

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 on 20 October 2010 at 17:00.

Agenda

- 1 Apologies.
- 2 Minutes of the meeting of the Planning Committee held on 22 September 2010 (attached).
- 3 Public Question Time.
- 4 Declaration of Interests
To receive declarations of personal or prejudicial interests, in accordance with the Code of Conduct.
- 5 14/10/0019 – Temporary change of use of part beer garden to erect temporary pre-fabricated unit as pharmacy on land at The Bell Inn, Creech St Michael
- 6 20/10/0017 – Change of use from day school (D1) to residential care home (C2) at Staddons, Kingston St Mary (retention of works already undertaken)
- 7 38/10/0244/REX – Demolition of garage and erection of dwelling at land to the east of 3 Northfield Road, Taunton (replacement of extant permission 38/07/0561)
- 8 38/10/0263 – Demolition of 31 no dwellings and erection of 64 no dwellings, parking, landscaping and associated infrastructure at 1-32 Victoria Gate, Taunton
- 9 38/10/0282/LB – Conversion of basement from storage to two bedrooms and bathroom with staircase and ground floor alterations at Flat 1, Belmont House, 3 Belmont Drive, Taunton
- 10 38/10/0287 – Erection of single storey extension at 4 Hazel Close, Taunton
- 11 45/10/0005 – Demolition of bungalow and erection of pair of semi-detached dwellings and alterations to access at Nerine, West Bagborough
- 12 48/10/0036 – Application for reserved matters for Phase 1 residential development consisting of 327 dwellings, associated highways, landscaping including public open space, first section of relief road and roundabout on A38 Bridgwater Road at land off Bridgwater Road, Monkton Heathfield

- 13 49/10/0034 – Demolition of garage/store and erection of single storey one bedroom dwelling at land to the rear of 16 Style Road, Wiveliscombe
- 14 E0365/27/2006 - Items of a non-agricultural nature stored on land south-west of Allerford Farm known as Gaia, Hillfarrance, Taunton
- 15 E0023/38/10 - Land between 13 and 15 South Street, Taunton in an untidy condition and possible Section 215 Notice required at South Street, Taunton
- 16 06/08/0046 - Non-compliance with condition imposed by Planning Inspector following an appeal, Sunnydene, Dene Road, Cotford St Luke
- 17 Planning Appeals - The latest appeal lodged and appeal decisions received (details attached)

Tonya Meers
Legal and Democratic Services Manager

13 October 2010

Members of the public are welcome to attend the meeting and listen to the discussions.

There is time set aside at the beginning of most meetings to allow the public to ask questions.

Speaking under “Public Question Time” is limited to 4 minutes per person in an overall period of 15 minutes. The Committee Administrator will keep a close watch on the time and the Chairman will be responsible for ensuring the time permitted does not overrun. The speaker will be allowed to address the Committee once only and will not be allowed to participate further in any debate.

If a member of the public wishes to address the Committee on any matter appearing on the agenda, the Chairman will normally permit this to occur when that item is reached and before the Councillors begin to debate the item.

This is more usual at meetings of the Council’s Planning Committee and details of the “rules” which apply at these meetings can be found in the leaflet “Having Your Say on Planning Applications”. A copy can be obtained free of charge from the Planning Reception Desk at The Deane House or by contacting the telephone number or e-mail address below.

If an item on the agenda is contentious, with a large number of people attending the meeting, a representative should be nominated to present the views of a group.

These arrangements do not apply to exempt (confidential) items on the agenda where any members of the press or public present will be asked to leave the Committee Room.

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Lift access to the John Meikle Room and the other Committee Rooms on the first floor of The Deane House, is available from the main ground floor entrance. Toilet facilities, with wheelchair access, are also available off the landing directly outside the Committee Rooms.



An induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter.

For further information about the meeting, please contact Democratic Services on 01823 356382 or email d.durham@tauntondeane.gov.uk

If you would like an agenda, a report or the minutes of a meeting translated into another language or into Braille, large print, audio tape or CD, please telephone us on 01823 356356 or email: enquiries@tauntondeane.gov.uk

Planning Committee Members:-

Councillor P Watson
Councillor D Wedderkopp
Councillor M Floyd
Councillor B Denington
Councillor M Hill
Councillor D House
Councillor C Bishop
Councillor J Allgrove
Councillor C Hill
Councillor L James
Councillor T McMahon
Councillor S Coles
Councillor F Smith
Councillor A Wedderkopp
Councillor R Bowrah, BEM
Councillor E Gaines
Councillor I Morrell

Planning Committee – 22 September 2010

Present:- Councillor Bishop (Chairman)
Councillor Mrs Hill (Vice-Chairman)
Councillors Mrs Allgrove, Bowrah, Coles, Critchard, Denington, Gaines,
C Hill, House, Miss James, McMahon, Morrell, Watson and
A Wedderkopp

Officers:- Mr T Burton (Growth and Development Manager), Mr B Kitching (Area
Planning Manager), Mrs J Moore (Major Applications Co-ordinator), Mr
M Bale (West Area Co-ordinator), Mrs J Jackson (Legal Services
Manager), Ms M Casey (Planning and Litigation Solicitor) and Mrs G
Croucher (Democratic Services Officer)

Also present: Mrs A Elder, Chairman of the Standards Committee

(The meeting commenced at 5.00 pm)

101. Apologies/Substitution

Apologies: Councillors Mrs Floyd and D Wedderkopp.

Substitution: Councillor Critchard for Councillor Mrs Floyd.

102. Minutes

The minutes of the meeting of the Planning Committee held on 1 September were taken as read and were signed.

103. Public Question Time

Councillor Morrell raised his concerns about how the Planning Committee communicated with the public. The committee reports often contained errors and he felt this reduced the credibility of the material being discussed and should be proof read. He also asked if the site plans could be provided in the committee reports. The detail was not always clear when displayed from the overhead projector and would also help with the context for those reading the reports prior to the meeting of the Planning Committee.

The Chairman informed Councillor Morrell that he would discuss his suggestions with the Growth and Development Manager and Area Planning Manager.

104. Declarations of Interest

Councillor McMahon declared a personal interest as a Member of Somerset County Council. Councillor McMahon also declared a personal interest as a Director of Southwest One. Councillor Mrs Hill declared a personal interest as an employee of Somerset County Council. Councillor Miss James declared a personal interest as an employee of Viridor. Councillor Bishop declared a personal interest in application nos 07/10/0009 and 27/10/0009 as Ward

Councillor, Councillor McMahon declared a personal interest in application no 23/10/0009 as Ward Councillor and Councillors Bowrah and Critchard declared a personal interest in Agenda item 11 as Ward Councillors.

105. Applications for Planning Permission

The Committee received the report of the Growth and Development Manager on applications for planning permission and it was **resolved** that they be dealt with as follows:-

(1) That **planning permission be granted** for the under-mentioned developments:-

14/10/0009

Demolition of vicarage and erection of replacement vicarage with parish office and 2 no dwellings with associated access at The Vicarage, Creech St Michael

Conditions

- (a) The development hereby permitted shall be begun within three years of the date of this permission;
- (b) The development hereby permitted shall be carried out in accordance with the approved plans;
- (c) 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;
- (d) None of the dwellings shall be occupied until works for the disposal of surface water and sewage 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;
- (e) The development hereby permitted shall not be commenced until details of a strategy to protect and enhance the development for wildlife has been submitted to, and approved in writing by, the Local Planning Authority. The strategy shall be based on the advice of Michael Woods Associate's submitted reports dated August and November 2009 and the advice of the reptile surveys to be undertaken and include:- (i) Details of protective measures to include method statements to avoid impacts on protected species during all stages of development; (ii) Details of the timing of works to avoid periods of work when the species could be harmed by disturbance; (iii) Measures for the retention and replacement and enhancement of places of rest for the species.
Once approved the works shall be implemented in accordance with the approved details and timing of the works, unless otherwise approved in writing by the Local Planning Authority. Thereafter the resting places and agreed accesses shall be permanently maintained;

- (f) The development hereby permitted shall not be commenced (including any ground works or site clearance) until reptile surveys have been carried out and have been submitted to, and approved in writing by, the Local Planning Authority;
- (g) All existing trees on site as shown on plan 758/TS02A shall be protected in the areas shown in accordance with BS5837:2005 Trees in relation to construction;
- (h) In this condition 'retained tree' means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (i) and (ii) shall have effect until the expiration of 3 years from the date of the occupation of the building for its permitted use; (i) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with [British Standard 3998:1989 (Tree Work)]; (ii) If any retained tree is removed, uprooted or is destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority;
- (i) No service trenches shall be dug within the canopy of any existing tree within the land shown edged red on the approved drawing without the prior written approval of the Local Planning Authority;
- (j) All services shall be placed underground unless otherwise agreed in writing by the Local Planning Authority;
- (k) 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;
- (l) The dwellings shall not be occupied until the means of vehicular access has been constructed in accordance with the plans hereby permitted unless otherwise agreed in writing by the Local Planning Authority;
- (m) The bathroom, shower and landing windows to be installed in the north-east elevation of the building shall be obscure glazed and non-opening (unless the parts of the window which can be opened are more than 1.7m above the floor of the room in which the window is installed). The windows shall be agreed in writing by the Local Planning Authority prior to installation and shall not be modified thereafter without the prior written consent of the Local Planning Authority;
- (n) The area allocated for parking and turning shown on the submitted plan shall be properly consolidated, surfaced, drained and marked out before the use commences or the buildings are occupied and shall not be used other than for the parking of vehicles in connection with the development hereby permitted;
- (o) (i) The landscaping and planting schemes shown on the submitted plan shall be completely carried out within the first available planting season from the date of commencement of the development.; (ii) For a period of five years after the completion of the 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 other appropriate trees or shrubs as may be approved in writing by the Local Planning Authority;
- (p) The cycle storage facilities shown on the submitted plan shall be constructed and fully provided prior to occupation of the dwellings hereby permitted, and thereafter retained for those purposes unless otherwise agreed in writing by the Local Planning Authority;
 - (q) The access hereby permitted shall not be brought into use until drop kerbs have been installed at the carriageway edge and a vehicle cross-over constructed across the footway fronting the site for the width of the access;
 - (r) Notwithstanding the provisions of Article 3 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 development of the types described in Schedule 2 Part 1 Class A, B and C of the 1995 Order other than that expressly authorised by this permission shall be carried out without the further grant of planning permission.

(Notes to applicant:- (1) Applicant was advised that having regard to the powers of the Highway Authority under the Highway Act 1980, the creation of the new access will require a Section 184 Permit; (2) Applicant was advised that the condition relating to wildlife requires a mitigation proposal that will maintain favourable status for these species that are affected by this development proposal; (3) Applicant was advised that (a) it is recommended that a reptile survey should be carried out between the months of April and September; (b) the surveyor’s recommendation is that clearance of vegetation and demolition of the buildings should take place outside of the nesting season; (c) if work is to be undertaken on the trees then ivy should be removed by hand and placed on site to allow any bats to escape; (4) Applicant was advised that any soakaways should be constructed in accordance with Building Research Digest 365 (September 1991); (5) Applicant was advised that provision should be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which should be submitted to and approved in writing by the Local Planning Authority).

Reason for granting planning permission:-

It was considered that the proposal was in line with Planning Policy Statement 5 and Policy 9 of the Somerset and Exmoor National Park Joint Structure Plan Review in respect of proposals relating to listed buildings (St Michael's Church), was in line with Policies S1 (General Requirements), S2 (Design) and M4 (Residential Parking Requirements) of the Taunton Deane Local Plan. It was not considered that there were any detrimental impacts on the amenities of the nearby residents and that the replacement vicarage and the two new properties were a positive contribution to the character of the village.

23/10/0009

Construction of extension to patio area, construction of decking, erection of retaining wall and timber fencing screen at The Globe, Fore Street, Milverton

Conditions

- (a) The development hereby permitted shall be begun within three years of the date of this permission;
- (b) The development hereby permitted shall be carried out in accordance with the approved plans;
- (c) 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;
- (d) (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.

(Note to applicant:- Applicant was advised that it had been noted that the existing block work wall was painted white and attention is drawn to planning permission 23/07/0027 and listed building consent 23/07/0028LB which required the block work screen wall to be rendered in full, as approved. Failure to undertake and complete the works with the correct finish was likely to result in enforcement action being sought by the Council).

Reason for granting planning permission:-

The proposal was considered not to have a detrimental impact upon the visual amenity of the street scene, would preserve the character and appearance of the Conservation Area and would not harm the setting or historic interest of the listed building. Further, the proposals would not give rise to significant detriment to surrounding residential amenity and was therefore considered acceptable and, accordingly, did not conflict with Taunton Deane Local Plan Policies S1 (General Requirements), S2 (Design) and EN14 (Conservation Areas), Planning Policy Statement 5 (Planning for the Historic Environment) and was in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

27/10/0009

Construction of an access into Ayton Fields on land adjacent to Higher Knapp Farm, Hillfarrance (retention of works already undertaken)

Conditions

- (a) Within 6 months of permission being granted the access and track shall be hard surfaced (not loose stone or gravel) over its first 10m, details of which

- shall be submitted to, and approved in writing by, the Local Planning Authority;
- (b) Within 6 months of permission being granted 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;
 - (c) Within 6 months of the date of this permission details of improvements to visibility to the north-east shall be submitted to, and approved in writing by, the Local Planning Authority. The details shall show the proposed works to the hedgerow and bank together with any replacement landscaping proposed. The approved details shall be implemented within 6 months of the date of this approval unless otherwise agreed in writing by the Local Planning Authority.

