



PLANNING COMMITTEE

YOU ARE REQUESTED TO ATTEND A MEETING OF THE PLANNING COMMITTEE TO BE HELD IN THE JOHN MEIKLE ROOM, THE DEANE HOUSE, BELVEDERE ROAD, TAUNTON , TA1 1HE ON WEDNESDAY 21ST JANUARY 2009 AT 17:00.

(RESERVE DATE : MONDAY 26TH JANUARY 2009 AT 17:00)

AGENDA

1. Apologies
2. Minutes of the meetings of the Planning Committee held on 10 December 2008 (attached) and 7 January 2009 (to follow)
3. Public Question Time
4. Declaration of Interests. To receive declarations of personal or prejudicial interests, in accordance with the Code of Conduct
5. 10/08/0032 - Change of use and conversion of barn to residential accommodation in paddock opposite Westcroft, Churchstanton (resubmission of 10/08/0022)
6. 31/08/0027 - Retention of change of use to function facilities, together with formation of new access and car park and retention of glazed pergola at Woodlands Castle, Ruishton, Taunton as amended by
7. 38/08/0349 - Construction of two floodlit sand-filled all weather sports pitches, warm-up area, third generation 5-a-side football pitch, tarmacadam tennis courts and cricket net surrounds (resubmission of 38/2007/621) at Kings College, 65-75 South Road, Taunton as amended by Agents letter received 4 December 2008 and accompanying Plan 2526 AL(O) 14D and Traffic Survey
8. 38/08/0492 - Erection of 3 storey wing to replace 1060s south annex, demolition of metal deck roof to west annex and replacement with raised flat roof and addition of one storey with adjacent roof terrace, minor alterations to door and window openings of main warehouse for use as individual office studios at Barnicotts Ltd, 112 St Augustine Street, Taunton
9. 38/08/0494/LB - Erection of 3 storey wing to replace 1960s annex, demolition of metal deck roof to west annex and replacement with raised flat roof and addition of one storey with adjacent roof terrace, minor alterations to door and window openings of main warehouse for use as individual office studios, 112 St Augustine Street, Taunton
10. Planning Appeals - Appeals lodged and appeal decisions received Appeals

Tonya Meers
Legal and Democratic Services Manager
14 January 2009

Tea for Councillors will be available from 16.45 onwards in Committee Room 1

Planning Committee Members

Councillor Mrs Hill (Chairman)

Councillor Mrs Allgrove (Vice-Chairman)

Councillor Bishop

Councillor Bowrah

Councillor Mrs Copley

Councillor Critchard

Councillor Denington

Councillor Mrs Floyd

Councillor C Hill

Councillor House

Councillor Miss James

Councillor McMahan

Councillor Mrs Smith

Councillor Watson

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:



Tel: 01823 356410
Fax: 01823 356329
E-Mail: g.dyke@tauntondeane.gov.uk

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

Planning Committee – 10 December 2008

Present:- Councillor Mrs Hill (Chairman)
Councillor Mrs Allgrove (Vice-Chairman)
Councillors Bishop, Bowrah, Critchard, Denington, C Hill, House,
Miss James, Watson and Ms Webber

Officers:- Mr T Burton (Development Manager), Mr J Hamer (Development
Control Area Manager - West), Mr B Kitching (Area Planning Manager),
Miss M Casey (Planning and Litigation Solicitor) and Mrs G Croucher
(Democratic Services Officer)

(The meeting commenced at 5.00 pm)

131. Apologies

Councillors Mrs Floyd, McMahon and D Wedderkopp.

132. Minutes

The Minutes of the meeting held on 19 November 2008 were taken as read and were signed.

133. Demolition of farm buildings and the erection of a residential development of 8 dwellings (5 market housing and 3 affordable housing), Newberry Farm, Taunton Road, Churchinford (10/08/0030)

Reported this application.

Resolved that subject to the applicants entering into a Section 106 Agreement to secure affordable housing and leisure and recreation contributions the Development Manager in consultation with the Chairman be authorised to determine the application and, if outline planning permission was granted, the following conditions be imposed:-

- (a) Approval of the details of the layout, appearance, and landscaping of the site (reserved matters) shall be obtained from the Local Planning Authority in writing before any development is commenced. Application for approval of the reserved matters shall be made to the Local Planning Authority not later than the expiration of three years from the date of this permission. The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved;
- (b) None of the dwellings shall be occupied until works for the disposal of sewage and surface water have been provided on the site to serve the development hereby permitted in accordance with details that shall previously have been submitted to, and approved in writing by, the Local Planning Authority;
- (c) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby

- permitted have been submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out and thereafter retained as such, in accordance with the approved details as above, unless otherwise agreed in writing by the Local Planning Authority;
- (d) No development, excluding site works, shall begin until a panel of the proposed stone has been built on the site and both the materials and the colour and type of mortar for pointing used within the panel have been agreed in writing by the Local Planning Authority. The development shall be completed in accordance with the agreed details and thereafter maintained as such, unless otherwise agreed in writing by the Local Planning Authority;
 - (e) (i) Before any part of the permitted development is commenced a landscaping scheme which shall include details of the species, siting and numbers to be planted, shall be submitted to, and approved in writing by, the Local Planning Authority; (ii) The scheme shall be completely carried out within the first available planting season from the date of commencement of the development, or as otherwise extended with the agreement in writing of the Local Planning Authority; (iii) For a period of five years after the completion of each landscaping scheme, the trees and shrubs shall be protected and maintained in a healthy, weed free condition and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of similar size and species, or the appropriate trees or shrubs as may be approved in writing by the Local Planning Authority;
 - (f) No development shall take place until there has been submitted to, and approved in writing by, the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The agreed boundary treatment shall be completed before the buildings are occupied or, in accordance with a timetable agreed in writing with the Local Planning Authority, and thereafter maintained as such, unless otherwise agreed in writing by the Local Planning Authority;
 - (g) The windows and doors hereby permitted shall be timber and thereafter maintained as such in accordance with details to include sections, mouldings, profiles, working arrangements and finished treatment that shall first have been agreed in writing by the Local Planning Authority prior to their installation;
 - (h) The windows hereby permitted shall be recessed in the wall a minimum of 80mm unless otherwise agreed in writing by the Local Planning Authority;
 - (i) Details of the size, position and materials of any meter boxes installed in connection with the development shall be submitted to, and approved in writing by, the Local Planning Authority before development commences and thereafter installed and maintained in accordance with the approved details unless any variation thereto is first approved in writing by the Local Planning Authority;
 - (j) All services shall be placed underground unless otherwise agreed in writing by the Local Planning Authority;
 - (k) No structure or erection exceeding 0.9m in height shall be placed within the visibility splay identified on the layout drawing and the visibility splay of 2.4m x 43m to the north and 2.4m x 30m to the south shall be provided prior to occupation and thereafter maintained;

- (l) No dwelling shall be occupied until space has been laid out within the site for two cars to be parked in respect of each dwelling and for vehicles to turn so that they may enter and leave the site in forward gear;
- (m) The proposed roads, footpaths and turning spaces where applicable, shall be constructed in such a manner as to ensure that each dwelling before it is occupied shall be served by a properly consolidated and surfaced carriageway and footpath and details of the surfacing materials shall be agreed in writing by the Local Planning Authority prior to the surfacing being laid;
- (n) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any order revoking and re-enacting that Order, with or without modifications, no vehicular access gates shall be erected at any time unless they are set back a minimum distance of 5m behind the highway boundary and hung so as to open inwards only;
- (o) The layout and alignment, widths and levels of the proposed roads, road junctions, points of access, visibility splays, footpaths and turning spaces shall be provided in accordance with details that shall first have been submitted to, and approved in writing by, the Local Planning Authority. The roads shall be laid out prior to the occupation of any dwelling, or any dwelling in an agreed phase of the development that may have been agreed by the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority;
- (p) The proposed roads, footpaths and turning spaces where applicable shall be constructed in such a manner as to ensure that each dwelling before it is occupied shall be served by a properly consolidated and surfaced carriageway and footpath unless otherwise agreed in writing by the Local Planning Authority and details of the final surface finish of any road or footway shall be agreed in writing prior to the surface being laid;
- (q) Development shall not commence until details of a scheme for the retention of Swallow nest sites and its accesses, (or the provision of alternative new sites or accesses) has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include a programme for the implementation of the development which avoids any building or other operations likely to affect the Swallow/House Martin nest sites being undertaken between March and August inclusive. The development shall be carried out in accordance with the approved scheme or any amendment to the scheme as approved in writing by the Local Planning Authority;
- (r) No site clearance works or development (or specified operations) shall take place between 1st March and 31st August without the prior written approval of the Local Planning Authority;
- (s) Prior to the commencement of development, the applicant shall investigate the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses. The applicant shall;
 - (i) provide a written report to the Local Planning Authority which shall include details of the previous uses of the site and a description of the current condition of the site with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination is present on the site;
 - (ii) if the report indicates that contamination is present on or under the site, or if evidence of contamination

- is found, a more detailed site investigation and risk assessment shall be carried out in line with current guidance. This should determine whether any contamination could pose a risk to future users of the site or the environment; (iii) if remedial works are required, details shall be submitted to the Local Planning Authority, and these shall be accepted in writing and thereafter implemented. On completion of any required remedial works the applicant shall provide written confirmation that the works have been completed in accordance with the agreed remediation strategy;
- (t) Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995 (“the 1995 Order”) (or any Order revoking and re-enacting the 1995 Order with or without modification), no window/dormer windows shall be installed in the first floor side elevations of plots 1, 2 and 3 of the development hereby permitted without the further grant of planning permission.

(Notes to applicant:- (1) Applicant was advised that a landscaping area of 8m should be provided to the northern boundary area to soften the countryside/development interface. The proposed layout should consider lessening the highway impact on the character of the scheme with buildings abutting the highway; (2) Applicant was advised to consider the translocation of the existing roadside hedge if possible to limit the initial visual impact of the new access to the scheme; (3) Applicant was advised that, regarding potential ground contamination, commercial/agricultural buildings were often used for storage of material and fuels that could lead to contamination of the ground in and around the buildings. There was also a potential risk from areas of filled ground (old ditches/ponds or slurry pits) as the fill could contain hazardous materials, or could generate gases as any waste breaks down. If a detailed site investigation is required this should be carried out in line with the latest guidance. Sources of such guidance would include, although not exclusively, publications by the Department for Environment, Food and Rural Affairs, the Environment Agency, and the British Standards Institute. The Council has produced a Guide to the Assessment and Remediation of Contaminated Land that gives more details to the relevant sources of information available; (4) Applicant was advised to be aware that the property was served by a private water supply and any increased usage from the proposal should be notified to the Environmental Health Department; (5) Applicant was advised of the need to take care to ensure there are no risks from asbestos in demolishing existing structures on site.)

Reason for planning permission, if granted:-

The proposal, for residential development, was partly located within the defined settlement limits where the principle of new housing was considered acceptable. The proposed access would be satisfactory and the development would not have a detrimental impact on the amenity of surrounding residential properties in accordance with Somerset and Exmoor National Park Joint Structure Plan Review Policy 49 and Taunton Deane Local Plan Policies S1 (General Requirements), S2 (Design), H11 (Affordable Housing) C4 (Leisure and Recreation provision), M4 (Residential Parking Provision) and EN10 (Area of Outstanding Natural Beauty).

134. Banner signs along access road, Morrisons Supermarket, Station Road, Taunton

Reported that it had come to the Council's attention that banner signs had been displayed at Morrisons Supermarket, Station Road, Taunton without the necessary advertisement consent.

The owners had been contacted and advised to submit an application for advertisement control but, to date, no such application had been received. However, the Development Manager reported that within the past couple of days the banner signs had been removed.

Resolved that:-

- (1) The current situation relating to the unauthorised banner signs at Morrisons Supermarket, Station Road, Taunton be noted; and
- (2) Subject to being satisfied with the evidence, the Solicitor to the Council institute legal proceedings should the banner signs be reinstated and were then not removed within the following 28 day period.

