street scene, as well as issues raised by residence on the last submission. It provides for an additional 12 dwellings and represents a nett residential density of 81 dwellings per hectare.

The application site is within the boundary of the Built Up Area of Taunton as defined within the Taunton Deane Local Plan and there is therefore a presumption in favour of development on this site.

The proposal provides for the retention of, the two-story section of Listed Public House building with removal all of more recent single-story additions, with its conversion back to a three bedroom dwellings. This will enable the building to be successfully retained and refurbished in a manner sympathetic to its character.

With the provision on a new access road and parking to the South of that building this improves the site assess and by providing a significant gap between it and the new terrace significantly enhances its setting.

The detached house, at the northern end of the site, has been designed with two-storey bay window on its north elevation facing up Kingston Road. This will provide an element of interest to the development when approached from a northerly direction.

The apartments, at the southern end of the site, provide a feature in the street scene and are set forward from the adjacent single-story fish and chip shop in Salisbury Street. This is considered to be an acceptable form of development on this prominent site. The attached terrace is designed to have regard to nearby terraced properties in Kingston Road in terms of materials, roof pitches and window arrangement and is considered to be acceptable.

The new access, which runs along the rear of the site will result in the loss of some screen along that boundary with neighbouring properties to the rear, most notably of which is the loss of an existing holly tree. The properties to the rear are at a slightly higher level and conditions are recommended requiring details of boundary treatment to be submitted to ensure minimal impact on neighbouring dwellings. This area was the car parking area for the public house and the residential accommodation above and provided 17 spaces. It is considered that the change in terms of usage will have a minimal impact on neighbouring amenity.

There will be some increased overlooking arising from the lounge windows of the flats and bedroom windows in the new terraced houses, as these represent new features. However, within an urban area complete privacy cannot be expected and it is not considered that the increase in overlooking is so significant as to warrant refusal of planning permission.

A contribution is required to towards recreation facilities and a condition is imposed to secure completion of a legal agreement prior to commencement of development

RECOMMENDATION

Permission be GRANTED subject to conditions re: time limit, materials, landscaping, walls and fences, visibility splays, car parking during construction, parking and turning, drop kerbs, access surfacing, surface water, footway, cycle parking, bin stores, S106 recreation contributions. Notes re: Highway matters.

REASON(S) FOR RECOMMENDATION:-

The development represents an acceptable redevelopment of a brown field site with the settlement area of Taunton not impacting significantly on residential amenity and complying with the requirements of PPS1 & PPS3 and Policy S2 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 MR M ROBERTS MON/TUE/THUR/FRI

49/2007/076

MR D TAYLOR

REDEVELOPMENT OF SHOP AND STORAGE/GARAGE TO FORM DWELLING WITH REPLACEMENT OF SHOPFRONT AT 24 SILVER STREET, WIVELISCOMBE AS AMENDED BY AGENTS LETTER RECEIVED 16TH JANUARY 2008 AND ACCOMPANYING BLOCK PLAN AND ALSO AS AMENDED BY...

308195/127862

FULL

PROPOSAL

The proposal relates to the redevelopment of what was previously a shop and dwelling into a dwelling with additional living accommodation, with the shop front removed. The proposal was previously approved under an application to convert the property, however the Design and Access Statement submitted with this application states that as the project approved got underway it became apparent that parts of the existing structure were impossible to maintain, and as such it was viewed the project became a redevelopment of the site rather than the approved conversion. The scheme submitted under this application proposes to redevelop the building along similar plans to those already approved.

Amended plans have been requested from the agent to simplify the proposed scheme by omitting the brick quoin and plinth detailing on the front elevation and by using a better quality brick for the remaining brickwork.

CONSULTATIONS AND REPRESENTATIONS

CONSERVATION OFFICER – No objection subject to receipt of amended plans with different brick and omission of brick detailing on front elevation.

COUNTY HIGHWAY AUTHORITY – Previous comments and recommended conditions equally apply: - No objections subject to conditions.

PARISH COUNCIL – Objects to the proposal due to: loss of vernacular features at the property; modern detail design inappropriate, e.g. shutters, brick quoins, metal railings; more sympathetic design required.