Reason for granting planning permission:-

The proposal was considered not to have a detrimental impact upon visual amenity or gave rise to any material harm to highway safety and was therefore considered acceptable and, accordingly, did not conflict with Taunton Deane Local Plan Policies S1 (General Requirements) and S2 (Design), Somerset and Exmoor National Park Joint Structure Plan Review policy 49 and Planning Policy Guidance Note 13 (Transport).

42/10/0031

Change of use of part of paddock to form extension of domestic garden for children's play area including play equipment for a temporary period of 5 years at Little Oaks, Staplehay, Trull (retention of development already undertaken)

Conditions

- (a) The climbing frame and goal posts shall be removed and the use of the land for residential purposes ceased on or before 30th September 2015;
- (b) The temporary development hereby permitted shall be in accordance with the approved plans;
- (c) The boundary between Little Oaks and the site shall be re-instated on or before 30th September 2015;
- (d) No additional play equipment or other domestic paraphernalia shall be placed on the site, other than the climbing frame and goal posts shown on drawing no Isca 010 PL 103.

Reason for granting planning permission:-

The Committee took the personal circumstances of the occupier into account and considered that the temporary consent would not result in long lasting harm to the character of the landscape.

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

The Committee was of the opinion that the temporary consent would not result in long lasting harm to the character of the landscape.

(2) That **planning permission be refused** for the under-mentioned development:-

07/10/0016

Erection of two 4/5 bedroomed dwellings in the garden to the rear of Gardeners Hall, Back Lane, Bradford on Tone

Reasons

- (a) The proposed development would derive access via a track which does not afford sufficient visibility from or of vehicles exiting the site at its junction with Back Lane. It would, therefore, be detrimental to highway safety, contrary to Policy S1 of the Taunton Deane Local Plan and Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review;
- (b) The proposed development would derive access via a track which is of insufficient width to allow two vehicles to pass and would therefore lead to vehicles entering the site having to wait or reverse onto the highway in the event that a vehicle was leaving simultaneously. Such a situation would be detrimental to highway safety for all users of the road, contrary to Policy S1 of the Taunton Deane Local Plan and Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review.

106. Outline planning application for erection of up to 11,200 sqm of office (B1) floorspace, up to 4,475 sqm of hotel (C1) floorspace, up to 49 residential units, together with associated car parking, landscaping, infrastructure works and new vehicular access on to Priory Bridge Road Car Park and 84-94 Priory Bridge Road, Taunton (38/10/0214)

Reported this application.

Resolved that subject to:-

- (1) the receipt of detailed comments from the County Highways Authority; and
- (2) The submission of technical flood risk details that would enable the Environment Agency to withdraw their objection, the Growth and Development Manager be authorised to determine the application, in consultation with the Chairman or Vice-Chairman, and if planning permission was granted, the following conditions be imposed:-

Conditions

- (a) Approval of the details of the layout, scale, appearance and landscaping of the site (hereinafter called "the 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) Application for approval of the reserved matters as required by condition (a) shall accord with the submitted outline planning application parameters plan Drwg No. 023_DI_284.6;
- (c) The development hereby permitted shall not be commenced until details of a strategy to protect and enhance the development for wildlife has been submitted to, and approved in writing by, the Local Planning Authority. The strategy shall be based on the advice of Cotswold Wildlife Surveys August- September 2009 and Halcrow's Ecological appraisal May 2010 and any up to date surveys and include (i) Details of protective measures to include method statements to avoid impacts on wildlife during all stages of development; (ii) Details of the timing of works to avoid periods of work when wildlife could be harmed by disturbance; (iii) Measures for the enhancement of places of rest for bats and birds. Once approved the works shall be implemented in accordance with the approved details and timing of the works, unless otherwise approved in writing by the Local Planning Authority. The development shall not be occupied until the scheme for the maintenance and provision of the new bat and bird boxes and related accesses have been fully implemented. Thereafter the resting places and agreed accesses shall be permanently maintained;
- (d) Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions (i) to (iii) below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition (iv) has been complied with in relation to that contamination.
- (i) Additional Site Characterisation - further investigation works shall be carried out in line with Sec 8 of the St Mowden Firepool Taunton Ground Conditions Report 03/06/10. This includes delineating hotspots and an investigation in the area surrounding hole WS105 to delineate the extent of asbestos cement present. A risk assessment must be completed to assess the nature and extent of any contamination. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include an assessment of the potential risks to:
- human health
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes
 - adjoining land
 - groundwater and surface waters
 - ecological systems
 - archaeological sites and ancient monuments

This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11" and other authoritative guidance;

(ii) Submission of Remediation Scheme - A detailed remediation scheme to bring the site to a condition suitable for the intended use must be prepared. This should detail the works required to remove any unacceptable risks to human health, buildings and other property and the natural and historical environment, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures;

(iii) Implementation of Approved Remediation Scheme - the approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works;

(iv) Reporting of Unexpected Contamination - in the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of section a), and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of section b), which is subject to the approval in writing of the Local Planning Authority;

(v) Verification of remedial works - Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) must be produced. The report should demonstrate the effectiveness of the remedial works. A statement should also be provided by the developer which is signed by someone in a position to confirm that the works detailed in the approved scheme have been carried out (The Local Planning Authority can provide a draft Remediation Certificate when the details of the remediation scheme have been approved at stage (ii) above). The verification report and signed statement are subject to the approval in writing of the Local Planning Authority.

(vi) Long Term Monitoring and Maintenance - if a monitoring and maintenance scheme is required as part of the approved remediation scheme, reports must be prepared and submitted to the Local Planning Authority for approval until the remediation objectives have been achieved. All works must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11" and other authoritative guidance.

(e) Prior to development commencing, details of replacement public car parking with a minimum of 200 spaces shall be submitted to, and approved in writing by, the Local Planning Authority. Such replacement parking shall be provided in accordance with the approved details during the construction of the development.

(Note to applicant:- Applicant was informed that the condition relating to wildlife requires the submission of information to protect wildlife. The Local Planning Authority will expect to see a detailed method statement clearly stating how wildlife will be protected through the development process and be provided with a mitigation proposal that will maintain favourable status for these species that are affected by this development proposal. Applicant should also note 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).

Reason for planning permission, if granted:-

The development was on an allocated site in the Taunton Town Centre Area Action Plan and proposed an appropriate mix of uses to secure a strategic office site that had good sustainable access links, provided a high quality layout with public realm improvements and would not harm the amenity of the area. The proposal accorded with Policies FP1, FP2, IM1, IM2, TR2, TR3, TR4, TR5, F1, F2, and ED1 of the Taunton Town Centre Area Action Plan, Policies S1, S2 EN4 and T3 of the adopted Taunton Deane Local Plan, Policies STR1 and STR4 of the Somerset and Exmoor National Park Structure Plan, and the advice and guidance contained in Planning Policy Statement 4.

107. Unauthorised sign for Asda Stores on land off Taunton Road, Wellington

Reported that a sign advertising the Asda Stores in Longforth Road, Wellington had been erected on land off Taunton Road, Wellington without the necessary planning consent being granted.

The owners of the sign had been in contact informing the Council they could provide evidence of 10 year usage of the site for the display of signs.

Resolved that in the event that evidence of 10 year usage was provided, confirmation of deemed consent would be given and there would be no prosecution proceedings.

108. Appeals

Reported that one appeal decision had been received, details of which were submitted.

Resolved that the report be noted.

(The meeting ended at 8.15 pm.)

Declaration of Interests

Planning Committee

- Members of Somerset County Council – Councillors McMahon and D Wedderkopp
- Employees of Somerset County Council – Councillors Mrs Hill and Mrs Smith
- Employee of Viridor – Councillor Miss James
- Director of Southwest One – Councillor McMahon

14/10/0019

JOHN WARE LTD

**TEMPORARY CHANGE OF USE OF PART BEER GARDEN TO ERECT
TEMPORARY PRE-FABRICATED UNIT AS PHARMACY ON LAND AT THE BELL
INN, CREECH ST MICHAEL**

Grid Reference: 327187.125723

Full Planning Permission

RECOMMENDATION AND REASON(S)

Recommended Decision: Temporary Approval

The proposal is considered not to have a detrimental impact upon visual or residential amenity and is therefore considered acceptable and, accordingly, does not conflict with Taunton Deane Local Plan Policies S1 (General Requirements) and S2 (Design). It is in close proximity to a Grade II Listed Building and a temporary permission is granted on the basis that the proposal does not preserve nor enhance the Listed Building or its setting, and permission is given only on the basis that an additional public facility is to be provided while the doctor's surgery is being constructed, in accordance with PPS5.

RECOMMENDED CONDITION(S) (if applicable)

1. The building hereby permitted shall be removed and the use hereby permitted shall be discontinued and the land restored to its former condition as grassed area on or before 1st May 2012 in accordance with a scheme of work that shall be submitted to and approved by the Local Planning Authority prior to those approved works being carried out.

Reason: The proposal is not seen as preserving nor enhancing the setting of the Listed Building, however an 18 month permission is acceptable having regard to provide public facilities prior to the new doctor's surgery being built, in accordance with PPS5.

Notes for compliance

- . You are advised that a renewal of this permission is unlikely to be acceptable having regard to the reason for the temporary permission.

PROPOSAL

The proposal is to erect a temporary building 3-5 years, for use as a pharmacy at land rear of The Bell Public House. The building would be 5.8m by 12m, with

windows on three sides. The temporary unit is required, according to the agent, in order for a permanent facility to be developed elsewhere. Two people would be employed. The agent has provided additional information in respect of PPS5 justification, stating that the existing skittle alley is rendered concrete block and the outbuilding has rusting metal roof, which do not enhance the Listed Building.

SITE DESCRIPTION AND HISTORY

The Bell Inn is a Grade II Listed Building on the western side of St Michael Road. The site is on a piece of unused grassed area to the rear of outside storage building to the rear/west of the Public House. There is a large car park at the pub, a couple of spaces only would be lost as a result of the proposal.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

SCC - TRANSPORT DEVELOPMENT GROUP - there will be no impact on the car-park; there is potential to see an increase in vehicle movements over and above the existing movements associated with the public house. However it is likely that this proposal will be utilised by the village population, mostly walking.

CREECH ST MICHAEL PARISH COUNCIL - object, concern about the suitability of the position of the prefabricated unit; access onto the highway is considered to be dangerous; steep slope leading to the unit which may cause issues to elderly people; drugs would be kept on site.

CONSERVATION OFFICERS - The proposal is for the erection of a pre-fabricated unit within the curtilage of a Listed Building (The Bell Inn). Such proposals are seldom acceptable, this building would be in close proximity to the main Listed Building, and the stone build storage buildings, and I consider that it fails to preserve the character and appearance of the Listed Building, unless there is considerable public benefit, this proposal does not comply with the guidance set out in Policy HE10 in PPS5. I cannot see sufficient justification in this application to suggest that the public benefit outweighs the harm to the Listed Building setting.

RE additional comments from agent, still retain misgivings, still concerned that this particular building would preserve or enhance the setting of The Bell Inn. Given the current surroundings I do not consider that a building of this nature would cause significant harm provided it is temporary and not a long-term addition. I would therefore not object to a recommendation for approval provided the building is in place for a limited period, not exceeding five years.

Representations

13 letters of objection

- No need as a chemist/dispensary will be attached to the new doctor's surgery;
- Loss of customers from the village shop, the retailing element to the pharmacy will damage the village shop;
- There is already a highly efficient pharmacy incorporated into the surgery;
- The main street in Creech St Michael is used as a rat-run during the day, especially at rush hours; a pharmacy would generate more traffic;
- The income from the existing dispensary helps maintain the existing surgery, there is a risk that the surgery would be lost;

- Public transport is not available to alternative surgeries;
- Do not consider 3-5 years as temporary;
- The applicant has no pharmacy licence;
- The pub carpark is used by parents and carers at school drop-off/pick up time, this could be unsafe to children;
- There is a delay to the construction of the new surgery;
- There is a steep slope up/down to the site which will be dangerous to elderly or people with impaired mobility;
- The unit should be in the medical centre carpark, which is seldom full;
- The erection of this building will result in the new medical centre not being built.

PLANNING POLICIES

PPS 5 - PPS5 Planning for the Historic Environment,
S&ENPP9 - S&ENP - The Built Historic Environment,
EN12 - TDBCLP - Landscape Character Areas,

DETERMINING ISSUES AND CONSIDERATIONS

The existing car park is a large size with plenty of provision for car parking for various uses. The County Highway Authority has no objections in terms of traffic generation, parking availability, or access to the site. The access for pedestrians, to the site from the pavement past the public house, is fairly steep, however this is not in itself enough to refuse the application. In terms of competition and/or duplication of services, the provision of an additional pharmacy in the village is not considered to be a planning matter. The matter of this being an alternative to the building of the new surgery and the absence of the relevant licence, again are not planning matters.