135. Continued occupation of mobile homes following expiry of temporary permission, Combe Farm, Ford Street, Wellington

Reported that planning permission had been granted for the stationing of a mobile home at Combe Farm, Ford Street, Wellington on a temporary basis between 1985 and 2000. However, since then no further application for the retention of the mobile home had been received.

Noted that an application for an agricultural workers dwelling on the site had been submitted earlier in the year but this had been withdrawn because the Council's independent appraisal of the agricultural holding did not support the applicant's case. No further application had been submitted.

Resolved that:-

- (1) Enforcement action be taken to remove the mobile home at Combe Farm, Ford Street, Wellington within a period of 18 months; 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.

136. Stationing of caravan outside the permitted area of the Slough Green site for residential purposes Slough Green Caravan Park, Burnt House Copse, West Hatch

Reported that it had come to the Council's attention that a caravan had been stationed for residential purposes outside the permitted area of the Slough Green Caravan Park, Burnt House Copse, West Hatch.

The owner of the site had been contacted and requested to arrange the removal of the caravan from the site within 21 days. This had not occurred as the family using the caravan had no where else to go.

Resolved that:-

- (1) Enforcement action be taken to remove the caravan stationed outside the permitted area of the Slough Green Caravan Park, Burnt House Copse, West Hatch; 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.

137. Appeals

Reported that five appeal decisions had been received, details of which were submitted. Four appeals had been dismissed and one appeal allowed.

(The meeting ended at 6 p.m.)

Planning Committee – 7 January 2009

Present:- Councillor Mrs Hill (Chairman)
Councillor Mrs Allgrove (Vice-Chairman)
Councillors Bishop, Bowrah, Mrs Copley, Critchard, Denington,
Mrs Floyd, C Hill, House, Miss James, Watson, Ms Webber,
D Wedderkopp and Woolley

Officers:- Mr T Burton (Development Manager), Mr B Kitching (Area Planning Manager), Mrs J Moore (Development Control Principal Officer – East), Mr A Pick (Principal Planning Officer – West), Mrs J Jackson (Legal Services Manager), Miss M Casey (Planning and Litigation Solicitor) and Mrs G Croucher (Democratic Services Officer)

Also present: Councillors Stone and Thorne in relation to application No 29/08/0015; Councillor Morrell in relation to application No 38/08/0443; Councillor Stuart-Thorn in relation to application No 52/08/0019 and Councillor Coles

(The meeting commenced at 5.00 pm)

1. Apologies

Councillors Mrs Smith and Miss Wood.

2. Declarations of Interest

Councillor Morrell declared a prejudicial interest in application No 38/08/0443 and left the room during the consideration of this item; Councillor Mrs Allgrove declared an interest in application Nos 52/08/0019 and 52/08/0034 as a member of Comeytrove Parish Council but considered she had not “fettered her discretion” and Councillor C Hill declared an interest in application Nos 52/08/0019 and 52/08/0034 as past pupil of Queens College.

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 development, subject to the standard conditions adopted by Minute No 86/1987 of the former Planning and Development Committee and such further conditions as stated:-

29/08/0015

Change of use to form permanent, short stay, emergency stopping facility for gypsies comprising six pitches with individual amenity block; creation of vehicular and pedestrian accesses; construction of internal access road, footpath and hard standing areas to pitches; and provision of on-site services at Higher Yalham Farm, Culmhead, Otterford

Conditions

- (a) The development hereby permitted shall be begun within three years of the date of this permission;
- (b) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the amenity blocks hereby permitted have been submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out and thereafter retained as such, in accordance with the approved details as above, unless otherwise agreed in writing by the Local Planning Authority;
- (c) The site shall not be occupied by any persons other than gypsies and travellers, as defined in paragraph 15 of ODPM Circular 01/2006;
- (d) The proposal shall provide temporary accommodation for a period of up to 6 months primarily for gypsies who immediately preceding occupation of the site have been evicted from unauthorised sites within the Borough of Taunton Deane
- (e) No more than 2 caravan(s), as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (of which no more than one shall be a static caravan or mobile home) shall be stationed on each pitch at any time;
- (f) No trade or business shall be carried on at the site and no materials associated with any trade or business shall be stored on the site at any time;
- (g) No work shall be commenced on the site until a hedgerow and landscape management plan has been submitted to, and approved in writing by, the Local Planning Authority. The management plan shall include an internal landscaping scheme for the site, any replacement /reinforcement planting that may be deemed necessary for the existing hedgerows and details of works to ensure the regeneration of the hedge sited on the boundary with the highway and associated temporary fencing. Such a plan shall thereafter be implemented and maintained on site unless a variation thereto is first submitted to, and approved in writing by, the Local Planning Authority;
- (h) Before any part of the permitted development is commenced, full details of all boundary walls, fences or temporary fences forming part of the development, shall be submitted to, and approved in writing by, the Local Planning Authority and any such wall or fence so approved shall be erected before any such part of the development to which it relates takes place;
- (i) There shall be no obstruction to visibility greater than 900mm above adjoining road level forward of lines drawn 2m back from the carriageway edge on the centreline of the access and extending to points on the nearside carriageway edge 90m either side of the access to the nearside carriageway edge. Such visibility splays shall be fully provided before the access hereby permitted is first brought into use and shall thereafter be maintained at all times;
- (j) No commencement of the use shall take place until a plan showing the internal site arrangement including turning shall be submitted to, and agreed in writing by, the Local Planning Authority. Once agreed the said

area shall be marked out in accordance with the approved plan prior to the change of use being brought into use or unless otherwise agreed with the Local Planning Authority;

- (k) The proposed access over the first 6m of its length, as measured from the edge of the adjoining carriageway, shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details, which shall have been submitted to, and approved in writing by, the Local Planning Authority;
- (l) Any entrance gates erected shall be hung to open inwards and shall be set back a minimum distance of 4.5m from the carriageway edge;
- (m) A recessed entrance 3m wide shall be constructed 4.5m back from the carriageway edge and its sides shall be splayed at an angle of 45 degrees towards the carriageway edge. The area between the entrance and the edge of the carriageway shall be properly consolidated and surfaced (not loose stone or gravel) for which details shall have been submitted to, and approved in writing by, the Local Planning Authority;
- (n) 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.

(Notes to applicant:- (1) Applicant was advised that, having regard to the powers of the Highway Authority under the Highways Act, 1980 a Section 184 Permit must be obtained from the Highways Department. Application for such a Permit should be made at least three weeks before access works are intended to commence; (2) Applicant was advised that with regard to condition (j) the internal site arrangement should be generally in keeping with the amended submitted plan; (3) Applicant was advised that asbestos may be present on the site and was advised to check the situation and take any appropriate action of remediation prior to undertaking any development works on the site.)

Reason for granting planning permission:-

The proposed emergency facility would enable the Local Planning Authority to accommodate gypsies or traveller's whilst alternative sites were identified and planning permission granted as required by ODPM Circular 1/2006. In addition the proposal was considered not to harm the landscape character of the Area of Outstanding Natural Beauty and would cause material harm to neither visual nor residential amenity. Accordingly the proposal did not conflict with Taunton Deane Local Plan Policy EN10 (Areas of Outstanding Natural Beauty).

52/08/0034

Change of use of land and buildings at Civil Service Sports Club, Trull Road, Taunton from assembly and leisure use (Class D2) to non-residential institution (Class D1) in order to incorporate it into the adjacent Queens College campus

Conditions

- (a) The development hereby permitted shall be begun within three years of the date of this permission;
- (b) The premises shall be used for non-residential education and training, except for the provision of sports facilities and changing rooms as set out within the accompanying application, and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) unless agreed in writing by the Local Planning Authority;
- (c) Prior to the implementation of the permitted use, details of the footway/ cycleway shall have been submitted to, and approved in writing by, the Local Planning Authority. The land identified as required for the provision of footway/cycleway shall then be made available for its construction and dedication;
- (d) Prior to the implementation of the permitted use, details of the access, parking and turning shall be submitted to, and approved in writing by, the Local Planning Authority taking into account the footway/cycleway provision.

(Note to applicant:- Applicant was advised that it would be necessary to enter into a formal agreement with the Highway Authority to facilitate all off-site works and the applicant is recommended to contact the Planning Liaison Officer so that these works can begin.)

Reason for granting planning permission:-

The proposed development would meet the requirements of Taunton Deane Local Plan Policies C3, C5 and EN24 in so far as the applicant had demonstrated that the loss of the bowling facility would not be detrimental as sufficient capacity was available elsewhere within the Borough. The change of use formed part of a wider redevelopment of the Civil Service Sports Club site and the incorporation of the application site and change of use in connection with Queens College was considered acceptable and there would be no significant loss of amenity to neighbouring properties or residential uses.

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

31/08/0023

Erection of replacement dwelling and garage following demolition at Sarsden, Lipe Lane, Henlade (amended scheme to 31/2008/003)

Reason

The proposed development, by reason of its design and massing, is considered out of scale and character with existing nearby properties and would be detrimental to the visual amenities of the area and contrary to Taunton Deane Local Plan Policies S1 and S2.

4. Construction of a bridge in connection with the Tangier residential redevelopment at the former Gas Storage Site, Castle Street, Taunton (38/08/0372)

Reported this application.

Resolved that subject to the Section 106 Agreement being amended to enable the provision of a footbridge as proposed in Option C, the Development Manager in consultation with the Chairman be authorised to determine the application and, if planning permission was granted, the following conditions be imposed:-

- (a) The development hereby permitted shall be begun within three years of the date of this permission;
- (b) Only those materials specified in the application shall be used in carrying out the development hereby permitted unless otherwise agreed in writing with the Local Planning Authority;
- (c) No development approved by this permission shall be commenced until a scheme for the provision and implementation of the method of working has been approved by the Local Planning Authority;
- (d) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the Method Statement detailing how this unsuspected contamination shall be dealt with;
- (e) Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls, details of which shall be submitted to the Local Planning Authority for approval. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10% or 25% of the total volume which could be stored at any one time, whichever is the greater. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground, where possible, and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund;
- (f) All works shall comply fully with the Environmental Management Plan submitted and approved in association with planning permissions 38/2007/0183 and 38/2007/0184 and referred to in the letter dated 31st July 2008 unless a variation is first submitted to, and agreed in writing by, the Local Planning Authority;
- (g) (i) Before any part of the permitted development is commenced a landscaping scheme, which shall include details of the species, siting and numbers to be planted, shall be submitted to, and approved in writing by, the Local Planning Authority; (ii) The scheme shall be completely carried out within the first available planting season from the date of

- commencement of the development, or as otherwise extended with the agreement in writing of the Local Planning Authority; (iii) For a period of five years after the completion of each landscaping scheme, the trees and shrubs shall be protected and maintained in a healthy, weed free condition and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of similar size and species or the appropriate trees or shrubs as may be approved in writing by the Local Planning Authority;
- (h) Prior to the commencement of construction works on site a public health and safety review shall be undertaken on the proposed bridge structure, its findings submitted to, and approved in writing by, the Local Planning Authority;
 - (i) Prior to the completion and use of the bridge, a detailed signage scheme to prohibit cyclist use and restrict the use of the bridge to pedestrians only shall be submitted to, and approved in writing by, the Local Planning Authority and the approved signs shall be erected on site prior to the commencement of the use of the bridge.