WIVELISCOMBE CIVIC SOCIETY – Commented on the use of brickwork on the street and side entrance elevations where there used to be a rubble finish, not brickwork. Wiveliscombe is a stone, slate and render town and these vernacular materials ought to be used in any renovation. It is also noted that other materials such as wrought iron railings and shutters are proposed, these are not replacements but new works and in this conservation area appropriate materials should be used.

FIVE LETTERS OF OBJECTION – Have been received, raising concern over: treatment of adjacent property walls/party walls suffering from damage following the redevelopment work that has already taken place; stone and brick from the original building have not been reclaimed and have been taken away in skips; works should not have been carried out without planning permission; use of brick quoins and plinth are inappropriate; building was not unstable and did not require demolition; application does not propose any archaeological

investigation; use of render in a conservation area is not appropriate; the bricks currently being used are of very poor quality; development does not preserve or enhance the conservation area; ornamental shutters and steel balustrade are inappropriate; the application states the road is tarmaced when it is cobbled; level of intrusion is increased by having a balcony; material to be used for the window has not been specified and could therefore be uPVC;

POLICY CONTEXT

Policies relevant to this application include:

PPS1 – Delivering Sustainable Development & PPS3 – Housing
Taunton Deane Local Plan Policies S1, S2, EN14 and M4

ASSESSMENT

The site is located in a sustainable town centre location and therefore the principle of redeveloping to residential use is considered acceptable. The proposal does not result in an increase in the number of residential units but would provide additional accommodation to what was an existing dwelling. The removal of the shop front to facilitate the redevelopment to residential is often frowned upon but in this case the shop front was dilapidated to such an extent that it was not worthy of retention. The use of ornamental shutters is something that the Local Planning Authority has very little control over, and could be added to the building as permitted development. Subject to the receipt of amended plans regarding the front elevation on the building, the redevelopment works are sympathetic to the building and the balcony is designed so as not to overlook the neighbouring garden to the north. If the committee is minded to approve the proposal, the retention of the cobbled access and the use of timber windows can be conditioned, and the agent/applicant will be advised of the provisions of the Party Wall Act. The proposal will therefore not detrimentally affect the visual and residential amenity of neither the area, nor the character and appearance of the Conservation Area. The recommendation should also be subject to comments from the County Archaeologist.

RECOMMENDATION

Permission be granted subject to the receipt of amended plans and comments from the County Archaeologist, and with conditions of time limit, materials (samples to be submitted), timber windows, rooflights, garage use only, footway obstructions and cobbled access. Note re Party Wall Act and that Conservation Area consent is required for the demolition works despite being retrospective.

REASON(S) FOR RECOMMENDATION:- The site is in a sustainable location within the town centre and comprises the conversion of an existing building. The proposal is considered not to have a detrimental impact upon visual, residential amenity or the character and appearance of the Conservation Area and therefore does not conflict with Taunton Deane Local Plan Policies S1, S2, EN14, M4 and PPS3.

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

CONTACT OFFICER: 356469 MISS C NUTE

NOTES:

MISCELLANEOUS REPORT

38/2007/537

MR & MRS STEVE OSWICK

ERECTION OF FIRST FLOOR EXTENSION ABOVE GARAGE, 10 CLIFFORD CRESCENT, TAUNTON

322258/126796

FULL

This application has been determined and planning permission was granted on 10 January 2008 following a reference to the Chair.

However, the applicant is a member of staff and it should therefore have been referred to Committee before a decision was made. The proposal did not raise any significant issues and no neighbour objections were received. The report referred to the Chair is set out below.

PROPOSAL

The site comprises a 2 storey semi-detached house with a detached single garage to the side. The application is to extend the garage so it is attached to the house, erect a first floor extension above the garage and erect a single storey extension to the rear of the garage. The roof of the extension will be pitched and subservient to the existing ridge. There will be no windows to the front and rear and materials will match existing.

CONSULTATIONS AND REPRESENTATIONS

None

POLICY CONTEXT

Taunton Deane Local Plan:

Policy S1 sets out general requirements for development.

Policy S2 seeks good design.

Policy H17 supports extensions to dwellings provided they do not harm the residential amenities of the dwelling and are subservient to it in scale and design.