The proximity to the Listed Building has been of concern to the Conservation Officer, and whilst the additional justification has overcome some of the concerns, there is still the outstanding issue of the proposal not preserving nor enhancing the setting of the Listed Building, the Conservation Officer has indicated a temporary approval is acceptable. It is considered however that this temporary period should be significantly less than the maximum of the 5 years sought, and that a clear message be sent that temporary buildings are not suitable in such locations close to or adjacent to Listed Buildings and that a temporary period of 18 months only is suggested. In conclusion, the proposal is considered to be acceptable for a temporary period not exceeding 18 months.

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

CONTACT OFFICER: Ms K Marlow Tel: 01823 356460

20/10/0017

BETTERCARE KEYS LTD

CHANGE OF USE FROM DAY SCHOOL (D1) TO RESIDENTIAL CARE HOME (C2) AT STADDONS, KINGSTON ST MARY (RETENTION OF WORKS ALREADY UNDERTAKEN)

Grid Reference: 322961.128556

Full Planning Permission

RECOMMENDATION AND REASON(S)

Recommended Decision: Approval

With regard to the existing authorised use of the site, the proposal is considered to be appropriately located, not increasing the need to travel by private car. It is considered that the use as a care home, would not to have an unreasonable impact upon the residential amenity of nearby property and is therefore considered acceptable and, accordingly, does not conflict with Taunton Deane Local Plan Policies S1 (General Requirements).

RECOMMENDED CONDITION(S) (if applicable)

Notes for compliance

SITE DESCRIPTION AND HISTORY

The site comprises an isolated two-storey dwelling in the open countryside, accessed via a long unpaved track. The track gives way to a yard area which provides parking/turning facilities for a number of vehicles in front of the dwelling, to its north side. The remainder of the site is largely laid to lawn, although there is some hardstanding along the west side of the house and an outbuilding to the rear. The site is largely surrounded by high conifer hedges. To the rear (south) are a range of dilapidated agricultural buildings. The surrounding agricultural land is largely laid to miscanthus, which currently has the effect of preventing views into and out of the site to surrounding dwellings and public highways.

Application 20/00/0021 permitted the change of use of the dwelling to a small education unit for up to 7 children. This was subsequently increased to 10 through the grant of application 20/02/0017. There is no other planning history for this site. The submitted planning statement indicates that this use ceased in October 2009.

PROPOSAL

This application seeks planning permission to change the use of the existing dwelling to a residential care home (class C2 of the Town and Country Planning (Use Classes) Order 1987 (as amended)) for children. The change of use has already occurred. No changes to the external appearance of the building would result from the proposal.

The application details explain that the home currently accommodates 3 children with staff working on a shift basis to provide 24 hour care and supervision. At any one time, 2 care staff are present plus a home manager during the day time. Overall, 10 staff are employed, plus the manager.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

SCC - TRANSPORT DEVELOPMENT GROUP – The proposal is considered to be distant from adequate services and facilities such as health, retail and leisure. In addition, public transport services are infrequent, so staff are likely to be dependent on the car for their daily needs. Fostering such a growth in the need to travel is contrary to government and local planning policy.

However, the Local Planning Authority must decide whether the retention of the buildings for the proposed use or other overriding planning need outweighs the transport policies that seek to reduce reliance on the private car.

8 parking spaces would be retained within the site. The Local Transport Plan places a ration of 1 spaces per 4 beds and 1 space per 2 staff, which equates to 5 spaces. It can, therefore, be concluded that the development provides an over provision of parking.

The site operates a 24 hour shift basis with two care staff present at the site at any one time. Therefore, although users of the site are reliant on the private car it is unlikely that the proposed use would generate a significant volume of traffic.

At the point where the private access joins the adopted highway, it is subject to the national speed limit, however, due to the constrained nature of the highway it is unlikely that vehicle speeds past the site would be at the upper end of this speed limit. I am, therefore, satisfied that the visibility provided at the point of access is considered to be acceptable.

Therefore, no objection is raised to the proposal.

KINGSTON ST MARY PARISH COUNCIL – Awaited. Members will be updated at Committee.

POLICE – Verbal discussions have confirmed that there have been incidents reported, but they have all been contained within the premises. There have been no crimes reported from outside the premises.

ENVIRONMENTAL HEALTH – Verbally confirmed that they have had no complaints about noise or disturbance. Given the distance to the closest neighbour (in excess of 100m) they would not raise any comments.

Representations

The Ward Member, Cllr Guerrier, has verbally confirmed that he wishes to object to the proposal based on the fear of crime generated.

6 Representations have been received objecting to the proposal and raising the following issues:

- The premises are unsuitable for containing the children who frequently escape. There have been a number of incidents including theft, arson and troubled teenagers going AWOL since the establishment of this centre. These seemed to reduce dramatically during the time that it was used for daytime care. Missing children could be a threat to other local residents, adults and children.
- A footpath passes through the premises and these children should not mix with the public.
- The lanes are used by local children to walk home from local secondary schools.
- Disturbance was generally less when the property was a day school.
- Staffing levels appear to be insufficient.
- Since the applicant has been in residence, staff and children have trespassed on adjoining land and damaged crops and other private property.
- The school is unsuitable for the area and is damaging the peaceful neighbourhood.
- There have been instances of children being bullied by carers.
- The site is in open farmland and, therefore, remote from the normal facilities for leisure and interest of teenagers.
- Fires are being lit and a barn has been burned down. This is of particular concern given the miscanthus grass (a highly flammable crop) which has been planted around the site. These children should not be allowed to mix with this crop.
- The fire alarm constantly sounds and there is often shouting.
- There is a regular sound of smashing glass as windows are broken.
- Police and staff frequently get lost trying to find the site and end up at neighbouring houses.
- The fire engine may not be able to navigate the drive due to overhanging trees.
- It is accepted that there may be 'teething problems' at a new facility, so a temporary permission should be considered to allow various other regulatory issues to be properly complied with.

PLANNING POLICIES

EN12 - TDBCLP - Landscape Character Areas,

DETERMINING ISSUES AND CONSIDERATIONS

The main issues in the consideration of this application are the principle of the development, the impact on highway safety and the impact on the amenities and living conditions of neighbouring residents.

Principle

The site is located in the open countryside and is isolated from public transport and other facilities. It is not, therefore, a location in which planning policy generally supports the provision of new care homes since those visiting and working at the site would generally be reliant upon their own private vehicles.

However, regard must be given to the existing authorised use of the site as a day school and comparison can be drawn between this existing use and the care use which is now proposed. Coupled with that, the proposed use would operate on a small scale – currently 3 children – and future growth of this is limited by the size of the building. With reference to this historic use, it is not considered that the proposed use would be any less acceptable in the rural area and is, therefore, accepted in principle.

Highways

The Highway Authority have considered the proposal, and note that, for a care home, there is an overprovision of parking on the site. In many ways this is a somewhat arbitrary assessment, since the parking area is not a formal car park as such, rather it is a loosely surfaced yard area to the front of the dwelling. Furthermore, restricting the parking area, forcing it to be smaller, would only result in any additional cars parking on the long, wide access track and would not serve to encourage travel to the site by other means, which is the rationale for limiting parking.

In terms of the access to the site, the Highway Authority are satisfied that the visibility at the junction with the public highway is capable of accommodating traffic from the proposed use and that the local highway network has sufficient capacity. Accordingly, the impact on the local highway network is considered to be appropriate.

Neighbouring residents

Given the limited number of nearby residents, the proposal has attracted considerable interest. Neighbouring residents claim to be experiencing a high degree of disturbance from the care home the use of which has been ongoing for some 12 months now. The disturbance allegedly results from children escaping from the home and frequent visits by the police, coupled with noise from shouting and the fire alarm. Whilst much of this is hearsay, it gains weight from the extent to which it appears to be a common theme raised by the local residents.

However, on the contrary, there have been no formal complaints made to Environmental Health regarding noise or disturbance from the premises. More importantly, the police, whilst acknowledging that there have been instances reported from within the site/premises, have never been called to off-site incidents. It is considered that this evidence suggests, whilst there is a perception of criminal activity within the area, this is not actually the reality.

In cases such as this, it is customary to regard this type of disturbance issue as a matter for the managers of the care home. It follows that, generally, a well managed facility ought not cause significant detriment to the amenities of nearby residents. Verbal discussions with Ofsted, the regulating body for this type of institution, have

confirmed that the way in which residents are managed is a matter for them. Concerned parties should contact Ofsted who would investigate any potential mismanagement, or if children within their care are creating risk or danger to themselves or others. From these discussions, it appears that Ofsted, rather than the Local Planning Authority, are the correct body to regulate and control the premises.

It must also be remembered that the application seeks a change of use to a C2 use. This would result in an open permission for a care home – not necessarily one for young people. Indeed, most existing care homes could be changed to this type of facility without reference to the planning system. In light of this, it is the use – i.e. a care home – that must be assessed here. Specific regulation and management is dealt with by Ofsted.

Conclusion

Given the authorised use of the premises it is considered that the proposal is appropriately located and would not impact unreasonably upon the highway network. It is considered that the alleged disturbance to neighbouring residents and their fear of crime is not supported by the evidence available from the Police or Environmental Health. Accordingly, it is considered that these matters cannot be given sufficient weight to justify the refusal of planning permission.

The proposal is, therefore, considered to be acceptable and it is recommended that planning permission is granted.

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

CONTACT OFFICER: Mr M Bale Tel: 01823 356454

DEMOLITION OF GARAGE AND ERECTION OF DWELLING AT LAND TO THE EAST OF 3 NORTHFIELD ROAD, TAUNTON (REPLACEMENT OF EXTANT PERMISSION 38/07/0561)

Grid Reference: 322195.124998

Replace an Extant Planning Permission

RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval

The proposal is considered not to have a detrimental impact upon visual or residential amenity, nor is there considered to be any harm on highway safety or flooding within the area and is therefore considered acceptable and, accordingly, does not conflict with Taunton Deane Local Plan Policies S1 (General Requirements), S2 (Design) M4 (Residential Parking Provision), EN28 (Development and Flood Risk) and PPS25 (Development and Flood Risk).

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. The development hereby permitted shall be carried out in accordance with the following approved plans:

(A3)DrNo.2606/3 Site Location Plan
(A3)DrNo.2606/3 Block Plan
(A4)DrNo.2606/4 Proposed Floor & Elevation Plan
(A4)DrNo.2606/2 Approved Floor & Elevation Plans

Reason: For the avoidance of doubt and in the interests of proper planning.

3. 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.

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

4. The development hereby approved shall be carried out in accordance with the mitigation measures detailed within the Flood Risk Assessment (FRA) submitted with this application dated 1st October 2010.

Reason: To reduce the risk and impact of flooding to the proposed development and future occupants in accordance with Planning Policy Statement 25.

5. Details of the arrangements to be made for the disposal of foul and surface water drainage for the proposed development shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced.

Reason: The Local Planning Authority wishes to ensure that satisfactory drainage is provided to serve the proposed development(s) so as to avoid environmental amenity or public health problems in compliance with Taunton Deane Local Plan Policies S1(e) and EN26.

6. 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 (other than those expressly authorised by this planning permission) without the further grant of planning permission.

Reason: To protect the amenities of adjoining residents in accordance with Policy S1(E) of the Taunton Deane Local Plan.

Notes for compliance

1. Wessex Water advise of the following:- The development is located within a foul sewer area. It will be necessary for the developer to agree a point of connection onto the system for the satisfactory disposal of foul flows generated by the proposal. This can be agreed at the detailed design stage. Although not shown on the public sewer record drawing, we understand there may be a sewer crossing the site that, by virtue of its age, could be deemed a public sewer under the former Section 24 provision of the Public Health Act 1936. Wessex is currently reviewing available data on these sewers in order to update and revise its sewer records, thus indicating these as 'public' in appropriate cases. Public sewerage apparatus is covered by statutory easement and no new building or similar works will normally be allowed within a minimum of 3.0m of this apparatus. The developer has proposed to dispose of surface water to mains sewer. There should be no increase in combined flows to the combine sewer. It will be necessary for the developer to discuss discharge rates with our Development Engineer Peter George. With respect to water supply, there are water mains within the vicinity of the proposal. Again, connection can be agreed at the design stage. It is recommended that the developer should agree with Wessex Water, prior to the commencement of any

works on site, a connection onto Wessex Water infrastructure.

PROPOSAL

The proposal comprises the demolition of a double garage and its replacement with a three storey dwelling (accommodation within the roofspace). There would be no curtilage with the dwelling, and therefore no amenity area or on-site parking would be provided. Bin and cycle storage would be provided within the dwelling.

The above proposal was granted permission on 4th January 2008 (app 38/07/0561) and this application has been submitted to extend the time period of this permission that expires on 4th January 2011.

SITE DESCRIPTION AND HISTORY

The existing site/garage is located within Taunton, close to the town centre and French Weir Park. The existing garage shares its boundary with the garden of 3 Northfield Road, which is in separate ownership to the garage.

The site is within a flood plain and a flood risk assessment has been submitted with this application.

Planning History

38/04/0277 - Demolition of garage and erection of two storey building to form office and garage/store on land to east of 3 Northfield Road. Proposal granted conditional approval on 20th August 2004.

38/07/0288 - Demolition of garage and erection of dwelling at land to the east of 3 Northfield Road. Granted Conditional approval on 6th September 2007.