(Notes to applicant:- (1) Applicant was advised to refer to Pollution Prevention Guidelines for Works in or near the Watercourse (PPG5). If coffer dams and pumping activity is to be used the applicant must ensure appropriate pump rates are used to avoid disturbance of the bed or bank. The maximum rate should be set after consideration of the flow of the river, the location of the discharge and the risk of erosion; (2) Applicant was advised that the minimal amount of ground should be exposed, as soil stripping and vegetation removal at the start of the project can increase the volume of contaminated surface water run-off; (3) Applicant was advised that pollution prevention measures should be taken to ensure that minimal amount of debris enters the watercourse by using crash decks and nets to catch falling debris; (4) Applicant was advised that storage of fuels for machines and pumps should be sited well away from any watercourses; (5) Applicant was advised that all waste disposed of off-site must be taken to appropriately licensed waste management sites in accordance with the Duty of Care and the Environmental Permitting Regulations 2007. Carriers transporting waste from the site must be registered waste carriers; (6) Applicant was advised that under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, Flood Defence Consent (previously known as Land Drainage Consent) is required from the Environment Agency prior to any proposed works or structures in, under, over or within 8m of the top of the bank of a designated 'main river'; (7) Applicant was advised to ensure that any necessary consents are obtained and that the works comply with British Waterways' "Code of Practice for Works affecting British Waterways" (i) The final bridge details must be confirmed with British Waterways; (ii) The construction of this bridge may require a stoppage of the navigation during main lifting/construction operations and this will need further investigation. It may be possible to close the navigation if necessary for a period; (iii) Environmental impacts of the bridge crossing should be considered and all works must comply with the Code of Practice; (iv) Care must also be taken to ensure that no contaminants are allowed to enter the watercourse during construction works. Cement in particular is very damaging to aquatic life and great care is needed to ensure that no materials are washed or blown into the watercourse during construction; (8) Applicant was advised that where works are to be undertaken on or adjoining the publicly maintainable highway a licence under

Section 171 of the Highways Act 1980 must be obtained in writing from the Highway Authority. Applications should be submitted at least four weeks before works are proposed to commence in order for statutory undertakers to be consulted concerning their services. The fee for a Section 171 Licence is £250. This will entitle the developer to have his plans checked and specifications supplied. The works will also be inspected by the Superintendence team and will be signed off upon satisfactory completion; (9) Applicant was advised to ensure, prior to commencement of works on site, that there is sufficient access in relation to the existing gas pipe to ensure adequate health and safety; (10) Applicant was advised to ensure that the bridge conforms to the requirements of the Disability Discriminations Act 1995 (as amended by the DDA 2005.)

Reason for planning permission, if granted:-

The proposal, in combination with the Third Way, would result in the provision of a comprehensive cycle and pedestrian network within the Tangier site as required by the Taunton Deane Local Plan policy T2(B).

5. Change of use to A5 (A3 consent granted) at Unit B, Aspect, Corporation Street, Taunton (38/08/0443)

Reported this application.

Resolved that subject to no comments raising new issues being received by 8 January 2009, the Development Manager in consultation with the Chairman be authorised to determine the application and, if planning permission was granted, the following conditions be imposed:-

- (a) Noise from any air extraction system should not exceed background noise levels by more than 3dB(A) for a 2 minute Leq, at any time when measured at the façade of residential or other noise sensitive premises;
- (b) C001A – time limit;
- (c) The cafe/take-away food outlet shall not open other than between the hours of 12.00hrs – 22.00hrs Mondays to Saturdays and 12.00hrs - 21.00hrs on Sundays and Bank Holidays;
- (d) Details of the external ventilation terminal in terms of its size, height and colour shall be submitted to, and approved in writing by, the Local Planning Authority prior to its installation;
- (e) Equipment shall be installed that will effectively suppress and disperse fumes and/or smell produced by cooking and food preparation as impacting upon neighbouring premises. The equipment shall be effectively operated for as long as the use continues. The equipment shall be installed and be in full working order prior to the commencement of use. The extraction equipment shall be regularly maintained to ensure its continued satisfactory operation. The external ducting should be so designed that the flue discharges not less than 1m above the roof eaves level.

(Note to applicant:- Applicant's attention was brought to conditions 6 and 7 on permission 38/06/0582 which should be complied with to ensure there are no adverse amenity impacts on the new flats.)

Reason for planning permission, if granted:-

The proposal was considered not to have a detrimental impact upon visual or residential amenity and was therefore considered acceptable and, accordingly, did not conflict with Taunton Deane Local Plan Policies S1 (General Requirements) and S2 (Design).

6. Erection of sports centre comprising indoor and outdoor facilities with parking, access, footpath/cycle route and associated works at Civil Service Sports Club ground, College Way, Taunton (52/08/0019)

Reported this application.

Resolved that subject to confirmation by the Highways Authority regarding the wording of the proposed condition setting out the specific off-site works and the completion of a Section 106 Agreement requiring the following or as amended by the Council's Solicitor:-

(1) The external playing pitches comprising two external winter sports pitches, one multi-use, all-weather court, archery and one cricket pitch, be maintained, available with changing facilities and only used for the purposes of outdoor sports;

(2) Subject to the requirements of the Civil Service Sports Club for the use of the sports pitches and changing rooms, any surplus availability would be offered to local community groups to be agreed between the Council and the Civil Service Sports Club at a rate comparable to the rate charged by the Council for similar facilities; and

(3) The Civil Service Sports Club not to occupy the development until a joint use scheme had been submitted to, and approved by, the Local Planning Authority to provide a scheme to allow for the use of an alternative cricket pitch which would be lost as a result of the development and the multi-use, all weather court with changing facilities would be maintained and available with immediate effect,

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

- (a) The development hereby permitted shall be begun within three years of the date of this permission;
- (b) (i) Before any part of the permitted development is commenced a landscaping scheme which shall include details of the species, siting and numbers to be planted shall be submitted to, and approved in writing by, the Local Planning Authority; (ii) The scheme shall be completely carried out within the first available planting season from the date of commencement of the development, or as otherwise extended with the agreement in writing of the Local Planning Authority; (iii) For a period of five years after the completion of each landscaping scheme the trees and

- shrubs shall be protected and maintained in a healthy, weed free condition and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of similar size and species, or the appropriate trees or shrubs as may be approved in writing by the Local Planning Authority;
- (c) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out and thereafter retained as such, in accordance with the approved details as above, unless otherwise agreed in writing by the Local Planning Authority;
 - (d) No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out at all times in accordance with the agreed scheme or some other scheme that may otherwise be agreed in writing by the Local Planning Authority;
 - (e) Prior to the use hereby permitted commencing a security barrier to the car park shall be provided in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority;
 - (f) Details of any external lighting shall be submitted to, and approved in writing by, the Local Planning Authority before the use hereby permitted commences and the building is occupied. Development shall be carried out in accordance with the approved details and thereafter maintained as such;
 - (g) Before development commences (including site clearance and any other preparatory works) a scheme for the protection of trees to be retained shall be submitted to, and approved in writing by, the Local Planning Authority. Such a scheme shall include a plan showing the location of the protective fencing, and shall specify the type of protective fencing, all in accordance with BS 5837:2005. Such fencing shall be erected prior to commencement of any other site operations and at least two working days notice shall be given to the Local Planning Authority that it has been erected. It shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities whatsoever shall take place within the protected areas without the prior written agreement of the Local Planning Authority;
 - (h) Before any part of the permitted development is commenced details of all boundary walls, fences or hedges forming part of the development shall be submitted to, and approved in writing by, the Local Planning Authority and any such wall, fence or hedge so approved shall be erected/planted before any such part of the development to which it relates takes place;
 - (i) The development hereby permitted shall not be commenced until a Management and Maintenance Scheme for the remaining sports pitches at the Civil Service Sports Club site has been submitted to, and approved in writing by, the Local Planning Authority after consultation with Sport England. The Management and Maintenance Scheme shall be for a period of at least 10 years and shall include management responsibilities and a maintenance schedule. The measures set out in the approved scheme

- shall be complied with in full with effect from commencement of use of the development, and shall include a mechanism for review;
- (j) The premises shall be used as a sports centre with crèche, café and sports bar ancillary to the use of the building as a sports centre to the extent as set out within the accompanying application and for no other purpose (including any other purpose in Class D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) unless agreed in writing by the Local Planning Authority;
 - (k) No development shall commence until details of the proposed means of surface water disposal have been submitted to, and approved in writing by, the Local Planning Authority;
 - (l) Before works commence details of the means of access to the site (including locations, layout, visibility splays, gates, etc.) shall have been submitted to, and approved in writing by, the Local Planning Authority. The agreed access shall then be fully implemented to the satisfaction of the Local Planning Authority before the development is occupied;
 - (m) Before works commence details of the footway/cycleway shall have been submitted to, and approved in writing by, the Local Planning Authority. The agreed works shall then be fully implemented to the satisfaction of the Local Planning Authority before the development is first brought into use;
 - (n) Before works commence details of the offsite highway works shall be submitted to, and approved in writing by, the Local Planning Authority: (i) upgrading of the existing pedestrian crossing on Trull Road to a Toucan crossing; (ii) New footpath links on College Way to link to the existing footpath and bus stop; (iii) Upgrading of the bus stop on College Way by provision of new improved kerbs; and (iv) Extension of parking restrictions on College Way. The highway works as approved shall be implemented to the satisfaction of the Local Planning Authority prior to the occupation of the approved development;
 - (o) Details of the parking, turning and servicing shall be submitted to, and approved in writing by the Local Planning Authority, taking account of the access detail to be agreed as part of this consent. Such parking, turning and servicing shall then be provided as per the agreed layout;
 - (p) Before works commence a Travel Plan shall have been submitted to, and approved in writing by, the Local Planning Authority. The works agreed within the Travel Plan shall then be implemented in full before the development is first brought into use.

(Notes to applicant:- (1) Applicant was advised that condition (k) required the submission of proposals for a scheme of surface water drainage. As detailed within the submission, the Local Planning Authority would expect sustainable urban drainage system (SUDS) to be utilised to deal with surface water drainage. Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). SUDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible. SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands. SUDS offer significant advantages over

conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge, and improving water quality and amenity; (2) Applicant was advised that having regard to the powers of the Highway Authority under the Highways Act 1980 the creation of the new access will require a Section 184 Permit. This must be obtained from the Highway Service Manager and an application for such a permit should be made at least four weeks before access works are intended to commence. It will be necessary for the applicant to enter into a formal agreement with the Highway Authority to facilitate all off-site works, and the applicant is therefore recommended to contact the Planning Liaison Officer as soon as possible so that these works can begin.)

7. 24 Silver Street, Wiveliscombe

Reported that planning permission had been granted in March 2007 for the conversion of 24 Silver Street, Wiveliscombe. During the works it had become evident that the building was not in good structural order and a considerable amount of the building had to be demolished.

Due to the large amount of demolition that had taken place it could no longer be considered as a conversion of an existing building and enforcement action was authorised.

A new planning application had been submitted and planning permission had been granted in principle on 13 February 2008 subject to the receipt of a satisfactory amended plan that indicated the restoration of a rubble wall on the southern elevation of the building.

The plan had not been received and the planning application had therefore been refused. An enforcement notice was served and the applicants had lodged an appeal against the notice. However, The Planning Inspectorate had indicated that the notice was insufficiently precise in its wording and the notice was subsequently withdrawn.

A further notice had been served which stipulated in detail the works required to replace the rubble wall. The applicants again lodged an appeal against the notice. Details of the grounds of appeal were submitted.

In the view of the Legal Services Manager, it would not be expedient to continue with the enforcement action.

Resolved that having reviewed the grounds of appeal the decision be taken not to continue the enforcement action relating to 24 Silver Street, Wiveliscombe as it would not be expedient to do so.

8. Various unauthorised works at Taunton School, Staplegrove Road, Taunton

Reported that a number of contraventions had been reported at the Taunton School campus, Staplegrove Road, Taunton. These comprised:-

- (i) Wills West and East – unauthorised windows, guttering and downpipes;
- (ii) Services and Events Building – unauthorised windows, guttering and downpipes;
- (iii) Southern section of Loveday – unauthorised windows, guttering and downpipes;
- (iv) Whittaker – guttering and downpipes; and
- (v) Thorne – guttering and downpipes.

These contraventions had been brought to the attention of the school but, to date, no action to carry out remedial works or submit retrospective applications to retain the works had been taken.

Resolved that:-

- 1) Listed building enforcement action be authorised in respect of the contraventions at Taunton School listed above;
- 2) Enforcement action be suspended for three months to enable a programme of works to be agreed;
- 3) An enforcement notice to be served only with the approval of the Chairman; and
- 4) Subject to being satisfied with the evidence, the Solicitor to the Council be also authorised to commence prosecution action in respect of the unauthorised works to this listed building.

9. Retention of shed to be used for agricultural storage purposes at Venncroft Farm, Churchstanton

Reported that a planning application had been refused for the retention of a shed being used for agricultural storage purposes at Venncroft Farm, Churchstanton. Despite this, no action to stop the unauthorised use had since been taken by the owners of the property.