ASSESSMENT

The proposed extension will match the existing design of the property and there will be no adverse impacts upon the visual amenities of the surrounding area. The adjoining property to the north, No. 8, is a bungalow. There will be no loss of privacy to the occupants of this property. The bungalow may be overshadowed slightly by the proposal. However, the windows to the main living areas will not be affected.

On balance, it is considered that there will be no significant impact upon the residential amenities of the adjoining property.

RECOMMENDATION

Permission be GRANTED subject to conditions of time limit, materials and no additional windows/dormer windows

REASON(S) FOR RECOMMENDATION:

It is considered that the proposal complies with Policies SI, S2, and H7 of Taunton Deane Local Plan, in that neither residential nor visual amenity would be adversely affected.

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

MEMBERS ARE REQUESTED TO ENDORSE THE DECISION PREVIOUSLY MADE

CONTACT OFFICER: 356313 MRS F WADSLEY

Planning Committee – 13 February 2008

Report of the Development Manager

Enforcement Item

Parish: TAUNTON

- 1. File/Complaint Number** E247/38/2007
- 2. Location of Site** Taunton School, Staplegrove Road, Taunton
- 3. Names of Owners** Taunton School, contact Mr J H Pitman
- 4. Name of Occupiers** Taunton School

5. Nature of Contravention

Unauthorised fence around building to east of Fairwater

6. Planning History

The fence was first brought to the Councils attention in August 2007. An application was requested and submitted in November 2007. The application was subsequently refused on 17 January 2008

7. Reasons for Taking Action

The fence represents an incongruous and inappropriate feature having an adverse impact on the open setting of adjacent Listed Buildings. This does not preserve or enhance their settings and is therefore contrary to guidance in PPG15 and Policy 9 of Somerset & Exmoor National Park Joint Structure Plan Review.

8. Recommendation

The Solicitor to the Council be authorised to serve an enforcement notice and commence prosecution proceedings, subject to satisfactory evidence 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:

Mrs A Dunford 01823 356479

Planning Committee – 13 February 2008

Report of the Development Manager

Enforcement Item

Parish: TAUNTON

- 1. File/Complaint Number** E17/38/2008
- 2. Location of Site** Kilkenny House, Cheddon Road, TAUNTON, TA2 7PH
- 3. Names of Owners** ADP Holdings Ltd
- 4. Name of Occupiers** Taunton CDC Dental Surgery

5. Nature of Contravention

Large advertisement on gable wall

6. Planning History

An advertisement application was submitted on 24 September 2007 for consent to display a 3.0m x 2.3m sign on the Eastern elevation. On the 30 October 2007 it was noticed that the sign had been erected prior to the application having been determined and illumination had also been provided at the top of the sign. However the sign has not as yet been illuminated. The advertisement application was subsequently refused under delegated powers on 8 January 2008.

7. Reasons for Taking Action

It is considered that the sign, by reason of its size, siting and design is unduly obtrusive in the street scene and out of keeping with the character and appearance of the building on which the sign is displayed. The sign is therefore considered detrimental to the visual amenities of the area and contrary to Taunton Deane Local Plan Policies S1, S2 and EC26.

8. Recommendation

The Solicitor to the Council be authorised to commence Prosecution action to secure the removal of the unauthorised sign.

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

CONTACT OFFICER: John A W Hardy 01823 356479

Planning Committee – 13 February 2008

Report of the Development Manager

Enforcement Item

Parish: WIVELISCOMBE

- 1. File/Complaint Number** E263/49/2007
- 2. Location of Site** Bavino, South Street, Wiveliscombe
- 3. Names of Owners** Mr Jenkins
- 4. Name of Occupiers** Mr Jenkins
- 5. Nature of Contravention**
High wall built adjacent to lane
- 6. Planning History**

The wall was brought to the Council's attention in September 2007. A site visit was made and it was found that the wall was over 2 meters high. The owners were contacted in order that an application could be submitted. However, they stated that the wall had always been at approximately this height. A portion of the wall had to be rebuilt due to structural defects brought to the owner's attention by the Council, who considered it to be unsafe. From photographic evidence of the wall, prior to rebuilding, it would appear that the wall has increased in height by 100mm.
- 7. Reasons for Taking Action**

It is considered that the slight increase in height is acceptable and therefore no further action should be taken.
- 8. Recommendation**
No further action

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

CONTACT OFFICER:

Mrs A Dunford 01823 356479