38/07/0561 - Demolition of garage and erection of dwelling at land to the east of 3 Northfield Road. This application increased the ridge of the dwelling by 1.2m from the previous approval, this allowed for additional accommodation with the roofspace. Conditional approval was granted on 4th January 2008

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

SCC - TRANSPORT DEVELOPMENT GROUP - No objection: -

- Proposal replaces previous application which was granted and particulars remain unchanged.
- Request any highway conditions which were attached to 2007 permission should equally apply.
-

ENVIRONMENT AGENCY - Revised Comments:- Cannot support proposal that has not demonstrated safety of buildings and it's users: -

- No Flood Risk Assessment (FRA) submitted with previous permission (38/07/0561), contrary to PPS25. No flood mitigation measures, despite location at high risk of fluvial flooding.

- Previous advice that flood level was 15.623 (Nov 2006) based on out of date flood model, superseded by flood model in 2008.
- Not an in principle objection, believe can be easily overcome with appropriate mitigation. Would not expect floor levels to be raised in this case, would ask for flood protection measures to be put in place.

Initial Comments - Object: -

- FRA not adequate, flood level higher than previous approval.
- Floor levels to be raised to 17m AOD or higher. Concern that sleeping accommodation on ground floor, should be on first floor.
- FRA needs to identify safe access and egress route.

Representations

OBJECTION FROM WARD COUNCILLOR JEFFERSON HORSLEY: -

- Unbecoming development, too cramped and obtrusive to neighbouring properties.
- Create further parking problems.
- No garden and is out of character with rest of community nearby.

TEN LETTERS OF OBJECTION: -

- No parking/room for garage; overspill of cars in area; lack of off-road parking; neighbouring area parking permit controlled.
- Busy area used by parents & pupils of North Town School, further parked cars will cause hazard; no pavement.
- Access for service vehicles can be a problem.
- Three storey out of character; will look like terrace house.
- Cramped; overdevelopment.
- Encroachment (scaffolding, machinery).
- Within flood plain.
- No amenity area.
- PPS3 'garden grabbing' recently introduced and of relevance.
- Access to rear of Staplegrove Road and Cedar Cottages between proposed dwelling, difficult to access if vehicles parked.
- Loss of light and outlook to No 3 to 3 windows on eastern elevation, as proposed dwelling 1m away. Previous refusal on loss of light and outlook for building further away than this application (38/03/0291).
- Certificate needs to be signed and notice served on owners of boundary wall.
- Velux window in west slope may constitute fire risk.

PLANNING POLICIES

S1 - TDBCLP - General Requirements,
 S2 - TDBCLP - Design,
 M4 - TDBCLP - Residential Parking Provision,
 EN28 - TDBCLP - Development and Flood Risk,
 PPS25 - Development and Flood Risk,
 STR4 - Development in Towns,

DETERMINING ISSUES AND CONSIDERATIONS

As this application is to extend the existing time period, only changes in circumstances can be of consideration as the previous permission is still valid.

Policy M4 encourages car free development in areas such as this, and the County Highway Authority raise no objection and there were no previous highway conditions. Policy M4 of the Taunton Deane Local Plan has not been altered or changed since the previous approved applications.

Visually the proposal would represent an improvement to the existing dilapidated garage and policies S1 (general requirements) and S2 (design) apply to this application. Again these policies have not changed.

The main consideration of this application is considered to be flooding.

The previous application was accompanied with a Flood Risk Assessment (FRA) that was based on a flood level of 15.623m AOD (1 in 100 year + climate change). Since this assessment new modelling has been applied showing the area is now 16.83m AOD (1 in 100 year + climate change). Only the modelling has changed since the previous approval, there have been no further changes to PPS25 and the Strategic Flood Risk Assessment was also available in 2007.

Notwithstanding the above, the Environment Agency have not objected in principle. The Environment Agency have requested flood mitigation and protection measures. As such, the agent has submitted a revised FRA showing flood mitigation and protection measures to 17m AOD and higher (in-line with Environment Agency requests) and these mitigation measures will be made a condition of this application.

The initial comments from the Environment Agency raised concerns regarding sleeping accommodation on the ground floor (as app 38/07/0561), verbally these concerns still apply. The application has not be altered to move the accommodation to the higher floors and the submitted FRA informs that:

- Occupants can evacuate to higher levels where the kitchen, with food and water are sited.
- Envisaged that given town centre location a rescue boat would be easily available.
- The applicants will register for Flood Warnings Direct, receiving flood warnings by SMS, giving advance notice of river flooding.

This application provides flood mitigation and protection to the proposed dwelling, these measures will not be provided within the existing extant permission due to the difference in flood level from 15.623m AOD to 16.83m AOD. As such, it is considered appropriate to recommend approval of this application and its associated FRA measures even though bedroom accommodation may be provided on the ground floor.

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

KNIGHTSTONE HOUSING ASSOCIATION LTD

**DEMOLITION OF 31 NO. DWELLINGS AND ERECTION OF 64 NO. DWELLINGS,
PARKING, LANDSCAPING AND ASSOCIATED INFRASTRUCTURE AT 1-32
VICTORIA GATE, TAUNTON**

Grid Reference: 323563.124739

Full Planning Permission

RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval subject to no further comments raising new issues by 21 October 2010 and a legal agreement to provide a contribution to local leisure and recreation provision.

The proposal, for residential development, is located within defined settlement limits where the principle of new housing is 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 Policies STR4 and 49 and Taunton Deane Local Plan Policies S1 (General Requirements), S2 (Design), and M4 (Residential Parking Provision).

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. The development hereby permitted shall be carried out in accordance with the following approved plans:

(A4) DrNo. 2888/PL/100 Site Location Plan
(A1) DrNo. 2888/PL/01 Rev H Proposed Site Layout A
(A1) DrNo. 2888/PL/02 Rev H Proposed Site Layout B
(A3) DrNo. 2888/PL/03 Rev A House Type A
(A3) DrNo. 2888/PL/04/Rev B House Type B
(A3) DrNo. 2888/PL/05 Rev C House Type C
(A3) DrNo. 2888/PL/06/Rev C Proposed House Types Type D1 - 3b 5p
(A2) DrNo. 2888/PL/07 Rev C Flats Over Garages Plots 60-61
(A2) DrNo. 2888/PL/08/Rev B FOG Type H1 Plots 33-36
(A3) DrNo. 2888/PL/09 Rev C FOG Type H3 Plot 11
(A3) DrNo. 2888/PL/10/Rev A FOG Type H4 Plot 10
(A1) DrNo. 2888/PL/11 Rev D Flats 12-32 Floor Plans

- (A1) DrNo. 2888/PL/12/Rev C Flats 12- 32 Elevations
- (A1) DrNo. 2888/PL/13 Rev D Gr/1st Floor Plans Flats 44-59
- (A2) DrNo. 2888/PL14/Rev C Flats 44-59 2nd Floor Plans
- (A1) DrNo. 2888/PL/15 Rev C Flats 44-59 Elevations
- (A2) DrNo. 2888/PL/16/Rev B Flats 62-63
- (A3) DrNo. 2888/PL/18 Rev B Flats 44-59 Bin Stores
- (A1) DrNo. 2888/PL/19/ Rev B Street Scene 1
- (A1) DrNo. 2888/PL/20/Rev B Street Scene 2
- (A0) DrNo. 4838 Site Survey

Reason: For the avoidance of doubt and in the interests of proper planning.

3. No construction 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.

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

4.
 - (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.

5. 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.

Note: The protective fencing should be as specified at Chapter 9 and detailed in figures 2 and 3 of BS 5837:2005.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with Taunton Deane Local Plan Policies S2 and EN8.

6. No dwelling shall be occupied until space has been laid out within the site in accordance with the submitted plan for cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear.

Reason: 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.

7. The front boundary walls to the dwelling units shall be retained as indicated on the submitted drawing unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the character and appearance of the development in accordance with Taunton Deane Local Plan policy S2.

8. None of the dwellings shall be occupied until a drainage strategy for the site has been submitted to and approved by the Local Planning Authority and the agreed works have been completed in accordance with the details approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent risk of surface water flooding in accordance with PPS25.

9. No dwelling shall be occupied until cycle and bin storage has been provided for within the site in accordance with the submitted plan unless otherwise agreed in writing by the Local Planning Authority. The cycle and bin storage areas shall thereafter be retained as agreed.

Reason: In the interests of highway safety and the amenity of the area in accordance with policy S1 of the Taunton Deane Local Plan.

10. 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 to at least base course level between the dwellings and highway.

Reason: To ensure that the proposed estate is laid out in a proper manner with adequate provision for various modes of transport in accordance with Somerset and Exmoor National Park Joint Structure Plan Review Policy 49.

11. The applicant shall ensure that all vehicles leaving the site are in such condition as not to emit dust or deposit mud, slurry or other debris on the highway. In particular (but without prejudice to the foregoing), efficient means shall be installed, maintained and employed for cleaning the wheels of all lorries leaving the site, details of which shall have been agreed in advance in writing by the Local Planning Authority and fully implemented prior to commencement, and thereafter maintained until the construction of the site is completed.

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

12. The proposed estate roads, footways, footpaths, tactile paving, junctions, street lighting, sewers, drains, surface water outfall, vehicle overhang margins, visibility splays, accesses and car parking shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, materials and method of construction shall be submitted to the Local Planning Authority.

Reason: To ensure that the proposed estate is laid out in a proper manner with adequate provision for various modes of transport in accordance with Somerset and Exmoor National Park Joint Structure Plan Review Policy 49.

13. Prior to commencement of any trenching works within the canopy spread of existing trees all trenching works shall be agreed with the Local Planning Authority. All trenching works should be hand dug and no roots larger than 20mm in diameter should be severed without first notifying the Local Planning Authority. Good quality topsoil should be used to backfill the trench and compacted without using machinery.

Reason: To avoid potential harm to the root system of any tree leading to possible consequential damage to its health which would be contrary to Taunton Deane Local Plan Policies EN6 and EN8.

14. The windows shown to be obscure glazed on the submitted residential elevations of the buildings shall be carried out and be fixed or limited opening in a manner to be agreed and glazed with obscure glass of a level to be agreed in writing prior to installation and this shall thereafter be retained. There shall be no alteration or additional windows in the elevations without the further grant of planning permission.

Reason: To protect the amenities of nearby dwellings in accordance with Policy S1(E) of the Taunton Deane Local Plan.

15. The development hereby permitted shall not be commenced until details of a strategy to protect birds, bats and reptiles has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be based on the advice of Aardvark's Ecological Consultant's submitted report,

dated December 2009 and include:

- Details of protective measures to include method statements to avoid impacts on protected species during all stages of development;
- Details of the timing of works to avoid periods of work when the species could be harmed by disturbance;
- Measures for the replacement and enhancement of places of rest for the species.

Once approved the works shall be implemented in accordance with the approved details and timing of the works unless otherwise approved in writing by the Local Planning Authority, and thereafter the resting places and agreed accesses for nesting birds shall be permanently maintained. The development shall not be occupied until the scheme for the maintenance and provision of the new bird boxes **and** related accesses **have** been fully implemented

Reason: To protect birds, bats and reptiles and their habitats from damage bearing in mind **these** species **are** protected by law.

Notes for compliance

1. The condition relating to wildlife requires a mitigation proposal that will maintain favourable status for these species that are affected by this development proposal.

WILDLIFE AND THE LAW. The protection afforded to wildlife under UK and EU legislation is irrespective of the planning system and the developer should ensure that any activity undertaken on the site must comply with the appropriate wildlife legislation.

BREEDING BIRDS. Nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended) and if discovered must not be disturbed. If works are to be carried out during the breeding season (from February to August, possibly later) then the tree(s) should be checked for nesting birds before work begins.

BATS. The applicant and contractors must be aware that all bats are fully protected by law under the Wildlife and Countryside Act 1981 (as amended) and the Conservation (Natural Habitats) Regulations 1994 (as amended 2007), also known as the Habitat Regulations. It is an offence to intentionally or recklessly damage, destroy or obstruct access to structures or places of shelter or protection used by bats, or to disturb bats whilst they are using these places.

Trees with features such as rot holes, split branches or gaps behind loose bark, may be used as roost sites for bats. Should a bat or bats be encountered while work is being carried out on the tree(s), work must cease immediately and advice must be obtained from the Government's advisers on wildlife, Natural England (Tel. 01823 285500). Bats should preferably not be handled (and not unless with gloves) but should be left in situ, gently covered,

until advice is obtained.

2. 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 from the Highway Authority. Application forms can be obtained by writing to Mr Roger Tyson, Transport Development Group, Environment Department, County Hall, Taunton TA1 4DY, or by telephoning him on 01823 356011. Applications must be submitted at least four weeks before works are proposed to commence in order for statutory undertakers to be consulted concerning their services. A proposed start date, programme for works and traffic management layout will be required prior to approval being given for commencement of works on the highway.

PROPOSAL

The proposal is to demolish the existing 30 flats and 1 house on two parcels of land at Victoria Gate and erect 64 replacement units including 17 dwellings and 47 flats. Provision of car parking, bin and cycle storage is included in the development. A Design & Access Statement, Ecology Report, Tree Report and Flood Risk Assessment are also included in the submission.

The mix of units include 1 x 5-bed house, 14 x 3-bed houses, 2 x 2-bed houses, 6 x 1-bed flats and 41 x 2-bed flats. All of the units will be affordable.