Resolved that:-

- 1) Enforcement action be taken to remove the shed being used for agricultural storage purposes at Venncroft Farm, Churchstanton; 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.

10. Appeals

Reported that five appeal decisions had been recently received, details of which were submitted. Two appeals had been dismissed, two appeals had been allowed and one had been withdrawn.

(The meeting ended at 8.12 p.m.)

10/08/0032

MRS J E GRABHAM

CHANGE OF USE AND CONVERSION OF BARN TO RESIDENTIAL ACCOMMODATION IN Paddock OPPOSITE WESTCROFT, CHURCHSTANTON (RESUBMISSION OF 10/08/0022)

321460.1143

Full Planning Permission

PROPOSAL

The existing building is a small single storey stone barn with a corrugated sheet roof, situated in an agricultural field within the Blackdown Hills Area of Outstanding Natural Beauty. The barn is situated in the southern part of the agricultural field, accessed by a field gate from the adjacent country lane. A boundary surrounding the barn has been planted with trees. Opposite the site is Westcroft, an isolated dwelling, otherwise there are no residential properties in the immediate area.

This application is the resubmission of a similar application, which was withdrawn prior to determination last August. It seeks permission for the change of use and conversion of the barn to a dwelling, which would consist of two bedrooms, a bathroom and kitchen/lounge/dining room. Access would be gained by the existing field access. This application now includes additional landscaping within the site and orchard planting directly to the west.

The previous application was accompanied by a structural engineers survey, which found the barn to be in reasonable structural condition; a wildlife survey; and also a brief report on possible commercial use of the barn.

This application now includes further information including a wildlife mitigation plan; and an addendum to the structural report indicating localised tying and strapping to stabilise the walls.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

Churchstanton (BLK) - Proposal can only be beneficial to Area of Outstanding Natural Beauty. It is in the applicant's best interests to carry out the proposals sympathetically, using vernacular materials, viz wooden doors and window frames, clay tiles, etc. It is also the applicant's intention to create an orchard to the side of the property with a planting scheme based on rare, indigenous species of trees. It is the intention of the applicant that the property will be occupied by herself and her husband in their retirement. The alternative to these proposals is that the existing structure will continue to deteriorate and eventually disintegrate. My council strongly recommends that planning consent is given.

Nature Conservation & Reserves - Acorn Ecology Ltd carried out a wildlife survey in Feb '08 and identified the use of the barn by bats, barn owls and swallows. I support Acorn's submitted Wildlife Mitigation Plan (Sept 08) to maintain the total

loft space as a bat roost, with a boxed off area as an owl nest site (PPS9). The proposal will also be suitable for swallows to nest (TDLP EN4). Appendix 3 of Acorn's plan illustrates the mitigation and I advise that this is conditioned along with the timing of works to ensure the protection of species through the development. Suggests informative note to applicant regarding need for a detailed method statement stating how the species will be protected.

Heritage & Landscape - Subject to implementation of the landscape as proposed, the scheme is acceptable.

Environmental Health - Noise & Pollution - Suggests condition and note to applicant regarding assessing potential ground contamination

Somerset County Council - Transport Development Group - In terms of traffic generation the proposed development may generate a similar level of traffic to that of the agricultural use of the barn, but the nature of the trip patterns connected with a residential use are likely to be very different with a higher level of longer distance trips.

The proposed development site is remote from any urban area and therefore distant from adequate services and facilities, such as, education, employment, health, retail and leisure. In addition, there are no public transport services in close proximity of the site. As a consequence, occupiers of the new development are likely to be dependant on private vehicles for most of their daily needs. Such fostering of growth in the need to travel would be contrary to government advice given in PPG13 and RPG10, and to the provisions of policies STR1 and STR6 of the Somerset and Exmoor National Park Joint Structure Plan Review (adopted policies: April 2000).

Notwithstanding the aforementioned comments, it must be a matter for the Local Planning Authority to decide whether the retention of the building for re-use and/or any other overriding planning need, outweighs the transport policies that seek to reduce reliance on the private car.

In detail, the proposal will utilise an existing vehicular access that derives access from/onto a classified unnumbered highway. Highway verge borders the site frontage and with some cutting back, tidying up, visibility splays based on co-ordinates of 2.0m x 43m either side of the access would be easily achievable with minimal detriment to the hedgerow.

Given the unsustainable location, the maximum parking provision, as set out in the County Council Parking Strategy, would be applicable in this location. The submitted block plan shows parking together with a segregated turning area that can accommodate two vehicles. Suggests conditions and note to applicant.

Drainage Engineer - Soakaways should be constructed in accordance with BRE 365 (September 1991). With reference to foul drainage, a septic tank system is to be installed. Percolation tests should be carried out to ascertain the required lengths of sub-surface irrigation drainage. The Environment Agency consent to discharge to an underground strata is also required.

Natural England - Requests that the recommendations of the Ecological Survey

report and those of Taunton Deane Borough Council's Nature Conservation and Reserves Officer, in terms of protected species mitigation, be used in determining the application and attaching conditions.

Representations

6 letters of support received on the following grounds:

- The barn would be easy to convert into a dwelling, blending in to the landscape with the converted barn at Hunter's Lodge and would ensure preservation of the barn.
- Conversion would be an efficient use of a redundant farm building, which in its current state, is an unsightly blemish on the Blackdown Hills Area of Outstanding Natural Beauty.
- Barn is too far from the farmyard and is not suitable for today's farming and if nothing is done with it soon there will be nothing left. A little dwelling could keep much of its character and help preserve this Area of Natural Beauty.
- It will provide another home in the parish, preventing a traditional barn from becoming derelict and lost from the landscape forever.
- The barn is currently in a poor state and could be sympathetically restored.

PLANNING POLICIES

PPS7 - Sustainable Development in Rural Areas,
STR6 - Development Outside Towns, Rural Centres and Villages,
S&ENPP3 - S&ENP - Areas of Outstanding Natural Beauty,
S&ENPP5 - S&ENP - Landscape Character,
S1 - TDBCLP - General Requirements,
S2 - TDBCLP - Design,
S7 - TDBCLP - Outside Settlement,
H7 - TDBCLP - Conversion of Rural Buildings,
EN4 - TDBCLP -Wildlife in Buildings to be Converted or Demolished,
EN10 - TDBCLP - Areas of Outstanding Natural Beauty,

DETERMINING ISSUES AND CONSIDERATIONS

The barn lies in a remote countryside location, some distance from any urban area and therefore distant from adequate services and facilities, such as education, employment, health, retail and leisure. There are no public transport services in close proximity to the site and therefore very limited transport opportunities other than the private car. As such, occupiers of a residential unit in this location would be largely dependent on private vehicles, rendering this an unsustainable form of development. The barn is not considered to be of any significant historic or architectural importance or interest, nor does it contribute to the local area significantly to justify a need to preserve it. It is not therefore believed that there are any significant planning merits of this proposal that would outweigh the highway sustainability concerns raised.

Whilst the structural survey states that the barn is in a reasonable condition, it is not considered that the barn can be converted without significant alteration. The permanent stone element of the barn is only up to eaves level and the roof and side gable above eaves level is corrugated sheeting, which is not of permanent and

substantial construction and would require total replacement. A large element of the barn would therefore be removed and totally replaced with different materials.

The proposed conversion to a dwelling utilises mainly the existing openings, with only one new window being proposed in the rear elevation to serve bedroom 2. However, this results in very little natural light being available inside the resulting dwelling. Whilst a window serves each bedroom, the kitchen/lounge/dining room is reliant on one area of glazing on the front elevation. Whilst an internal window/door is proposed to let some light into the kitchen, this door/window is under the main roof which will limit the light availability significantly. It is therefore considered that the proposed dwelling would result in poor living conditions for potential occupiers, who would be highly reliant on artificial light. Alternatively, this could result in significant future pressure for further openings, to the detriment of the traditional character of the barn.

Part 17 of PPS7 refers to the need to take account of the suitability of different types of buildings for re-use. In view of the limited openings available and the resulting problems with natural light availability, it is not considered that the barn in question lends itself to conversion to residential use.

The site lies within the countryside of the Blackdown Hills AONB, where the natural beauty should be preserved and enhanced and development should not adversely affect the landscape character or appearance. The conversion of the barn, provision of associated amenity space and installation of the driveway, would domesticate the appearance in an area that currently forms part of an agricultural field. Whilst it is accepted that the additional planting now proposed would reduce this impact slightly, the introduction of the paraphernalia of domestic living would change materially the rural character of the building and surrounding curtilage to a domestic one, thus eroding the rustic character of the site and failing to preserve and enhance the rural beauty of this part of the AONB.

RECOMMENDATION AND REASON(S)

Recommended Decision: Refusal

- 1 The site is remote from any urban area and therefore distant from adequate services and facilities, such as, education, employment, health, retail and leisure and there is no public transport services in close proximity to the site. As a result, occupiers of the proposed dwelling are likely to be dependent on private vehicles for most of their daily needs, which would foster a growth in the need to travel and it is not considered that there are sufficient planning merits of the proposal to outweigh the highway sustainability issues raised. On this basis, the proposal is contrary to advice given in PPG13 and RPG10 and policies STR1 (Sustainable Development) and STR6 (Development Outside Towns, Rural Centres and Villages) of the Somerset and Exmoor National Park Joint Structure Plan Review and policy S1(b) of the Taunton Deane Local Plan.
- 2 The barn is a single storey stone barn with a corrugated sheet roof and limited openings, within the Quantock Hills Area of Outstanding Natural Beauty. Due to the nature of the roof and gable ends above eaves level not

being of permanent and substantial construction, significant alterations would be required to convert the building to residential use and by virtue of the limited openings in the existing barn, the building is not deemed suitable for its intended use. As such it is not considered that the building is of a form suitable for conversion to this use and is therefore contrary to the guidance set out in the relevant sections of PPS7 (Sustainable Development in Rural Areas) and policy H7 (Conversion of Rural Buildings) of the Taunton Deane Local Plan.

- 3 The site lies within a rural part of the Blackdown Hills Area of Outstanding Natural Beauty, where the natural beauty should be preserved and enhanced and development should not adversely affect the landscape character or appearance. The conversion of the barn, by virtue of the introduction of paraphernalia of domestic living, along with the installation of a driveway, would introduce a residential element, into a rural environment. The rustic nature of the site and the surrounding landscape will be eroded, which will fail to preserve and enhance the character of the landscape and the rural beauty of the Area of Outstanding Natural Beauty. As such, the proposal is contrary to policies P3 (Areas of Outstanding Natural Beauty) and P5 (Landscape Character) of the Somerset and Exmoor National Park Joint Structure Plan Review and policies S1 (General Requirements), H7 (Conversion of Rural Buildings) and EN10 (Areas of Outstanding Natural Beauty) of the Taunton Deane Local Plan.

RECOMMENDED CONDITION(S) (if applicable)

Notes for compliance

In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1988.

CONTACT OFFICER: Miss K Purchase Tel: 01823 356468

31/08/0027

Pyman Bell (Holdings) Ltd

RETENTION OF CHANGE OF USE TO FUNCTION FACILITIES, TOGETHER WITH FORMATION OF NEW ACCESS AND CAR PARK AND RETENTION OF GLAZED PERGOLA AT WOODLANDS CASTLE, RUISHTON, TAUNTON AS AMENDED BY

326052.124793

Full Planning Permission

PROPOSAL

The proposal seeks retention of the unauthorised use of the dwelling at Woodlands as a site for conferences and other functions. In addition the retention of a glazed pergola is proposed in conjunction with disabled access and a proposed new vehicular access to the unauthorised car park is proposed off Ruishton Lane with closure of the existing access off the A358 to vehicles. The new access onto Ruishton Lane will involve a 6m wide road with footpath/cycleway to one side while the visibility splay will involve removal and part laying of the hedge together with replacement hedge planting within the field. The hedge removal is also proposed as part of a Highway Authority scheme to provide a footpath/cycleway along part of Ruishton Lane in conjunction with the Park and Ride scheme, through the Highway Authority's permitted development rights.

SITE DESCRIPTION AND HISTORY

The site consists of a Grade II listed building set in parkland with a current access and drive off the A358. The site lies outside the settlement limits of Taunton and is bounded by Ruishton Lane to the North West, agricultural land to the north and east (beyond which lies the village) and the A358 to the south. An access to the parkland to the north exists via a field gate onto Ruishton Lane.

Previous permission for use of the building as offices was granted in December 2002 (ref. 31/02/015 & 019LB). A planning application for retention of marquees on the site (ref.31/07/017) was refused in June 2007 and subsequently dismissed on appeal in April 2008.

A listed building application for provision of toilets in the outbuilding and extension to link it to the marquees was refused in August 2007 (Ref. 31/07/018LB). A further application for the retention of the conference and functions use, car park, access, conversion of outbuildings and retention of marquees was applied for in December 2007 and was refused in April 2008.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

Ruishton (R&C) -

Heritage and Landscape Officer - I am generally happy with the principle of the

change of use and different access route but subject to a programme of parkland tree planting. This will provide the house with a proper setting rather than open fields beyond the entrance avenue. I do not accept that the proposed use will not have an adverse impact beyond the red line area but believe that the traffic using the access track and car parking will require careful landscaping - trees, hedges etc- if the setting is to be properly preserved. The replacement trees for the lost TPO'd trees along Ruishton Lane are to be welcomed but they should be considered within the wider setting of the parkland.

Nature Conservation & Reserves Officers - I support the submitted report's recommendations for careful work to ensure bats and badgers will not be harmed through the development. No evidence of bats were found in the outbuildings but there are parkland trees that could provide foraging and roost opportunities for bats. Evidence of nesting birds was found and in the outbuildings and there is potential for breeding birds to use the hedgerow to be removed. Dwg 5609:3/03A illustrates changes to the cellar with installation of boilers and damp proofing proposed. It is possible bats use the cellar as a winter roost and I am concerned no survey information or comment was submitted. I advise further survey information and comment should be submitted on the cellar proposals to ensure that bats will not be affected by the proposals.

Tourism Officer - We would welcome additional conference facilities close to the M5 in an area where further development may occur and certainly in this close proximity to the Park & Ride facility.

Drainage Engineer - I note that surface water is to connect to a sustainable drainage system, most probably incorporating soakaways. I cannot find any detail of the proposed car parking area and full details of how surface water run-off is to be treated shall be forwarded before any works commence on site, including details of porosity tests and these requirements shall be made a condition of any approval given.

Ruishton & Thornfalcon Parish Council - Comments awaited.

Somerset County Council - Transport Development Group - You will be aware of previous comments on other applications on this site, particularly 31/07/029 and my letter of 14 Feb 08. The present proposal is similar to the previous from a transport viewpoint and this time includes a plan 2241.01 from Peter Evans which shows not only a suitable access and visibility but also suitable footway/cycleways and footways. It is my view that subject to suitable conditions to secure the construction and laying out of the car parks and the construction of the access cycle ways and footways shown on 2241.01 before commencement of the new use then I would have no objection to the development.

Representations

3 letters of support on basis it will benefit other businesses in this time of financial insecurity and offer a service to the public.

7 letters of objection on grounds of events have caused a noise nuisance and the operators have breached the event licence, inability to control noise from functions, the access onto the lane will require visibility splays which will remove vegetation and spoil the unique rural character of the area. The proposal will increase congestion along Ruishton Lane and at the junction with the A358 and add to the danger of pedestrians and cyclists. This is not a suitable location for this use with access onto a narrow lane. The County Council have said widening Ruishton Lane was not acceptable as this would increase traffic speed. Increased use of lane

unacceptable without widening and widening is unacceptable as it increases traffic speed and danger. It will encourage traffic along Bushy Cross Lane and increase danger to pedestrians. The access will remove hedges that are an important wildlife habitat and identified in the biodiversity action plan (BAP) and will affect parkland trees. The new car park and access would increase pollution with light pollution and noise day and night and cause loss of privacy. Strict controls should be put in place to prevent noise disturbance. Traffic should be stopped from entering the site from the direction of the village.

PLANNING POLICIES

PPS1 - Delivering Sustainable Development,
PPS7 - Sustainable Development in Rural Areas,
PPG13 - Transport,
PPG15 - Planning and the Historic Environment,
STR1 - Sustainable Development,
STR6 - Development Outside Towns, Rural Centres and Villages,
S&ENPP1 - S&ENP - Nature Conservation,
S&ENPP9 - S&ENP - The Built Historic Environment,
S&ENPP49 - S&ENP - Transport Requirements of New Development,
S1 - TDBCLP - General Requirements,
S2 - TDBCLP - Design,
EC6 - TDBCLP - Conversion of Rural Buildings,
M2 - TDBCLP - Non-residential Car Parking Outside Taun & Well,
EN6 - TDBCLP -Protection of Trees, Woodlands, Orchards & Hedgerows,
EN8 - TDBCLP - Trees in and around Settlements,
EN34 - TDBCLP - Control of External Lighting,

DETERMINING ISSUES AND CONSIDERATIONS

The main considerations with the proposal are the suitability of the site for the use in this location, the impact on the setting of the listed building, the landscape and amenity impact of the works and the traffic impact of the scheme.

The application is for the use of the existing building as a conference and function venue. The site is outside of the settlement limits of Taunton. However policy EC6 allows for the conversion of buildings for employment use. Whilst the site lies outside of the settlement limits, it is close to the boundary and is considered to be in a sustainable location for this employment use. The use for conferences is one that is welcomed by the Economic Development and Tourism Officer and use for offices has previously been accepted here. The applicant has submitted that Woodlands Castle is a substantial property that requires significant ongoing maintenance works. The annual costs are submitted to be beyond that which can be justified for residential use. The commercial use of the building would enable the generation of an income to provide for the future care, repair and protection of the building.

The proposal involves both internal and external works that could affect the listed building and its setting. The principle of the provision of a disabled access on the eastern side of the building is considered acceptable, however the submitted detail is considered contrived to fit in with the unauthorised glazed pergola. A scheme could be designed to be in keeping and not to detract from the character of the building, however there is an objection by the Conservation Officer to the current detail of the scheme. The glazed pergola and disabled access have therefore been

deleted from the application and will need to be subject to further submissions.

The other exterior works involve the provision of the car park and access through the parkland to the north. The applicant considers the car parking to be on the less sensitive side of the building and it is separated from the main building by both the service courtyard and existing hedge line. It is submitted that many National Trust properties have similar situations. The parking area is currently delineated is an area that could be adequately screened and is of a scale that would not significantly detract from the parkland and setting of the listed building. There is a need to adequately screen this area and improve the parkland setting and a suitable landscape condition is considered necessary to achieve this.

The Landscape Officer raises no objection in principle subject to appropriate parkland tree planting and landscaping. There was objection on previous schemes over the loss of hedgerow with the necessary access formation and visibility splay required. While this is still a concern the works proposed by the Highway Authority under their permitted development rights will result in removal and alterations to the hedgerow with new planting in order to provide a footpath/cycleway along Ruishton Lane. This being the case the works involved with the new access will not create any greater impact than that already proposed. It is therefore not reasonable to object to the hedge removal and replacement works and a condition to ensure appropriate replanting is considered necessary.

A number of concerns have been raised over the function use of the site and the noise implications impacting on nearby residential properties. The proposed use however relates to the existing building. Complaints have been received in the past by Environmental Health in relation to functions in the unauthorised marquees on the site. The use of the existing listed building on site is considered appropriate for the use without the need for noise limitations. Should further structures be considered in the future the impact of these would have to be considered at the time. There is also scope for future action under the licensing conditions if problems of noise from events in the gardens takes place.

The Highway Authority has been in discussion with the applicant over the new footpath/cycleway and it is a requirement that the existing vehicular access to the site via the A358 is closed off to vehicles to improve highway safety. The means by which this is achieved should be the subject of a condition to ensure the details necessary to maintain the character of the listed building. The access has been designed in consultation with the Highway Authority and their formal comments raise no objection to the proposal.

In summary the proposed use of the building is considered an appropriate one that would secure the beneficial future maintenance of the building. The access provisions are not detrimental to highway safety and the amenity of neighbours will not be materially affected by the use of the building.

RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval

Permission be GRANTED subject to conditions of time limit, surfacing materials of car park and access, landscaping, means of closure of existing access, visibility, exterior lighting, drainage of car park, no surface water draining to highway and note

re disabled access.

The proposal is considered not to harm visual or residential amenity, it has good transport links and does not adversely affect highway safety and does not adversely affect the character of the Listed Building. It is therefore considered acceptable and, accordingly, does not conflict with Taunton Deane Local Plan Policies S1 (General Requirements), S2 (Design), EC6 (Conversion of Rural Buildings), M2 (Parking), EN6 (Protection of Trees and Hedgerows) and PPG15 and Policy 9 of the Somerset and Exmoor National Park Joint Structure Plan Review.

RECOMMENDED CONDITION(S) (if applicable)

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: In accordance with the provisions of Section 91 Town and Country Planning Act 1990 (as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004).

2. Details of the surfacing materials to the car park and drive hereby permitted shall be submitted to and agreed in writing by the Local Planning Authority prior to their installation and shall thereafter be maintained as such, unless otherwise agreed in writing by the Local Planning Authority prior to the commencement of development.

Reason: To safeguard the local character of the area in accordance with Taunton Deane Local Plan Policies S1(D) and S2(A).

3.
 - (i) Before any part of the permitted development is commenced, a landscaping scheme, which shall include details of the species, siting and numbers to be planted, shall be submitted to and approved in writing by the Local Planning Authority.
 - (ii) The scheme shall be completely carried out within the first available planting season from the date of commencement of the development, or as otherwise extended with the agreement in writing of the Local Planning Authority.
 - (iii) For a period of five years after the completion of each landscaping scheme, the trees and shrubs shall be protected and maintained in a healthy weed free condition and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of similar size and species, or the appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development makes a satisfactory contribution to the preservation and enhancement of the local character and distinctiveness of the area in accordance with Taunton Deane Local

Plan Policy S2.

4. The existing access onto the A358 shall be permanently closed when the access hereby permitted is brought into use. Details of the means of closure of the existing access shall be submitted to and approved in writing by the Local Planning Authority before the new access commences and shall be implemented as agreed.

Reason: In the interests of highway safety in accordance with policy 49 of the Somerset & Exmoor National Park Joint Structure Plan Review.

5. The visibility splays and access point illustrated on Peter Evans Partnership drawing 2241.01 shall be provided prior to the access use commencing and in any event within 3 months of the date of the permission, unless otherwise agreed in writing by the Local Planning Authority, and shall thereafter be maintained.

Reason: To preserve sight lines at a junction and in the interests of highway safety in accordance with Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review and relevant guidance in PPG13.

6. Details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority before its installation. Development shall be carried out in accordance with the approved details and thereafter maintained as such.

Reason: To minimise the impact of the development in accordance with Policies S1(E) and EN34 of the Taunton Deane Local Plan.

7. Details of the means of surface water drainage for the proposed car parking area shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented prior to the car park being brought into use.

Reason: To prevent increased surface water run off from the site causing flooding in accordance with advice in PPS25.

8. 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 be submitted to and approved in writing by the Local Planning Authority prior to the drive construction commencing and thereafter carried out as agreed.

Reason: In the interests of highway safety in accordance with Somerset and Exmoor National Park Joint Structure Plan Review Policy 49.

Notes for compliance

1. You are advised that a revised scheme for the provision of disabled access should be considered instead of the unauthorised pergola deleted from the current proposal.

In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1988.

CONTACT OFFICER: Mr G Clifford Tel: 01823 356398

38/08/0349

KINGS COLLEGE

CONSTRUCTION OF TWO FLOODLIT SAND-FILLED ALL WEATHER SPORTS PITCHES, WARM-UP AREA, THIRD GENERATION 5-A-SIDE FOOTBALL PITCH, TARMACADAM TENNIS COURTS AND CRICKET NET SURROUNDS (RESUBMISSION OF 38/2007/621) AT KINGS COLLEGE, 65-75 SOUTH ROAD, TAUNTON AS AMENDED BY AGENTS LETTER RECEIVED 4 DECEMBER 2008 AND ACCOMPANYING PLAN 2526 AL(O) 14D AND TRAFFIC SURVEY.