SITE DESCRIPTION AND HISTORY

The site consists of two areas of land, the larger site A includes a group of 11 two storey brick and white panelled houses, subdivided into flats, off a central cul-de-sac. To the south lies an open area of ground long disused and overgrown with brambles that may have been used as allotments during the war. Site B around 100m to the north west consists of a smaller area of 5 similarly designed units off another cul-de-sac. Apart from one dwelling the remainder are flats currently occupied by the over 55s.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

SCC - TRANSPORT DEVELOPMENT GROUP - The proposal relates to the demolition of the existing houses to be replaced with 64 new dwellings with associated parking.

It should be noted that part of this proposal would require the stopping up of part of the existing highway. I have spoken to the Area Highways Office in regards to this matter and they would have no objection to the 'stopping up' of this part of the adopted highway. The stopping up of a highway can be carried out under Section 247 of the Town and Country Planning Act 1990. This will need to be applied for through the Government Office for the North East and they are contactable on 0191 2023714 the process should take up to 6-8 weeks.

When comparing the proposed internal layout within drawing 2888/PL02/G with the highway records plan it appears that an area of public maintained highway is to

revert back to private ownership. It also looks like part of the existing footway that front the application site is to be removed and replaced with widened site entrance. The Area Highway manager should be made aware of this proposal. All necessary notices will need to be obtained if the area is not to remain as highway.

The Design and Access Statement makes reference to the fact that the existing adopted internal access road will remain in situ. However, drawing PL01/G shows the proposed access road being a type 5 adopted shared surface construction but the existing road is a type 4 bitumen macadam carriageway with footways. I would suggest that the applicant amends the application so that the submitted drawings and the 'Design and Access Statement reflect each other. From the submitted drawings it is apparent that the proposed works will be within the existing public highway limits as such these works would need to be secured under a section 278 legal agreement.

The submitted drawings for both Victoria Gate and Somerset Place were passed to our Estate Roads Team for comment; there observations are set out below. It should be noted that these comments apply to both Victoria Gate and Somerset Place unless otherwise indicated.

In terms of the site layout the applicant will need to be made aware that the full width of Victoria Gate will need to be resurfaced where it is been disturbed by the proposed works and to overlap each construction layer of the carriageway by a minimum of 300mm. It also appears that there will be a slight narrowing of the existing footways adjacent to plots 4 and 5 upon entering the site. I would prefer to see the footways kept at their existing width. Rather than having block paved shared surface roads abutting the existing carriageway and increasing the possibility of the blocks becoming dislodged, it would be preferable to lay a 6.0m bitumen macadam carriageway from the edge of both Victoria Gate up to the commencement of the shared surface road. The existing footways should be extended slightly into the shared surface road to allow pedestrians a means on/off the shared surfaced road.

In regards to Somerset Place it should be noted that the minimum vertical clearance beneath plot 60 should be less than 4.1m to accommodate a large service vehicle. If it is the intention that deliveries will be walked into the development from Somerset Place then the minimum height may be reduced. Please notify Somerset County Council of the proposed intention. Whilst the Type 5 block paved shared surface carriageways should be constructed with longitudinal gradients no slacker than 1:80. Any gradient slacker than 1:80 will have a detrimental effect of surface water drainage.

Finally the applicant should be aware no doors, gates or low-level windows/utility boxes/down pipes or porches are to obstruct footways/shared surface roads. The Highway limits shall be limited to that are of the footway/carriageway that is clear of all private service boxes, inspection chambers, rainwater pipes, vents pipes and meter boxes (including wall mounted).

The proposed internal layout may result in the relocation of existing highway lighting units together with traffic signs. Works to lighting columns must not commence without prior discussions being held with the Highways Authorities Street Lighting Manager. It would be advisable to contact the Traffic Engineer (Area Highways Office) in regards to the relocation of any traffic signs. Only contractors on the 'Register of Accredited Contractors' will be permitted to carry out works on the

Highway. Application for inclusion on the Register should be made to Mr Gerald Lush on 01823 483032.

It is proposed that surface water drainage for the site will be into existing drainage systems via the means of attenuation storage areas. The applicant must be made aware of the fact that no attenuation system will be permitted to be placed within the prospective public highway. The applicant will need to obtain written permission from the owner of the existing surface water drainage system into which the proposed site will be drained granting consent for such discharge. Somerset County Council will require a copy of any permission granted. Section 50 NRSWA 1991 (Sewer Connections) – where works have to be undertaken within or adjoining the public highway a Section 50 licence will be required. These are obtainable from Mr John Nicholson, Streetworks Co-ordinator (01823 483103). In relation to the existing carriageway gullies within the site if a block paved shared surface road is to be constructed then it will be necessary for the existing gullies to be replaced with pedestrian friendly gullies.

In regards to parking the proposal will provide an average of 1.4 spaces per unit. The reduction in parking is justified as the site is located in close proximity to the town centre and the alternative means of transport are provided from this location i.e. cycle paths and regular bus routes. The parking bays provided within the site provide a standard length of 5.0m. These dimensions should be increased to 5.5m wherever parking bay immediately but up against any form of structure (walls/plants etc). A 6.0m long aisle should be provided in front of all parking bays to aid vehicular manoeuvrability. The minimum length of tandem parking bays should be 10.5m. Therefore the bays allocated to plots 3, 41-43 should be amended accordingly.

Taking into account the above information I raise no objection to this proposal and if planning permission were to be granted I would require conditions to be attached.

HERITAGE AND LANDSCAPE OFFICER - My main concerns are several of the better quality higher amenity trees will be lost to development with little opportunity for good replacement trees. Where building works are proposed within root protection areas a method statement should be provided. If approved a tree protection plan should be submitted. Landscape details need to be submitted. Proposed service runs should be checked to avoid damaging tree roots.

NATURE CONSERVATION & RESERVES OFFICERS - As with all developments of this nature there are opportunities for biodiversity gain. In accordance with PPS9 I would like to see wildlife protected and accommodated in this development and suggest a condition to address this.

WESSEX WATER - I refer to your letter of 9th August inviting comments on the above proposed development and can confirm the following:

- There is adequate capacity within the public foul sewer system and receiving sewage treatment works to serve the proposed development.
- The principles as set out in the FRA for surface water drainage are acceptable in principle (max rate of discharge capped at 6 l/s)
- The site is split into two distinct catchments: the site storage and attenuation will need to be similarly and proportionately split which is not indicated in the proposals.
- The existing water main on the site will need protection on the retained part

and diversion over most of the length. The land appears to be contaminated in the area so appropriate mains to be provided.

DRAINAGE ENGINEER - I have concerns that the ratio of impervious to pervious areas are incorrect. According to my calculations the existing impermeable area is in the region of 35% not 65% as suggested by the developer. The attenuated storage calculations are therefore incorrect. I also note that in 3.2 of the FRA the comment is made that 'all surface water appearing to infiltrate naturally into the soil'. Whereas in 6.2 Drainage Strategy the comment is made that 'no soakaway tests have been carried out as the site is assumed to be 100% impermeable'. These comments are at variance and therefore until revised calculations and a SUDS strategy is outlined in more detail I object to the proposal.

HOUSING ENABLING MANAGER - The Housing Enabling Lead fully supports this application for all affordable housing. The demolition of the existing properties which are mainly one bed flats will enable a fully integrated mixed community providing family homes, sheltered housing and accommodation for disabled persons. This scheme involves demolition of existing Council owned sheltered housing.

POLICE ARCHITECTURAL LIAISON OFFICER –

Site A

- Re-orienting Plots 35 & 36 to face Plots 33 & 34 should improve resident surveillance of both blocks including the proposed undercroft parking.
- Plot 43 - side access should be fenced or gated near the front building line in order to prevent unauthorised access to the rear garden.
- A number of parking spaces appear to be divorced from owners' premises e.g. parking spaces, 4, 12, 31, 32, 42 & 43 seem to be some distance away from the plots they serve. Where vehicles are not garaged or parked within curtilage, Secured by Design guidance is that parking spaces should be within view of routinely occupied rooms in owners' premises. Otherwise, there is a strong likelihood that the spaces will not be used. I accept that some of these parking spaces are overlooked by other dwellings. Natural surveillance of the parking spaces adjacent to Plot 5 would be enhanced by a window in the gable end of that plot.
- Security of the sheds within the proposed allotments should be taken into account as they are a common target for thieves stealing tools etc.

Site B

- Plots 44 to 59 - the apparent lack of any wall/fence between the building and perimeter wall near parking spaces 47 and 48 potentially allows unlawful access to the Amenity Space and the block itself. In my opinion, an appropriate form of access control should be provided at this location.
- The drive-through should also be provided with some form of access control and lighting, as it allows access to the rear of dwellings and parked vehicles. Ideally, it should be gated using electrically controlled gates operated by key-fob or similar. Manually operated gates are likely to be left open.

To date, I have not received any response from Mr Martin to my further comments. Until the above queries are resolved and the additional information required for the

SBD Application Form provided, it is not possible to say whether the development will achieve full Secured by Design accreditation in due course.

LEISURE DEVELOPMENT MANAGER - In accordance with Local Plan policy C4, provision for play and active recreation should be made for the residents. A contribution of £1100 for each additional dwelling should be made towards the provision of facilities for active outdoor recreation and a contribution of £2200 for each additional 2+bed dwelling should be made towards children's play provision. The contributions should be index linked and would be spent in locations accessible to the occupants of the dwellings. A public art contribution is also required in accordance with the Taunton Deane Public Art Code, either through commissioning and integrating public art into the design of the buildings and the public realm or by a commuted sum to the value of 1% of development costs.

PRIORY COMMUNITY ASSOCIATION - We have seen details of this proposal at the Deane office and generally support. With solar energy and small individual gardens, this housing seems much more sustainable than the currently proposed Firepool Housing at Priory Bridge Road.

Three points of comment arise :

1 North end of Victoria Gate the Housing has been designed to be extended into the park in future. The Leisure Officers interpretation signs mounted in the green flag park omit the green quadrant area abutting the housing. There will be massive local objection to this extension and loss of green space. Boon Brown have made a good case in the application for new housing sitting well with the present park.

2 Access road through the park - currently there is an obtrusive roadway through the park linking Victoria Gate with Somerset Place. This is a 1960s design with a road width to suit lorries accessing commercial premises so two articulated vehicles can pass on the bend. This was an issue at the Public enquires in the early 1980s and the closure of Alfred Street was only secured after a second enquiry.

Today the road serves a pub and domestic dwellings and could either be scaled down or better still diverted around the edge of the park close to the housing in this application, as our attached letter to Forward plan in 2007, seeking to unify the two sections of the park. This will preserve a Mitre Court view of the park but there may be some trees lost against your elevation. Note the road bends needed at Victoria Gate would be similar to those shown now on the Somerset Place development.

Had we been a parish council and drafted a parish plan this may have been considered at your scheme early in the design stage. Do these current building proposals allow or preclude these changes to a very obtrusive road in future?

Thirdly it is important that the increase in dwellings will create more demand for our Victoria Park. The Victoria Park Action group work hard to assist the green flag status but there are no funds to improve the existing Pavilion premises or toilets for better community use. Local use town centre public buildings such as the Municipal Hall, The Youth and Community Centre Tangier, the Market Hall and the Chestnut Tree have all been lost.

In the recent wider housing planning consultation, areas in the parish areas around Taunton generated a gain for Communities. For each family dwelling, 100 metres

square of new green space and contributions to extend or build new Parish Halls and other support for parish councils was offered. We cannot find any residents community building within your scheme.

We would think it appropriate for the Council to discuss with the Victoria Park Action Groups Committee what financial support for our local community park and pavilion facility is appropriate to link to this application. We think this needs to happen before the planning committee decide this application.

There is a limit to space for new community provision in a fairly mature densely populated area but both the existing requested Pavilion and future Roadway improvements would be a significant factor in improving the town centre infrastructure and environment as our population inevitably grows.

I do not have a copy of the latest projection of areas of relative deprivation but the 2008 survey information we used in the Town Centre Action Plan enquiry showed there were growing levels in East Gate Ward of the town centre.

Representations

1 letter of no observations

2 letters raising issues over stress for elderly, junction with Victoria Gate and need for a right turn filter, concern over fence damage with car park construction, bin store too close to residence, loss of sunlight, loss of house value, concern over increase in noise and anti-social behaviour.

1 letter from Victoria Park Action Group advising generally in favour but there are concerns over preservation of the green wedge on the corner of Mitre Court and need to provide financial support for facilities in the area.

PLANNING POLICIES

PPS1 - Delivering Sustainable Development,
PPS 1 SUPP - Planning and Climate Change,
PPS3 - Housing,
PPS9 - Biodiversity and Geological Conservation,
STR1 - Sustainable Development,
STR4 - Development in Towns,
S&ENPP33 - S&ENP - Provision for Housing,
S&ENPP35 - S&ENP - Affordable Housing,
S&ENPP49 - S&ENP - Transport Requirements of New Development,
S1 - TDBCLP - General Requirements,
S2 - TDBCLP - Design,
M4 - TDBCLP - Residential Parking Provision,
C4 - TDBCLP - Standards of Provision of Recreational Open Space,
EN8 - TDBCLP - Trees in and around Settlements,

DETERMINING ISSUES AND CONSIDERATIONS

The main considerations with the proposal are the design and impact on the

character of the area, the parking provision, play and recreation provision and drainage.

Design and impact on the character of the area

An amended plan has been submitted to address the concerns of the Highway Authority and Secure by Design and the issue over amenity impact to a specific property in Mitre Court. The plan staggers a terrace to prevent an overbearing impact on 43 and 44 Mitre Court. The dwellings have defensible space in front of them and parking is provided for each unit in courts set to the rear and side of the properties in areas that are overlooked. Potential overlooking from the new properties has been considered and certain windows are obscure glazed to address direct overlooking concerns. A condition to control such windows is therefore recommended.

The materials intended to be used are a mixture of brick, render and cladding and the design is carried through from the housing to the flats to ensure a comprehensive development of a distinctive character to comply with advice in PPS1 and S2 of the Taunton Deane Local Plan. Roof space for renewable solar technology is provided for. The layout increases the house numbers on site to provide more affordable dwellings, however to achieve an adequate layout with gardens, allotments and parking a number of trees have to be removed across the two sites. This includes a couple of larger specimens and the Landscape Officer has raised concern over this tree loss. Replacement tree planting is proposed and subject to conditions to secure this and tree protection the amenity impact of the development is considered acceptable.

Parking provision

The sites utilise the same means of access into them, although the internal layout is varied to provide adequate parking and turning areas. The parking provision complies with policy M4 of the Local Plan. Bin and cycle storage for the units is also provided within the layout to meet policy requirements. The access road from the main road traffic lights is not affected by the proposal and is retained as is access to the car park and Alfred Street.

Play and recreation provision

The Community Development Team require contributions for play and active recreation to comply with policy C4 as well as a public art contribution. The scheme adds an additional 33 units of accommodation with 2 or more bedrooms in each and this equates to £108,900 for play and recreation. The public art provision is only a policy requirement under the Taunton Town Centre Area Action Plan, consequently it is not a requirement that can be insisted on under the present proposal as the policy does not apply to this site. The provision of the leisure and recreation contribution to be spent locally will be a requirement that will need to be dealt with by legal agreement.

Drainage

The site is not one that falls within an identified flood risk area, although a FRA has been submitted with the scheme. Details of the means of adequate surface water drainage for the site needs clarification and a condition relating to the securing of a

suitable drainage scheme prior to commencement is considered necessary.

In summary the development is considered an appropriate redevelopment of an existing residential site in a sustainable location that is a high standard of design that addresses residential amenity and parking provision and complies with the development plan and government guidance and is recommended for approval.

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

CONVERSION OF BASEMENT FROM STORAGE TO TWO BEDROOMS AND BATHROOM WITH STAIRCASE AND GROUND FLOOR ALTERATIONS AT FLAT 1, BELMONT HOUSE, 3 BELMONT DRIVE, TAUNTON

Grid Reference: 322094.123859

Listed Building Consent: Works

RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval

It is considered that the proposal is in line with PPS 5 and Policy 9 of the Somerset and Exmoor National Park Joint Structure Plan Review in respect of proposals relating to listed buildings. The listed building and its setting and any features of historic or architectural interest are, therefore, preserved in accordance with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

RECOMMENDED CONDITION(S) (if applicable)

1. The works for which consent is hereby granted shall be begun not later than the expiration of three years from the date of this consent.

Reason: To comply with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended by S51(4) Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

(A2) DrNo 1909_01 Existing Basement and Ground Floor Plans

(A2) DrNo 1909_02 Proposed Layout Plans and Sections

(A4) DrNo 1909_03 Location & Block Plan

Reason: For the avoidance of doubt and in the interests of proper planning.

3. 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.

Reason: To ensure the use of materials and details appropriate to the character of the Listed Building, in accordance with Section 16 of the Planning (listed Buildings and Conservation Areas) Act 1990, Policy 9 of the

Somerset and Exmoor National Park Joint Structure Plan Review and guidance contained in Planning Policy Statement 5.

4. Prior to commissioning, specific details of the following shall be submitted to and approved in writing by the Local Planning Authority, with such approved details being strictly adhered to in the implementation of the approved works, unless any variation thereto is first agreed in writing by the Local Planning Authority: new staircase and staircase opening; external grate outside entrance door.

Reason: To ensure the use of materials and details appropriate to the character of the Listed Building, in accordance with Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy 9 of the Somerset and Exmoor National Park Joint Structure Plan Review and guidance contained in Planning Policy Statement 5.

5. The door frame and door to the ground floor cupboard should be retained in their exact position unless first agreed in writing by the local planning authority.

Reason: In the interests of preserving the listed building and any features of historic or architectural interest that it possesses, in accordance with Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy 9 of the Somerset and Exmoor National Park Joint Structure Plan Review and guidance contained in Planning Policy Statement 5.

6. No existing feature or structure, other than those for which consent is hereby granted, shall be removed, interfered with or adapted without the prior approval of a further listed building consent.

Reason: To ensure any alterations are in the interests of the character of the Listed Building in accordance Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy 9 of the Somerset and Exmoor National Park Joint Structure Plan Review and guidance in Planning Policy Statement 5.

Notes for compliance

1. The presence of bats was noted by the planning officer during the site inspection. The applicant and contractors must be aware that all bats are fully protected by law under the Wildlife and Countryside Act 1981 (as amended) and the Conservation (Natural Habitats) Regulations 1994 (as amended 2007), also known as the Habitat Regulations. It is an offence to intentionally or recklessly damage, destroy or obstruct access to structures or places of shelter or protection used by bats, or to disturb bats whilst they are using these places.

PROPOSAL

This is an application for Listed Building consent.

This proposal involves internal alterations and conversion of a basement to additional habitable rooms.

The application should be determined by the Planning Committee because the agent is related to an employee of Taunton Deane Borough Council.

SITE DESCRIPTION AND HISTORY

Belmont House is a large early-C19 house formerly set within its own grounds but now surrounded by modern development. It was listed at grade II in 1975. The house was split into separate flats pre-1991, the exact date is unclear as there does not appear to be an application for listed building consent for this original division so presumably it was before the listing. Flat 1 is located in the south-east corner of the house. The basement below is shared between the flats but the area allocated to Flat 1 is directly below this flat although it is currently accessed by leaving this property. There is no previous planning history relating to Flat 1.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

SCC - TRANSPORT DEVELOPMENT GROUP - No observations.

Representations

None received.

PLANNING POLICIES

PPS 5 - PPS5 Planning for the Historic Environment,
S&ENPP9 - S&ENP - The Built Historic Environment,

DETERMINING ISSUES AND CONSIDERATIONS

The works are predominantly internal and involve alterations to the ground floor and significant changes to the basement area. The two main issues are the potential loss of historic fabric and the damage to the character and appearance, particularly to the basement, which is the area most affected by the proposed works.

Ground floor -

This has clearly been subjected to a number of past alterations, most likely during the initial division of the house. The proposed insertion of new stairs to the basement would appear to be quite neatly accommodated within the existing cupboard. My main concern is the door to the existing cupboard - this should be retained in situ. Reinstating the wall between the current WC and bath is acceptable. The creation of a new opening between the former bath and kitchen would retain enough of this wall to maintain the essence of its plan-form.

Basement

The proposed works concern part of a larger basement. It is important that the

essential character and appearance of this space is maintained and the disruption to the historic fabric is to an acceptable level. I also note that the iron beam to the jack-arched ceiling is corroded and will need a specialist inspection before this space is reused. Further alterations to this will require additional listed building consent.

Given the difficulties in managing damp in basements the installation of a bathroom is not ideal. The pipework associated with the extraction of waste and air ventilation is at least in-keeping with the character of a basement area.

There is little doubt that this proposal will result in the loss of historic fabric and plan-form. The question is whether this will have an adverse affect on the character or appearance of the listed building and in particular the basement. The essential 'subterranean' nature of this basement area will of course be retained; as will the jack-arched roof and flagstone floor covering. The wall lining and partitions are reversible. I am satisfied that the character of this basement space and of the ground floor are preserved by this proposal and recommend approval in accordance with Section 16(2) of the Planning (Listed Building and Conservation Areas) Act 1990.

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

CONTACT OFFICER: Mr N Pratt Tel: 01823 356354

38/10/0287

MR M DELAHAY

ERECTION OF SINGLE STOREY EXTENSION AT 4 HAZEL CLOSE TAUNTON

Grid Reference: 324496.123428

Full Planning Permission

RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval

The proposed development would harm neither visual nor residential amenity, nor would it be damaging to the character of the main dwelling. Accordingly, the proposal does not conflict with Taunton Deane Local Plan Policies S1 (General Requirements), S2 (Design) and H17 (Extensions to Dwellings).

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. The development hereby permitted shall be carried out in accordance with the following approved plans:

(A3) DrNo 004 Proposed elevations
(A3) DrNo 003 Proposed plans
(A3) DrNo 002 Survey elevations
(A3) DrNo 001 Survey plans
(A3) DrNo 005 Location and Block plan

Reason: For the avoidance of doubt and in the interests of proper planning.

3. 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.

Notes for compliance

PROPOSAL

Erection of a single storey lean to extension measuring 3m deep by 6.2m wide at the rear of the property.

The application should be determined by the Planning Committee as the applicant is an employee of Taunton Deane Borough Council

SITE DESCRIPTION AND HISTORY

The property is mid terrace and finished in brick under a tiled roof. There is an existing conservatory that will be replaced. The neighbouring property is set back from the Applicant's house by 2.5m. The garden is enclosed by a 2 metre high fence.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

SCC - TRANSPORT DEVELOPMENT GROUP - No observations

Representations

2 letters of no objection and 1 letter of no objection subject to the extension not disrupting the neighbouring property.

PLANNING POLICIES

H17 - TDBCLP - Extensions to Dwellings,
S1 - TDBCLP - General Requirements,
S2 - TDBCLP - Design,

DETERMINING ISSUES AND CONSIDERATIONS

The height of the extension would be 2.5m at eaves level increasing up to 3.8m where it would attach to the existing house. It is considered that although the extension will project beyond the neighbouring properties on both sides it will not have an adverse impact due to the lean-to design and existing boundary treatments. The use of facing bricks and tiles to match will ensure that the extension is in keeping with the existing property.

The proposal is considered to be acceptable.

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

CONTACT OFFICER: Mrs S Melhuish Tel: 01823 356462

DEMOLITION OF BUNGALOW AND ERECTION OF PAIR OF SEMI-DETACHED DWELLINGS AND ALTERATIONS TO ACCESS AT NERINE, WEST BAGBOROUGH

Grid Reference: 316141.133381

Full Planning Permission

RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval subject to no further objections raising new issues and further observations from Nature Conservation and Reserves Officer, and County Highways Officer

The site lies within the defined limits to development, where the principle of residential development is acceptable. The proposed dwellings are not considered to be out of character with the surrounding pattern of development and have been designed to respect the traditional design of neighbouring properties, hence enhancing the appearance of the Quantock Hills Area of Outstanding Natural Beauty. The proposed scheme would not result in material detriment to the amenities of the occupiers of neighbouring properties or to the long term health of trees of amenity value within the site. As such, the proposal is in accordance with the West Bagborough Village Design Statement and policies S1 (General Requirements), S2 (Design), EN6 (Protection of Trees, Woodlands, Orchards and Hedgerows), EN10 (Areas of Outstanding Natural Beauty) and EN12 (Landscape Character Areas) of the Taunton Deane Local Plan.

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. The development hereby permitted shall be carried out in accordance with the following approved plans:

(A4) DrNo PHP009/010 004 Site Location
(A3) DrNo.PHP009/010/001C Proposed Elevations
(A3) DrNo.PHP009/010/002B Floor Plans & Section
(A3) DrNo.PHP009/010/003D Site Plan

- Reason: For the avoidance of doubt and in the interests of proper planning.
3. 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.

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 Policies S1(D), S2(A) and EN10.

4. All rooflights hereby approved shall be flush fitting Conservation Style with a central glazing bar and thereafter retained as such.

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 Policies S1(D), S2(A) and EN10.

5. All windows/doors hereby approved shall be of timber and of the design shown on the approved plans and thereafter retained as such.

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 Policies S1(D), S2(A) and EN10.

6.
 - (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 Policies S1(D), S2(A) and EN10.

7. Before any part of the development hereby permitted is commenced, a scheme of hard landscaping showing the layout of areas with stones, paving, walls, cobbles or other materials shall be submitted to and approved in writing by the Local Planning Authority. Such scheme shall be completely implemented before the development hereby permitted is

occupied.

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 Policies S1(D), S2(A) and EN10.

8. No development shall take place until a plan indicating the positions, design, materials and type of boundary treatment to be erected, has been submitted to and approved in writing by the Local Planning Authority. The agreed boundary treatment shall be completed before the buildings hereby permitted are occupied and thereafter maintained as such.

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 Policies S1(D), S2(A) and EN10.

9. No development shall take place until a plan showing the details of the chimney has been submitted to and approved in writing by the Local Planning Authority. The chimney shall thereafter be implemented in accordance with the approved details prior to the occupation of the dwellings and thereafter retained as such.

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 Policies S1(D), S2(A) and EN10.

10. All services shall be placed underground.

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 Policies S1(D), S2(A) and EN10.

11. No development shall take place until details of the Sustainable Urban Drainage System have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure satisfactory surface water disposal in accordance with the relevant sections of PPS25.