32357.123908

Full Planning Permission

PROPOSAL

The proposal comprises upgrading of the existing facilities at Kings College. The site is currently a grass playing field used by the college. The proposal involves reorganising the sports facilities with the addition of two new floodlit all weather sports pitches, a sand dressed warm up area, and a third generation 5 a side football pitch. New tennis courts are also provided

SITE DESCRIPTION AND HISTORY

A previous application, 38/2007/621, was withdrawn in order to address various issues that arose during the consideration of the scheme.

The proposal seeks to move, and improve, the facilities that already exist at the college. The current facilities of tennis courts, an all weather sports surface, and recreational football area, are sited on the Western side of South Road. These facilities are separated from the main school site.

CONSULTATION AND REPRESENTATION RESPONSES

COUNTY ARCHAEOLOGIST – limited or no archaeological implications to this proposal and we therefore have no objections on archaeological grounds.

COUNTY HIGHWAY AUTHORITY – No objection to this proposal as these facilities will serve the existing school role and will not see an increase in traffic movements.

Revised Comments (16/12/2008) relating to submitted Traffic Survey - facilities are expected to generate an extra 40 trips per hour in the evenings and weekends and very little at other times. Cannot see a problem and therefore have no comment.

ENVIRONMENT AGENCY – no objection to proposal. Would request inclusion of the following conditions, informative's and recommendations: SUDS; no storage of excavated materials including soil or permanent land raising within the floodplain; 8m buffer from top of banks and all watercourses; residual light reaching key bat flight routes is at a level that does not affect; further informative's.

Revised Comments (14/11/2008) – Following further discussion with Aardvark EM Limited, we would now like to request that the clear strip of land is reduced to a minimum of 5 metres (as opposed to 8 metres) wide.

LIGHTING CONSULTANT – proposed flood lighting scheme would appear to affect residential properties. A site visit may be possible to eliminate some properties because of buildings and heavy planting. The light source, or reflection of the light source, must not be visible from any of the residential properties identified, any adopted highway and preferably any private highway.

Revised Verbal Comments - should be a condition to ensure that the luminaries are shielded after the commissioning but before the lighting is used.

NATURAL ENGLAND – supports recommendations of Taunton Deane Borough Councils Nature Conservation and Reserves Officer (NCRO), in terms of the need for additional ecological survey work – both on and off-site. We request that the findings and recommendations of these surveys, those past surveys ('Aardvark EM Limited', July 2008) and the comments of the NCRO be used in determining the application and attaching conditions.

Revised Comments (11/12/2008) – no further comments.

SOMERSET ENVIRONMENTAL RECORDS CENTRE (SERC) - Legally Protected Species have been found – one or more Highway Badger Setts.

SPORT ENGLAND – In commenting on applications we assess whether the proposal meets any of the 5 exceptions to our Playing Field Policy 'A Sporting Future for the Playing Fields of England'. This requires that:

'The proposed development is for an indoor or outdoor sports facility, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the playing field or playing fields.'

In order to meet the requirements of Exception E5 of our policy, we would wish to see some formal commitment of the College towards community use of their existing and proposed outdoor sports facilities, in order for the sports development benefits of the proposals to outweigh the losses.

Subject to securing a Community Use Agreement, Sport England does not wish to object. If the Council decides not to attach a condition, nor include the requirements in a Section 106 Planning Obligation, then Sport England would wish to object to this application.

CONSERVATION OFFICER – no objection to these proposals.

DRAINAGE OFFICER - following conditions be attached: outflow discharge rate to the Blackbrook Stream be limited to 7.09 l/s for all weather pitches; no works shall commence on site until details of the proposed sustainable urban drainage system (SUDS) has been submitted and approved by the Authority; details of how long term maintenance of the proposed SUDS is to be achieved shall be subject to agreement/approval.

ENVIRONMENTAL HEALTH – external lighting shall be located, installed and permanently maintained that inconvenience from glare, whether direct or reflected, shall not be caused at any other premises.

LANDSCAPE OFFICER main concern is flood lighting in what is otherwise a quiet parkland situation. There is scope for additional tree planting along the BlackBrook but this will not be enough to offset the impact of the lighting and to a lesser extent the lighting columns.

LEISURE DEVELOPMENT OFFICER - fully understand why the school wish to provide improved sports facilities for students. Hockey in particular is now played almost exclusively on artificial pitches. Loss of grass pitches regrettable regardless of whether community has access.

Flood lighting is always a matter of contention, only points in this regard are that floodlights are necessary on such pitches, and lighting intensity is generally greater for hockey than other ball sports.

Generally opposed to loss of grass pitches but could re-consider position if a formal community use agreement could be entered into. I would say however that there are already at least 5 artificial pitches in Taunton with some form of community use (with planning permission for 2 more at Taunton School) and cannot envisaged where demand from community might come from.

If a formal Community Use Agreement can be agreed, would not oppose plans as community would benefit to a greater extent than it does presently.

NATURE CONSERVATION AND RESERVES OFFICER - submitted report includes surveys for badgers, bats, water voles and otters. Condition to protect species through the development and maintain and enhance habitats on site for wildlife.

Bats – majority of bats recorded were 78.3% Pipistrelles and Noctules 19.7%. Both tolerant of floodlit areas and seek out the increased insect populations. Most bat activity on periphery of site. Support shielding lighting from streamside.

Badgers – 2 setts identified. Support recommendation of 30m buffer zone is identified and protected when developing site.

Otters and water voles – known to use the Blackbrook but no evidence of breeding or resting places for otters. Unlikely proposal will affect species.

Reptiles – some suitable habitat, support recommendation to search for reptiles on land to be developed.

Breeding birds – support recommendation to mitigate against loss of potential bird nesting sites through the provision of nest boxes.

Revised Comments (19/11/2008) - further information on badgers received. Large and active sett in the garden of 36 Holway Hill. Badgers likely to be disturbed by flood lighting and will delay access to that area until lights are off – support time limit of lighting. Difficult to assess loss of foraging and the cumulative effect of development in the area. In my opinion, better option to have just one floodlit pitch. Management and enhancement of habitat features on site required to allow badgers to retain viable population. Condition to be recommended.

RIGHTS OF WAY (TDBC) – no observations.

REPRESENTATIONS

29 Letters of Objection raising the following:

Flood lighting (residential)

Young children will find it difficult to sleep; not sympathetic to local area, considering open nature and lack of street lighting; houses of Holway Hill elevated position and given height of floodlights will be in direct field of vision; effect on quality of life; should have time limit; telescopic floodlights would help

Wildlife

No mention of Tawny owls, Woodpeckers and Sparrow Hawks that inhabit our gardens; bats will be affected by floodlights; badger sett in 36 Holway Hill not recorded in survey; concern that noise will affect badger feeding habits; some bats will be affected by lighting; stream corridor should remain dark from dusk to dawn; also evidence that lighting can increase predator activity on bats; research written by Alison Fure in 2006 of London Naturalist suggest feeding habits of bats is significantly disturbed by floodlights, contend that ecological report do not have specialist knowledge; white egret and grey heron not in wildlife report;

Flooding

Pitches will increase run-off; with extreme weather conditions and climate change sports pitches will increase flooding due to inadequate drainage

Other Matters

Why can't pitches be located adjacent to school buildings away from stream; noise will increase during evenings; surrounding topography allows noise to carry easily community use, is there a genuine need; intrusive on green field site; disagree that pitches cannot be located elsewhere, pupils already make the journey across South Road to Astro –pitch, and use pedestrian crossing – health and safety risk outrageous; children's sleep will be affected by noise; not necessary, already 8 pitches in the town; proposal would affect house prices, would expect compensation from Kings College; cars will increase, where will people park? Already congested roads; application linked to seeking permission to build 81 dwellings on the Convent site on South Road; if pitches are rejected, housing development cannot go ahead. If housing rejected, these facilities are unnecessary;

Letter of objection on behalf of Woodards Taunton management Ltd - insufficient information – failure to submit a Transport Assessment and Travel Plan, Statement of Community Involvement; not supported by full Planning Statement that addresses regional, national and local planning policies. Application should be refused as adequate information has not been provided, also not in accordance with Policy M1. Development will result in net loss in sports facilities as a result of development of the Convent site. Planning Manager from Sport England has failed to consider cumulative loss of pitches. No long term benefit to community as facilities are regularly used by public groups. Application be refused on grounds of being contrary to PPG17, policy E4 of Sport England's Playing field Policy and Policy C3 of the TDLP

A petition containing 80 signatures from the Holway Hill Community Action Group raising 14 questions and points of concern and opposing the proposal.

PLANNING POLICIES

PPS1 - Delivering Sustainable Development,
PPS9 - Biodiversity and Geological Conservation,
PPS25 - Development and Flood Risk,
S1 - TDBCLP - General Requirements,
C3 - TDBCLP - Protection of Recreational Open Space,
EN34 - TDBCLP - Control of External Lighting,

DETERMINING ISSUES AND CONSIDERATIONS

Highway Implications

The Highway Authority has raised no objection to the proposal. The additional Traffic Survey submitted with application has also raised no objection.

Flooding

The site lies partially within a flood Plain. A Flood Risk assessment and Sequential test have been submitted with the application. The Environment Agency does not object to the proposal but have requested that a number of conditions are attached to this approval. These conditions will ensure that the proposal will not increase the risk of flooding to any nearby properties. The conditions include no storage of material (including soil) on the site, and the implementation of a Sustainable Urban Drainage Scheme.

Flood lighting

The proposed lighting scheme could impact on residential property and wildlife.

To protect against any wildlife impacts, amended plans have proposed new landscaping along the edge of the stream to reduce any light spill into the stream and have provided baffles to the four closest columns, to further prevent any light spill.

Floodlit sports will take place only until 9.30pm and will be conditioned accordingly. A further condition will be imposed to ensure that any light spill/glare will be avoided. This will reduce any undue impact to residential properties.

Design and Impact on Recreational Open Space (ROS)

The playing field is protected under policy C3 (ROS) of the Local Plan. In this policy proposals should not be permitted unless there is an excess of good quality recreational facilities that would be lost, sufficient to meet local demand; or the development provides a recreational or community benefit greater than the long term recreational value of the facility to be lost; or equivalent provision in a

convenient location is made. The issue therefore is one of whether the community benefit is sufficient to outweigh the loss of the playing field.

The Leisure Development Officer and Sport England both agree that the community benefit is greater than the loss of the playing field, in this case as facilities are currently only available to students of the college.

Lighting columns are the only addition that would be considered to have a visual impact. New landscaping would help to minimise the proposed columns. As the columns are required to provide the pitches, impact of the lighting columns is not considered significant in this case.

Wildlife

The reports, and additional details submitted, show that bats and badger setts are within the site. The Blackbrook stream is also known to be used by otters, water voles, as well as birds. The two main considerations are the impact of the proposal on the bats and badgers.

The flood lighting has been amended to reduce the impact on the badgers, and a time limit set to 9.30pm for the lights. As indicated in the NCRO comments, the majority of the bats found within the area are tolerant of the lighting and seek out increased insects. The comprehensive wildlife condition is considered to ensure the safety of any protected species during, and after development has occurred.

Conclusion

The proposal is not considered to have a detrimental impact on either visual or residential amenity, with conditions attached to ensure the use and lighting are acceptable. The proposed SUDS, and conditions, will prevent any increased risk of flooding from the proposal. Wildlife concerns have been addressed with additional information submitted, and conditions attached.

RECOMMENDATION AND REASON(S)

The proposal would improve existing facilities and promote better use of open recreational spaces and is therefore acceptable. The proposed lighting will enable full and safe use of the school sport pitch. Mitigation and future management of the site will safeguard any protected species. Proposal is therefore in accordance with Taunton Deane Local Plan Policies S1, C3 and EN34, and National Policy PPS1, PPS9 and PPS25

Recommended Decision:

The proposal would improve existing facilities and promote better use of open recreational spaces and is therefore acceptable. The proposed lighting will enable full and safe use of the school sport pitch. Mitigation and future management of the site will safeguard any protected species. Proposal is therefore in accordance with Taunton Deane Local Plan Policies S1, C3 and EN34, and National Policy PPS1, PPS9 and PPS25

RECOMMENDED CONDITION(S) (if applicable)

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: In accordance with the provisions of Section 91 Town and Country Planning Act 1990 (as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004).