12. Notwithstanding the provisions of Article 3 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 extensions, other alterations (including balconies, windows, chimneys, flues) or curtilage structures (of the types described in Schedule 2 Part 1 Class A-G of the 1995 Order), other than that expressly authorised by this permission shall be carried out without the further grant of planning permission.

Reason: To ensure that the amenities of neighbouring properties is not harmed and 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 Policies S1(D), S2(A) and EN10.

Notes for compliance

1. Soakaways should be constructed in accordance with British Research Digest 365 (September 1991).
2. Notes at request of Wessex Water:
 - It will be necessary, if required, for the developer to agree points of connection with Wessex Water, for water supply and the satisfactory disposal of surface and foul flows.
 - The developer should be aware of the importance of checking with Wessex Water to ascertain whether there may be any uncharted sewers or water mains within (or very near to) the site. If any such apparatus exists, applicants should plot the exact position on the design site layout to assess the implications. Please note that the grant of planning permission does not, where apparatus will be affected, change Wessex Water's ability to seek agreement as to the carrying out of diversionary and/or conditioned protection works at the applicant's expense or, in default of such agreement, the right to prevent the carrying out of any such development proposals as may affect its apparatus.
 - Due to the close proximity of the West Bagborough Sewage Treatment Works, the developer should be made aware of the possibility of odour nuisance from the normal operation of our works.
3. With reference to Condition 7, modern concrete kerb stones should not be used to demarcate the entrance from the road – modern kerbing gives an immediate impression of suburban or urban environments and are not typical characteristics of Quantock villages.

PROPOSAL

The proposed site lies on New Road at the south-west entrance to the village from the A358. It falls within the Quantock Hills Area of Outstanding Natural Beauty and is currently occupied by a cream render and tile bungalow set back from and on a higher level than the road. There is a vehicular access to the front with a line of leylandii trees along the front to the south of the access. The surrounding area is characterised by a mix of properties including traditional style stone and slate cottages to the north, with render and tile properties on the opposite side of the road. To the south and west is open countryside, and the Wessex Water Sewage Works and Hill View Trading Estate lie a short distance to the south-east.

This application seeks planning permission for the demolition of the bungalow and replacement with a pair of semi-detached properties. These are designed to reflect the character of Heathfield Cottages to the north and would be of local stone to the front and sides with render on the rear elevations, a natural slate roof and doors/windows of traditional timber construction. The cottages would have

accommodation over three storeys, each with a dormer window with slate cheeks and conservation style rooflight in the rear. The dwellings would have black UPVC rainwater goods and a shared stone chimney. Two car parking spaces would be provided to each dwelling with stone walls up to 900mm in height to the front and native planting.

Following concerns raised, the proposed windows were changed from upvc to timber; the depth of the dwellings reduced resulting in each cottage being 3 bedrooms rather than 4 bedrooms; the positioning and design of the dormers revised; the height of the chimney increased; the trees at the front of the site marked to be retained and the dwelling, parking and access repositioned.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

WEST BAGBOROUGH PARISH COUNCIL - Objects on the grounds of:

- Road safety matters and impact on existing on road parking for vale view.
- Volume of development especially 3 floor design.
- No clear reference to existing trees.

SCC - TRANSPORT DEVELOPMENT GROUP - Whilst the proposed development is located within the development limit of the village, West Bagborough does not accommodate adequate services and facilities, such as, education, employment, health, retail and leisure. In addition public transport provision is extremely limited, with the First 23 Bus Service operating effectively only one service in the morning and one in the afternoon, Mondays to Saturdays. 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.

Notwithstanding the aforementioned comments, it is noted that the site is located within the development limit of the village and as a consequence, I am aware of other planning applications for residential development that have been permitted, therefore it would appear there is a presumption in favour of small scale development in this location. However, this must be a matter for the Local Planning Authority to decide whether the principal of development on this site outweighs the transport policies that seek to reduce reliance on the private car.

This proposal was the subject of pre-application advice in which the highway requirements were clearly set out. The proposal will derive access from/onto a classified unnumbered highway, which is the main route through the village and whilst the speed of traffic in the village is not restricted from personal observations and the alignment of the highway, vehicles speeds are likely to be in the region of 30mph.

I have set out below, the detailed highway issues in respect of this development:

1. Access to the development if it is to serve two dwellings, should have a minimum width of 5m, to enable vehicles entering the exiting the site to pass each other and to avoid waiting or reversing onto the adjoining public highway. This appears to have been achieved.

2. The access will need to incorporate visibility splays based on co-ordinates of 2.4m back from the edge of existing carriageway edge and extending 43m in both directions to the nearside carriageway edge with no obstruction greater than 900mm above existing carriageway level. Visibility splays need to be provided within the application site and/or highway land, it will not be acceptable if they encroach onto/over third party land as they need to be provided in perpetuity.

In this location it will not be acceptable to have visibility splays with blind spots, and this should be demonstrated on an appropriately scaled drawing. Visibility splays have to be within the Applicant's ownership or highway limits, it will not be acceptable to encroach onto/over third party land as they will not be able to be provided and maintained in perpetuity.

It would appear that these essential visibility splays cannot be provided.

3. Sufficient parking that incorporates a segregated turning should be provided, to enable vehicles to enter and exit the site when the parking areas are occupied, for both the existing and proposed dwelling. Turning diagrams are attached for further information.

Maximum parking provision should be applied given the village is considered to be unsustainable in transport terms. This would be 2 spaces per dwelling for three bedroomed dwellings.

I would therefore seek that the issues raised above are addressed at the Applicant's earliest convenience, on receipt of this additional information I will be able to conclude my highway observations.

At time of writing, awaiting further comments following reconsultation on the amended site plan. Additional comments will be updated on the late representations document.

THE QUANTOCK HILLS AONB SERVICE - The main purpose of the AONB Service is conserving and enhancing the natural beauty of the landscape. As such, we are concerned with the impact any new development may have on the character and quality of this nationally protected landscape (including its setting).

The AONB Service has no objection in principle to the proposed development. The existing bungalow makes a limited contribution to local landscape character and we feel that the 2 semi-detached houses proposed would fit with the surrounding, mainly 2-storey, properties.

Due to its location, in a nationally important landscape, it is essential that particular care is taken with the design, materials and landscaping of the new development. As far as possible, we would like to see the development reflect the character of the existing, adjacent Heathfield Cottages. One of the critical factors will be the choice of windows and doors, and we would prefer these to be of more traditional materials than of uPVC. Please refer to paragraphs 8.11 (recommendations) and 5.3 (buildings and spaces in the villages) of the West Bagborough Village Design Statement. We feel that bay windows at the front of the property may give the cottages more of a suburban appearance, when compared to Heathfield Cottages.

The existing bungalow is already quite well screened in the landscape, so we would

wish to see this landscaping retained and, where possible, enhanced using native trees and hedge species that are appropriate to the local area. This will help to assimilate the development into the landscape.

As there is a proposed change to the access, we ask that modern concrete kerb stones are not used to demarcate the entrance from the road – modern kerbing gives an immediate impression of suburban or urban environments and are not typical characteristics of Quantock villages.

WESSEX WATER - You should be aware that the site is situated approximately **155** metres away from our **West Bagborough** Sewage Treatment Works. Whilst we do not believe the proposal will be unduly affected it should be noted that the proposal could be subject to odours from the normal operation of our works. Odour is covered by the Statutory Nuisance controls laid down in Part III of the Environmental Protection Act 1990 and enforced by Local Authorities by way of abatement notices. We therefore recommend that the views of your Council's Environmental Health Officer should be sought when determining this application. We do, however, request that the developer is made aware of the possibility of odour nuisance. The proposal must not be seen to set a precedent for future development within close proximity of our Sewage Treatment facilities.

The development is located within a foul sewered area and there are water mains within the vicinity of the proposal. It will be necessary for the developer to agree a point of connection onto the system for water supply and for the satisfactory disposal of foul water flows generated. Council should be satisfied with any arrangement for the satisfactory disposal of surface water. Suggests note to applicant regarding uncharted sewers or water mains.

DRAINAGE ENGINEER - Soakaways should be constructed in accordance with British Research Digest 365 (September 1991) and details of the sustainable urban drainage system submitted.

NATURE CONSERVATION & RESERVES OFFICERS - As the development involves the demolition of a building, which could potentially accommodate bats and birds, I consider that a wildlife survey should be submitted with this application.

At time of writing, awaiting receipt of Wildlife Survey. Additional comments from the Nature Conservation and Reserves Officer will be updated on the late representations document.

HERITAGE AND LANDSCAPE OFFICER - Subject to retention of existing vegetation and suitable boundary landscaping, the proposals are acceptable.

ENVIRONMENTAL HEALTH - NOISE & POLLUTION - Comments awaited

Representations

Five letters of objection received on the grounds of:

- Properties to the east will now be overlooked by east facing bedroom windows, having an impact on privacy.
- Increased vehicular activity when there are already problems with parking on this busy road, particularly at night. The bend and reducing the road to one lane is hazardous to road safety. Absence of off-road parking to properties opposite,

- traffic/emergency vehicles can only pass due to small space outside bungalow, additional parking would impede vehicle movement and be dangerous to walkers.
- Bringing access closer to blind bend will make exiting properties more dangerous.
 - Size and position of plot not large enough to accommodate two 4 bedroom properties.
 - Proposed development out of keeping and not sympathetic to this part of the village/local environment.
 - Building plot is now larger than the original when bungalow was built and building is too tall for its site near to and facing the road.
 - Trees have become a possible danger and should be topped at least.

PLANNING POLICIES

EN10 - TDBCLP - Areas of Outstanding Natural Beauty,
EN12 - TDBCLP - Landscape Character Areas,
S1 - TDBCLP - General Requirements,
S2 - TDBCLP - Design,
M4 - TDBCLP - Residential Parking Provision,
EN6 - TDBCLP -Protection of Trees, Woodlands, Orchards & Hedgerows,
PPS1 - Delivering Sustainable Development,
PPS3 - Housing,

West Bagborough Village Design Statement

DETERMINING ISSUES AND CONSIDERATIONS

The site lies within the defined limits to development for West Bagborough and as such the principle of development on this site is acceptable. The surrounding area is characterised largely by semi-detached and terraced two storey properties. There is no other evidence of bungalows in the immediate vicinity. The principle of a two-storey semi-detached property on the site is therefore acceptable and is considered capable of being accommodated without appearing cramped or out of character with the surrounding pattern of development. A sufficient amount of amenity space would be available to both of the proposed dwellings.

The existing bungalow is of little architectural merit and makes a limited contribution to the surrounding landscape. As such, its replacement with properties of a more traditional design, which respect the character of the surrounding area is welcomed. The style of the proposed semi-detached dwellings has been based on that of Heathfield Cottages to the north and the proposal reflects the materials, roof design, chimney, eaves detailing, fenestration and porch design. Whilst there is little evidence of bay windows in the surrounding area, this addition is not considered to result in harm to the design of the property or that of the surrounding area.

Although a single storey lean-to is only proposed to one cottage, due to its size, it appears subservient and will not therefore unbalance the appearance of the properties. Concerns were initially raised regarding the excessive depth of the proposed cottages, which resulted in the size and scale being out of proportion with surrounding dwellings. Following the amendments, the proposal now closely reflects the dimensions of Heathfield Cottages and other nearby dwellings, and the traditional design, utilising appropriate local materials of stone, natural slate with timber doors and windows is considered in accordance with the West Bagborough Village Design Statement and sympathetic to the surrounding Area of Outstanding

Natural Beauty.

1 Heathfield Cottages to the north is a sufficient distance from the proposed dwellings to avoid any impact upon their amenities and the only window above ground floor level facing that direction serves a bathroom and not a habitable room. As such, there are no concerns regarding loss of privacy. Whilst an objection has been received regarding the overlooking of the bedroom windows opposite at 2 Heathfield Garage Cottages, the proposed dwellings lie over 20 metres away, which is considered a sufficient distance to avoid material harm to the amenities of the occupiers of those properties.

It is proposed to carry out native planting to the front of the proposed dwellings and there is an extensive row of trees along the southern and eastern boundary of the site. Whilst the eastern boundary is not native trees, they are well established, providing extensive landscaping at the entrance to the village and their removal would result in an adverse impact on the rural character of the area. These are marked to be retained and along with the proposed native planting, it is considered that the proposed cottages can be integrated into the surrounding landscape. The landscape officer raises no objection, subject to appropriate boundary treatment and this has been conditioned below.

Whilst further comments from the County Highways Officer are still awaited at the time of writing the report, it is important to note that the amended plans improve the parking arrangements, widen the access to be of sufficient width to serve two properties and reposition the access to the same site as the existing access, although this does not achieve the full visibility requirements of the County Highways Authority. Whilst full comments are awaited, an objection could be forthcoming. Regard must however be given to the existing situation and although it would not be up to full standard, it is a significant improvement on the scheme as originally submitted. With the exception of the visibility, all other highways requirements appear to have now been met.

Whilst objections have been received regarding parking problems in this vicinity, it is not considered that the proposed scheme will exacerbate this to an unacceptable level. Two car parking spaces are proposed for each dwelling, which is considered an appropriate level of parking for a three bedrooomed property.

The wildlife survey is awaited at the time of writing the report and as such no assessment has yet been made as to the impact of the proposal on any nesting birds or bats. This aspect will be covered on the late representations document, but it is likely that any required mitigation can be dealt with by means of a condition and would not result in an 'in principle' objection to the proposal.