2. Only those materials specified in the application shall be used in carrying out the development hereby permitted unless otherwise agreed in writing with the Local Planning Authority.

Reason: To protect the character and appearance of the existing building in accordance with Policy S2 of the Taunton Deane Local Plan.

3.
 - (i) Before any part of the permitted development is commenced, a landscaping scheme, which shall include details of the species, siting and numbers to be planted, shall be submitted to and approved in writing by the Local Planning Authority.
 - (ii) The scheme shall be completely carried out within the first available planting season from the date of commencement of the development, or as otherwise extended with the agreement in writing of the Local Planning Authority.
 - (iii) For a period of five years after the completion of each landscaping scheme, the trees and shrubs shall be protected and maintained in a healthy weed free condition and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of similar size and species, or the appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development makes a satisfactory contribution to the preservation and enhancement of the local character and distinctiveness of the area in accordance with Taunton Deane Local Plan Policy S2.

4. The floodlights shall not be illuminated other than between the hours of 9.00am and 9.30pm.

Reason: In the interests of visual amenity of the area in accordance with Taunton Deane Local plan Policy EN34.

5. Following the commission of the floodlights but prior to operation the lights shall be inspected by the Local Planning authority to ensure that the luminaries are cowled such that the light source and lens are not visible from residential properties, such lights shall be maintained as such thereafter.

Reason: In the interests of visual amenity of the area in accordance with Taunton Deane Local plan Policy EN34

6. The development hereby permitted shall not be commenced until a Community Use Agreement for the outdoor sports facilities on the application site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of pricing policy, hours of use, access by non-school users/non-members, management responsibilities and include a mechanism for review. The approved scheme shall be implemented upon commencement of use of the development.

Reason: To secure well managed safe community access to the outdoor sports facilities, to ensure sufficient benefit to the development of sport and to accord with Local Plan Policy C3.

7. There shall be no storage of any excavated materials including soil or permanent land raising within the floodplain of the Blackbrook river as stated in the Aardvark Flood Risk Assessment.

Reason: To ensure that there will be no increased risk of flooding to other land/properties due to impedance of flood flows and/or reduction of flood storage capacity, in accordance with PPS25.

8. A strip of land 5 metres wide adjacent to the top of the banks of all watercourses fronting the site must be kept clear of all new buildings and structures (including gates, walls and fences). Ground levels must not be raised within such a strip of land.

Reason: To preserve access to the watercourse for maintenance and improvement, in accordance with PPS25.

9. Prior to the commencement of development there shall be submitted and approved in writing by the Local Planning Authority details of the proposed Sustainable Urban Drainage Scheme for the site. The development shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: In the interests of flood prevention, in accordance with PPS25.

10. The development hereby permitted shall not be commenced until details of a an Environmental Management and Monitoring Strategy (EMMS) to protect badgers, breeding birds, reptiles, water voles and bats, has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be based on the advice of protected species reports submitted by Aardvark, dated July and November 2008, and include:

1. Details of protective measures to include method statements to avoid impacts on protected species during all stages of development;
2. Details of the timing of works to avoid periods of work when the species could be harmed by disturbance;
3. Details of the long term management of habitats on site to ensure the retention, replacement and enhancement

of places of rest and foraging for the species;

4. Details of an annual badger monitoring programme, for a minimum of three years, to establish any effects of the development on the local badger population. The results must be submitted annually to the Local Planning Authority.

Once approved the works shall be implemented in accordance with the approved details of the EMMS unless otherwise approved in writing by the Local Planning Authority and thereafter the site shall be permanently maintained according to the EMMS.

Reason: To protect badgers, breeding birds, reptiles, water voles and bats through the development and to ensure the long term maintenance of places of rest and foraging for these species bearing in mind these species are protected by law. In accordance with PPS9.

Notes for compliance

1. Under the terms of the Water Resources Act 1991 and the Land Drainage Bylaws, the prior written consent of the Environment Agency is required for any proposed works or structures in, under, over or within 8 metres of the top of the bank of a designated 'main river.
2. There must be no interruption to the surface water drainage system of the surrounding land as a result of the operations on the site. Provisions must be made to ensure that all existing drainage systems continue to operate effectively and that riparian owners upstream and downstream of the site are not adversely affected.
3. The Black Brook is an important wildlife corridor and should be appropriately protected in accordance with Planning Policy Statement 9. Following the RTP1 five point approach, the floodlit pitches should be sited to avoid all adverse effects on wildlife species and habitats where possible.
4. We recommend that because of the need to protect and safeguard the environmental qualities of the site and the scale and likely programme of construction, the Local Planning Authority should seek undertakings from the applicant/developer to minimise detrimental effects to natural/water environmental features of the site and the risks of pollution. Such undertakings should cover the use of plant and machinery, oils/chemicals and materials; the use and routing of heavy plant and vehicles; the location and form of work and storage areas and compounds and the control and removal of spoil and wastes.
5. In interpreting the results and potential impact of the ecological survey it does not appear that the ecological report has taken account of the Conservation (Natural Habitats, &c) (Amendment) Regulations 2007 and we recommend that the Local Planning Authority should seek the advice of Natural England on the findings of the ecological survey.
6. The outfall discharge rate to the Blackbrook Stream should be limited to 7.09

l/s for all weather pitches.

With regard to condition 10 The Local Planning Authority will expect to see a detailed method statement clearly stating how the species named above will be protected through the development process and to be provided with a mitigation proposal that will support these species in the long term.

Details of the long term management of the site shall include the maintenance and enhancement of the Black Brook corridor, hedgelines and shrubby areas and the management of grassland within Kings College ownership, to enhance habitats.

The monitoring of the badger population should include the results of a bait marking survey to be undertaken in the February before the development is started on site. The results of the survey will form the base line for a monitoring programme which should be carried out for a minimum of three years to establish any effect of the badger population in the area (there is a main sett at 36 Holway Hill).

It should be noted that the protection afforded to species under UK and EU legislation is irrespective of the planning system and the developer should ensure that any activity they undertake on the application site (regardless of the need for planning consent) must comply with the appropriate wildlife legislation.

In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1988.

CONTACT OFFICER: Mr D Addicott Tel: 01823 356463

38/08/0492

MR G EDDY

ERECTION OF 3 STOREY WING TO REPLACE 1960S SOUTH ANNEX. DEMOLITION OF METAL DECK ROOF TO WEST ANNEX AND REPLACEMENT WITH RAISED FLAT ROOF AND ADDITION OF ONE STOREY WITH ADJACENT ROOF TERRACE. MINOR ALTERATIONS TO DOOR AND WINDOW OPENINGS OF MAIN WAREHOUSE FOR USE AS INDIVIDUAL OFFICE STUDIOS AT BARNICOTTS LTD, 112 ST AUGUSTINE STREET, TAUNTON

Full Planning Permission

PROPOSAL

It is proposed to convert an existing three storey industrial building into individual office studios including the demolition of single storey flat roof additions and the erection of a mix of one, two and three story extensions that would be used in conjunction with the office space.

1208 square metres of existing building would be converted, 293 square metres of single storey existing building would be demolished and 802 square metres would be provided in the new extensions. This would result in 2010 square metres of B1 business use in the centre of Taunton.

SITE DESCRIPTION AND HISTORY

The site is to the east of Somerset County Cricket Club on the corner of Priory Bridge Road and St Augustine Street.

The building is a 3-storey red brick industrial building that was built around 1890 as a Collar Factory. It was closed as a shirt and collar factory in 1964 and taken over by Barnicott's printers before becoming listed in 2004. It is currently in the ownership of Somerset County Cricket Club and the ground floor is now used for storage.

The site is immediately adjacent to the proposed site of the Somerset County Cricket Club Hub Building which was granted planning consent in July 2008.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

COUNTY HIGHWAYS AUTHORITY – comment:

“The proposal relates to the construction of a new 3 storey wing to the existing building to replace the existing Annex, whilst the carrying out of minor works within the site.

The proposal will utilise the existing access to the site this will provide an unloading

space for delivery vehicles. From the proposed ground floor plan it is apparent that sufficient room has been provided to allow a small van to turn and leave the site in forward gear. The access provides sufficient visibility in both directions to allow vehicles to exit onto the highway safely. The site provides space for cycle parking; however the application does not show any car parking. This is also not mentioned in the accompanying documentation. Therefore I would require further information to be submitted detailing what car parking will be utilised.

The Proposal is located within the Town Centre as such a reduction in car parking standards would apply. The Local Transport Plan states that due to the sites location a parking reduction of 50% would be considered to be acceptable. Taking into account the above information the Local Highway Authority raises no objection to this proposal and if planning permission were to be granted I would require the following conditions to be attached,

- The development hereby approved shall not be brought into use until a fully sheltered cycle rack facility capable of accommodating up to ten cycles has been provided within the site in accordance with a design and specification to be submitted to and approved in writing by the Local Planning Authority and to be fully implemented to the satisfaction of the said Authority.
- 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 by the Local Planning Authority.
- Before the access is first brought into use a properly consolidated and surfaced turning space for vehicles shall be constructed in accordance with details which shall have been submitted to and approved by the Local Planning Authority. Such turning space shall be kept clear of obstruction at all times.”

CONSERVATION OFFICER - object

1 General Comments on Written Submission:

- a) Listed Building Appraisal – State of Repair
As noted earlier in the report, Somerset County Cricket Club bought the premises in 2002 with its listing following in 2004. No apparent maintenance has been undertaken since purchase, therefore its extant state of disrepair is understandable.
- b) Amount, Scale and Layout, Appearance
In general, references here to ‘eastern’ should read ‘western’.
- c) Involvement and Consultation
Whilst the list of people / agencies involved in pre-application consultations is cited, it would be informative if the advice obtained was similarly stated. Of significance here is the fact that, as far as I am aware, I was the first point of contact (other than the owner) and from the outset expressed my concern / objection to the proposal to increase the height of the single storey extension on the SW elevation.

2 Assessment of Application Proposals on Listed Building:

- a) In accordance with National Guidance (PPG15), the best use for a Listed Building is that for which it was designed, but that, with sensitive adaptation, it can perform a new use which would ensure its maintenance / longevity.
- b) The above said, it is acknowledged that the buildings original use and subsequent last main use as a collar factory, is not viable.
- c) Due to the designed open spaces of the original factory and its associated large windows, it has been appropriately accepted that the compartmentalisation and the requirements of Part L of the Building Regulations, to provide residential accommodation for example, would be wholly inappropriate due to the inherent detrimental impact on the building's character.
- d) The proposed use, and associated partitioning, could be deemed appropriate, provided details of the subdivision of originally designed spaces were sensitively and readily reversible, e.g. clear glazing above 2 metres in partitions and minimal damage to fabric associated with fixings for the same.
- e) The positive aspect of the scheme is the reinstatement of the original windows / openings, which have been inappropriately altered in the past, principally on the north and south elevations.
- f) I have no in-principle objection to the proposed industrial cladding of the extant modern single storey extension on the west elevation and associated 2 storey 'hub' (subject to detail), but consider that such treatment should not be used for the proposed balustrading to the proposed terrace, as such would obscure the current view of the west elevation of the principal building.

3 Summary of Observations:

Whilst the proposed use may provide a future use for this Listed Building, I consider that mindful of the comments raised above, I also offer the following primary concerns about the scheme:

- a) The proposed 3-storey extension to the SW elevation not only detrimentally impacts physically and visually on the Listed Building but bears no resemblance to the pattern or ratio of solid to void of the original fenestration.
- b) The proposal to provide a 'sculptured screen' to the original stair wing and associated signage is also considered detrimental to the character of the building, with the former also being incongruous.
- c) Whilst the stated aspirations for the proposed fire escape on the south elevation is noted, I have concerns about the detail, as such could also mask the architectural detailing of the original building and hence have a further detrimental impact.

4 Conclusion

As stated above, from the outset I have raised my concerns / objection to the proposed 3 storey extension to the SW elevation and this stands, along with the more detailed observations made in this consultation response. As such I can only raise objection.

PS: Please note that given I have no in-principle objections to certain elements of the scheme, I have not looked in detail at the potential implications of unstated

works such as ventilation, glazing, sound proofing, insulation, new services and the like.

SOMERSET INDUSTRIAL ARCHAEOLOGICAL SOCIETY – object:

“Historical Significance

The applicant has provided little historical understanding in the *Design and Listed Building Assessment* and the details contained therein have been curiously assembled giving a misleading impression of its significance,

SIAS is intimately acquainted with the former collar factory having successfully promoted the building for listed status in 2003. Our reasons for this are contained in the document *St. Augustine Street Shirt and Collar Factory, Taunton Somerset: A Candidate for Statutory Protection*, a copy of which was deposited with the local planning authority.

One of the telling findings to emerge from the society's research, still relevant at the present time, is that there are only thirteen clothing factories (as distinct from textile mills) listed nationally and most occupy existing textile-related buildings. Shirt and collar manufacturing, which became established in the West Country by the 1870s, accounts for only three listings, all in Somerset, the other two being in Crewkerne. What elevates the Taunton building in both regional and national terms is that it is the only purpose-built collar factory listed, a reflection of the architectural pretensions of Arthur Basil Cottam RIBA (1861 -1911), well known for his portfolio of ecclesiastical and institutional commissions. Therefore such a special building demands more respectful treatment when assuming a new role.

The Extensions

Whilst it is to be regretted that the so-called Players' Hub on the County Cricket Ground will compromise the setting of the building, SIAS does not feel that this should lead to its further deterioration by the construction of inappropriate appendages. It should be remembered that in effect these structures are within the curtilage of the listed building and should be viewed accordingly.

Although the single storey remodelling is of a more recent extension, the evidence presented suggests that the over-cladding is at a greater height than the existing with an unsympathetic covering, both of which detract from the appearance of the listed structure.

The three storey extension is, in our considered opinion, even more detrimental in terms of height and scale and makes for a somewhat bizarre architectural statement. SIAS would question whether on economic grounds this element of the design is really necessary. If a case were proven then two differing options could be investigated (i) the use of brick to blend with the factory or (ii) an extension of predominantly glass and steel components which would lend a 21 century compliment to the late 19th century factory.

Treatment of the Existing Building

In examining the application further there are other points which raise cause for

concern:

The internal sub-divisions which would not be authentic to the original layout and could threaten the historic fabric.

- The demolition of the chimney which is an early feature.
- Aspects of the design which necessitate new openings into the building, particularly in relation to the fire escape. (Note: there was an earlier escape on the north side installed after 1914 but before 1930).
- The south elevation entrance replacement for another on the east side which seems questionable.
- The lack of a programme for recording features such as the coal store proposed for demolition,
- The choice of grey for the external paint work rather than white unless an historical precedent can be demonstrated.

Conclusions .

Whether in the detail or in the overall design, these proposals do not, on a subjective level, inspire but more fundamentally there is an apparent lack of understanding in relation to this Grade II former factory. To suggest that the extensions have been “*carefully studied to enhance the setting*” is palpable nonsense since the building would become unbalanced and completely spoilt.

Whilst the present structure is clearly in need of conservation treatment, any scheme should itself be conservation driven to ensure an appropriate outcome deserving listed building consent. Our stance is therefore one of objection.”

SOMERSET COUNTY COUNCIL HISTORIC ENVIRONMENT SERVICE – “as far as we are aware there limited or no archaeological implications to this proposal and we therefore have no objections on archaeological grounds.”

ECONOMIC DEVELOPMENT - “support this application”

ENVIRONMENT AGENCY – “objects to the proposed development, as submitted, on the following grounds:

Planning Policy Statement (PPS) 25 requires the Sequential Test to be demonstrated for proposals other than those that meet the description in footnote 7 of the PPS and Change of Use. Where the proposal is for 'Major' development (such as this) the Environment Agency will object on the lack of evidence of the Sequential Test. The Sequential Test is a requirement of PPS25 and the Local Planning Authority must be satisfied that it has been demonstrated and the Exception Test applied if appropriate too. In each case the Local Planning Authority must have a demonstrable Sequential Test (and Exception Test where appropriate) as part of the planning application. If they do not and they are challenged then this could clearly be an issue for them and could possibly lead to judicial review. Advice on the evidence required to show that the Sequential and Exception Test has been properly applied is set out in the Practice Guide to PPS25 and the Environment Agency's Standing Advice on development and flood risk.

If the above objection is overcome, we will provide you with bespoke comments on

the Flood Risk Assessment within 21 days of receiving formal re-consultation.”

DRAINAGE ENGINEER – “No objections subject to the restrictions listed in the Flood Risk Assessment dated 31st October 2008 are made conditions of any approval given.

REPRESENTATIONS

One letter of support from the adjoining cricket club has been received which raises the following points:

- The current building is in a poor state of repair.
- The proposed design is exciting but also enhances the period features which attracted listing in the first place
- The new use will be an incubation centre for new businesses.
- It will enhance the economic strength of Taunton.

PLANNING POLICIES

FZ3 - Floodplain Zone 3,
CAS - County Archeological Site,
PPG15 - Planning and the Historic Environment,
CR1 - TTCAAP - Somerset County Cricket Club,
S1 - TDBCLP - General Requirements,
S2 - TDBCLP - Design,
EN24 - TDBCLP - Urban Open Space,

DETERMINING ISSUES AND CONSIDERATIONS

Principle of Development

The Collar Factory is located in an area that is well suited to the provision of improved and increased office space that would meet the needs of emerging businesses. Being opposite the Firepool site, which will provide significant amounts of office space, it is anticipated that that pedestrian links to the railway station will be improved. It is considered that the is an appropriate location for this type of development and therefore the main consideration should be the design and impact of the development on the listed building.

Design and Impact on Listed Building

A number of issues regarding the listed building have been raised by the Conservation Officer and Somerset Industrial Archaeological Society SIAS. Some of these issues can be addressed through the submission of amended plans and a meeting has taken place with the developers and potential amendments have been agreed.

It is accepted that any potential re-use of the building could require internal partitioning and provided that this is sensitively implemented and easily reversible, it would be acceptable.

The proposed sculptured screen to the original stair wing is considered to have an adverse effect on the appearance of the listed building and it has been agreed that this should be removed and a freestanding artwork/entrance feature be provided instead.

It is also considered that the proposed fire escape on the south elevation has been overly designed and it should be possible to provide a simpler escape with a more industrial appearance that would respect the character of the listed industrial building. Amended plans are awaited at the time of writing.

The modern extension to the southern part of the building which would be viewed from the cricket ground and Priory Bridge is acceptable in principle. However the height of the cladding should be reduced so as to allow views of the first and second floor of the end elevation of the industrial building. Amended plans were awaited at the time of writing.

The main area of contention which the Conservation Officer has an objection to in principle, is the three storey extension which has a higher eaves level than the original three storey building. While certain issues (such as the pattern and rhythm of the proposed windows) can be addressed through the submission of amended plans, she maintains her objection with regard to the bulk of this extension.

Therefore, these concerns need to be considered against the potential benefits from the scheme. The building will now have an appropriate re-use which will have some positive impacts on the historic environment as well as a number of potential economic improvements arising from the provision modern office space for new and emerging businesses in an appropriate and highly sustainable location. It is expected that the space provided will suffice for 100 -120 employees and overall a balance has to be struck between the impact of the three storey extension, the re-use of the listed building and the potential economic impact for the town centre.

In overall planning terms, it is considered that this is acceptable subject to the amendments already requested and identified above.

Planning Obligations Supplementary Planning Document

The site is within part of allocation CR1 of the Taunton Town Centre Area Action Plan and therefore the Planning Obligations Supplementary Planning Document also applies. It is expected that new town centre commercial development should contribute towards the Third Way and Northern Inner Distributor Road at a rate of £1.36 per square metre. It is also expected that commercial development contribute towards the Silk Mills Park and Ride Extension at a rate of £1.07 per square metre.

These contributions should only apply to additional floor space to be provided as the existing building already has a commercial use and on the basis that there would be an increase of 509 square metres, this would equate to a contribution of £1236.87 in total.

The contributions should be secured by a Section 106 legal agreement.

Flood Risk

The site is located within Flood Zone 3 – High Risk, however the proposed use is classed as less vulnerable. On the basis that PPS25 seeks to direct more vulnerable development away from the higher risk areas, and that this proposal forms part of a town centre regeneration site, it is considered that the Sequential Test has been passed. It is not necessary to apply the exception test, however, the submitted Flood Risk Assessment still needs to be fully considered to ensure that the proposal is safe and will not result in greater flood risk elsewhere.

The further comments of the Environment Agency are awaited with regard to the submitted Flood Risk Assessment and it is expected that they would withdraw their objection should they consider that the proposal is safe.

RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval

Subject to the receipt of satisfactory amended plans and the applicant entering into a Section 106 Legal Agreement to secure contributions towards The Third Way and Northern Inner Distributor Road and Silk Mills Park and Ride Extension.

RECOMMENDED CONDITION(S) (if applicable)

Time Limit, Cycle Rack Provision, Surface Water Disposal, Access and Turning, Implementation of Flood Risk Assessment. Recommendations, submission of samples of materials/further details.

Notes for compliance

In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1988.

CONTACT OFFICER: Mr B Kitching Tel: 01823 358695

38/08/0494/LB

MR G EDDY

ERECTION OF 3 STOREY WING TO REPLACE 1960S ANNEX. DEMOLITION OF METAL DECK ROOF TO WEST ANNEX AND REPLACEMENT WITH RAISED FLAT ROOF AND ADDITION OF ONE STOREY WITH ADJACENT ROOF TERRACE. MINOR ALTERATIONS TO DOOR AND WINDOW OPENINGS OF MAIN WAREHOUSE FOR USE AS INDIVIDUAL OFFICE STUDIOS, 112 ST AUGUSTINE STREET, TAUNTON

322989.125019

Listed Building Consent: Works

This application is for listed building consent and the previous report 38/08/0492 for the associated planning application should be considered

RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval subject to receipt of satisfactory amended plans.

RECOMMENDED CONDITION(S) (if applicable)

Time Limit, Sample Panels to be erected on site, further details of internal division.

Notes for compliance

In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1988.

CONTACT OFFICER: Mr B Kitching Tel: 01823 358695

Appeal Decisions for End December/January 2009

Appeal	Proposal	Reason/s for initial decision	Application Number	Decision
Mr Wicks	Two Storey Front Extension at 26 Ashbourne Crescent, Taunton	TDLP Policies S1, S2 and H17	38/08/0160	Dismissed 22 December 2008
Mr and Mrs Mattravers	Demolition of Bungalow & Provision of 9 Flats at 11 Killams Avenue, Taunton	TDLP Policies S1(D), S2(A), S2(F)	38/08/0004	Dismissed 2 January 2009
Mr Richard Little	Use of land for Retention of Two Container Units and Provision of Additional Three Container Units for the storage of Fireworks at The Stores, Wrangcombe Road, Wrangway	TDLP Policies S1, S2, S7, EN10 & EN12 SENPJSPR Policies 3 & 5	44/07/0027	Dismissed 12 January 2009

TDLP = Taunton Deane Local Plan **SENP** = Somerset & Exmoor National Park

Appeal	Start Date	Application Number
Marjorie I Kearney & Mrs M Kearney	12 November 2008	38/07/00632 & 38/07/00633LB
Mr Robert Cocking	17 November 2008	49/08/0016
Mr B Venn	24 November 2008	07/08/0009
Mr Andrew Prole	04 December 2008	23/08/0025
Estate of R C Garland Deceased	08 December 2008	05/08/0044 & 05/08/0045LB
Mr R Peacocke	17 December 2008	06/08/0049
Barratt & Canniford Ltd	23 December 2008	38/08/0151
John Bendall	02 January 2009	Enforcement