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

PERSIMMON HOMES (SW) LTD & REDROW HOMES (SW) LTD

APPLICATION FOR RESERVED MATTERS FOR PHASE 1 RESIDENTIAL DEVELOPMENT CONSISTING OF 327 DWELLINGS, ASSOCIATED HIGHWAYS, LANDSCAPING INCLUDING PUBLIC OPEN SPACE, FIRST SECTION OF RELIEF ROAD AND ROUNDABOUT ON A38 BRIDGWATER ROAD AT LAND OFF BRIDGWATER ROAD, MONKTON HEATHFIELD

Grid Reference: 325935.126365

Reserved Matters

RECOMMENDATION AND REASON(S)

Recommended Decision:

Subject to the satisfactory resolution of the following issues:-

- Affordable Housing clusters
- Surface water drainage
- Public open spaces including children's play areas and playing fields
- parking

and the submission of the following details when considered acceptable:-

- Archaeological project design/ programme of works
- Affordable Housing plan which differentiates between social rented and shared ownership housing so that the proposed clusters can be properly assessed.
- Maintenance regimes maintenance arrangements for the
 - Foul drainage
 - Surface water drainage
 - Landscaping structural areas, community woodland
 - Public open spaces including children's play areas and playing fields
 - Acoustic fencing
- Revised house details for corner plots to be in keeping with the local area
- Full details of the Pocket park attenuation feature including cross sections and summary of max water depth and amount of time expected to have water in it.
- Revised plan showing wall/fencing details (including the replacement of fences used to separate parking courtyards)
- Re issue of design and access statement to reflect current proposals (details to follow)
- Revision of the design and access statement to correct the error in the title of Redrow homes affordable housing provision.
- Revision of design code (detail to follow)
- Details of parking, TDBC standard requires 1.3 spaces per dwelling as a maximum, current scheme is in excess of this.
- Material samples
- Cycle parking – TDBC require 1 space per ½ bedroomed unit and 2 spaces for 3+ units (see local plan for details)
- Details of the layout of the junction of the northern roundabout to serve this development before the remainder of the road is commenced (phase 1

provision)

The Chair/ Vice Chair be authorised to determine and to grant approval in consultation with the Growth and Development Manager and if details approved be subject to any conditions that may be deemed necessary arising out of the detailed information within the application.

RECOMMENDED CONDITION(S) (if applicable)

To be included on the update sheet at the meeting.

PROPOSAL

Outline planning permission was granted on appeal for the mixed use development of the Taunton Deane Local Plan T9 allocated site. There was a requirement to provide a design code for the whole of the site, prior to the submission of any reserved matters applications. In order to facilitate the timely development of the site, it has been agreed to consider the design code document at the same time as the details of the phase one development.

This application is for reserved matters approval of Phase one of the development. Phase 1 is sited at the south of the site and comprises the erection of 327 dwellings (including 35% affordable housing split between social rented and shared ownership as proposed in the approved Section 106 agreement).

The Secretary of State approved the details of the eastern relief road in the appeal decision but this application includes details of the other internal highway routes needed to serve the development and some minor alterations to the existing A38. The existing S106 agreement between the developer and Somerset County Council Highways agrees the provision of the eastern relief road, in full, prior to the erection/occupation of any of the units. Despite the fact that the outline application Traffic Assessment established that 301 houses could be occupied before the road was required. Due to the degree of pre-funding involved in constructing the whole road prior to any occupation the developer has therefore requested the County to consider an amendment of the S106 agreement to allow for the development to start at the south of the site and provide 301 dwellings, to be occupied, prior to the completion and commencement of the use of the whole Eastern Relief Road. As a result this application proposes to construct the first, southern section of the road from the roundabout on the A38 to the first roundabout to the east adjacent to Hyde Lane Cottages. This has necessitated some physical changes to the A38 to enable the development prior to the calming of the A38 through Monkton Heathfield.

The proposal also includes details of the strategic and internal landscaping proposals for the site including the retention of some existing trees and hedges; the drainage strategy for the whole site with detailed proposals for the current phase; acoustic fencing along the landscaped buffer to the Eastern Relief Road to ensure adequate noise levels for new residents; details of the proposed public open spaces and children's play area; details of a wildlife survey and management plan for this phase and details of all of the proposed layout, house types, boundary treatments, garages, bin stores and waste management for this phase.

SITE DESCRIPTION AND HISTORY

The application site is approx 3.5 km to the north east of Taunton. It lies within the Parish of West Monkton and is to the south and east of the village of Monkton Heathfield. The site comprises agricultural land to the north and south of the former Hatcheries site and to the east of the A38, which runs southwest to northeast from Taunton to North Petherton.

The site boundary excludes Hyde Lane Cottages where there is a row of 3 pairs of dwellings which back onto the site of the proposed Eastern Relief Road. Land to the South of the site includes part of the agricultural land lying between the canal and the former Hatcheries site. A number of hedgerows and existing trees dissect the site area, including "Green Lane", which is situated at the eastern side of the application site and runs parallel to the alignment of the next phase of the proposed Eastern relief Road.

The existing development on either side of the A38 including the former hatcheries, residential and commercial properties is excluded from the application site.

RELEVANT PLANNING HISTORY

48/2003/054 - Residential and employment development, associated access, public open space and landscaping on land between Bridgwater Road, Hyde Lane and the Bridgwater and Taunton canal, Monkton Heathfield. Permission was refused for reasons of insufficient information and the proposed road and roundabout are located on land within the Green Wedge separating Monkton Heathfield from Taunton, outside of the defined settlement limits and the allocated site boundary and would therefore be contrary to policy. Finally the proposal was in advance of a development guide for the site and did not provide a comprehensive development scheme for the whole allocation as required by the Local Plan.

48/05/0072 - Mixed Use Urban Extension Development Comprising Residential, Employment, Local Centre, New Primary School, A38 Relief Road, Green Spaces and Playing Fields at Monkton Heathfield.

48/2007/0061 - Mixed Use Urban Extension Development Comprising Residential, Employment, Local Centre, New Primary School, A38 Relief Road, Green Spaces and Playing Fields at Monkton Heathfield. (Local Plan alignment) Decision in abeyance

48/2007/0062 - Mixed Use Urban Extension Development Comprising Residential, Employment, Local Centre, New Primary School, A38 Relief Road, Green Spaces and Playing Fields at Monkton Heathfield. Decision in abeyance

Planning History of adjacent Hatcheries site

48/2007/019 - Construction of a roundabout and alteration of associated roads and highway structure at the former chicken hatchery, Bridgwater Road, Monkton Heathfield. Resolution to grant subject to S106 agreement.

48/10/0023 – Erection of 51 dwellings with associated access roads, footways drainage, parking and landscaping at the Hatcheries, Bathpool. (application currently awaiting determination)

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

WEST MONKTON PARISH COUNCIL - The assurance by developers and TDBC from the very first was that the relief road would be built in its entirety before any houses were built. It appears that this assurance has now been put to one side. The Parish Council notes that if this most basic assurance has been overturned without consultation, it is left wondering what other agreed assurances will be overturned in the interests of expediency. The Parish Council would like a copy of the revised conditions. The Parish Council requests that an undertaking will be made by TDBC and the developers that construction traffic will be kept to an absolute minimum on the A38 and be monitored for compliance during the building.

ROAD INFRASTRUCTURE

The Parish Council has concerns about congestion on the A38 at peak traffic times. Somerset County Highways has assured the Parish Council that the computer 'Saturn predicts that traffic flows will work. Councillors and local residents would suggest this is not the case, nor is it likely to be the case in the foreseeable future. It is a fact that, daily, traffic is at a standstill right through Bathpool back as far as the Landrover garage. More houses will mean more cars joining the A38 from the proposed roundabout to either join the standing traffic to go into Taunton or to try to cross the standing traffic to go to Bridgwater or up Milton Hill. The Parish Council anticipates that as the road from the roundabout into the site will be the only way in and out that traffic will be at a standstill through the development at peak times as well. Milton Hill already carries a significant density of cars, bicycles and pedestrians as it is a 'Safe Route to School, and so the junction is extremely busy and will become busier as the development progresses. The road line shown on the plans submitted for Reserved Matters would indicate that the road width is not sufficient to allow large vehicles to continue on towards Taunton whilst traffic is queuing to turn into Milton Hill. The Parish Council has very recently (July) commented upon the application by Strong Vox to build houses on the site of the chicken hatcheries opposite the Milton Hill junction. This area is designated employment land in the development plan, but it is not owned by the Consortium of Developers, Redrow and Persimmon. Much comment has been made about the shortage of employment land compared to the number of houses, and Strong Vox's application did not offer alternative employment land. It is very important that the Consortium of Developers adhere to the employment land provision on the site as without it a dormitory settlement will be the outcome. The Parish Council is very concerned that the road line shown for the proposed roundabout is very much at odds with the Strong Vox proposed road line and development, and would wish to draw this contradiction to the attention of the planning committee. The two plans are at odds with each other. If the Strong Vox application is granted permission, what will be the impact on the Consortium's detailed application for the road line, and the reserved matters application currently under consideration, and what

measures will TDBC put in place to ensure compatibility?

There appears to be footpath access onto the A38 from the site opposite the Old Forge development of 5 or 6 houses. The Parish Council wishes to state that it would be unacceptable to use this for vehicular access onto the site for construction traffic or other vehicles.

There is a once only opportunity to do something to relieve the traffic in School Road. The planning committee will be aware that School Road is a cul de sac. At the bottom end of the cul de sac there is the Primary School which will be relocated to the site mentioned above when the trigger point of 400 houses is reached. The primary school buildings will be absorbed into Heathfield School, which is also situated at the bottom of the cul de sac, and set to get bigger to accommodate children from the development. Recent other activities of the Parish Council in discussion with the Somerset County Council would indicate further development is planned by the school on the land at the bottom end of the cul de sac, formerly known and used as the Play Area. On the same campus is located the Tacchi-Morris Centre, and the Space. SCC has recently (August) granted itself permission to build an Autism Centre and Library, which will further increase the traffic down the cul de sac. One of the conditions of the Autism Centre permission was that the secondary school should produce a revised travel plan, the current one dates from 2007, in order to achieve sustainable transport. The Parish Council would suggest that the County Council needs to address this problem in considerably more depth than putting the onus on the school to produce another travel plan. During meetings of the West Monkton Community Engagement Panel* considering the outline planning application, separate meetings were held with the developers and with Richard Needs and Jeff Copp from SCC Highways. The Parish Council suggested to both parties and to TDBC that the permissive footpath across the Path Field at the end of School Road could be turned into a single width vehicle track with passing places to allow a one way system for vehicles coming down School Road and out onto the current A38 which in the proposed development will be traffic calmed and will serve the development only, its trunk road status having been transferred to the relief road round the outside edge of the development. All three parties agreed that they had no objection to this solution to the severe problems in School Road. In discussions with Richard Williams from Persimmon on 11th August 2010, he agreed that if some of the commuted sum for Highways could be used for the single width track, his company and Redrow would be able to build it at a time deemed appropriate by SCC and the Planning Authority. **The Parish Council strongly urges the Planning Authority to seize this once only opportunity to make a real difference to the success of this development which is set to more than double to size of the Parish.** Secondary advantages have been documented already, but for the sake of the record these would include increasing the accessibility and therefore success of the proposed retail centre (current plans show it accessible only on foot) and integrating the current settlement with the new development.

The detailed plans do not appear to show what is proposed for Hyde Lane crossing the new road. During discussions of the CEP at the outline planning stage a number of options were discussed. An underpass was dismissed as not acceptable as it would build in potential for crime and disorder. An agreed solution was a footbridge, with disabled ramps, and this shows on some of the plans put forward at the outline stage. The plans submitted in this reserved matters application do not

indicate what will be put in place. The route forms part of the 'Safe Routes to School' network, so a safe solution is needed. The Parish Council suggests that when the footbridge at Creech Castle is taken down when those junction improvements take place, that the footbridge could be reassembled to allow Hyde Lane pedestrians and cyclists to continue along the route to school.

STREET SCENE

The Parish Council considered the height of the buildings on the site. It notes that the three storey buildings appear to be well spaced throughout the site. It would disagree with the developers and TDBC that these buildings are 'iconic – they are not, they are blocks of flats, and other far more attractive buildings could occupy the iconic building site on street corners. Also, in general the building designs are bland and unimaginative and not what was discussed with the CEP.

One three storey building is placed on the top corner of the site and is adjacent to the school site. The Parish Council requests that the elevations of this building will be such that the school site is not overlooked by windows of this building. TDBC Planning committee will recall that the Parish Council recently objected to an application to build a chalet bungalow on a site on the other side of the school site for the same reason that the upstairs windows would overlook the school site. The application was refused. The school building now seems to be located towards the back of the site. Although the school build is not part of this application, the Parish Council wishes to place on record for future reference that the earlier designs showed the school building facing the A38 with car parking space in front and school fields behind, and this is the preferred option.

On the density of housing and the road layout including paved areas, the Parish Council would seek reassurances from TDBC Planners that access for emergency services to all properties has been checked and confirmed by the appropriate authorities, also access for refuse/recycling collection vehicles. There are a couple of places on the planned layout where the very large recycling vehicles may have trouble getting round. Due to recycling initiatives, every household will have three if not four recycling/refuse containers, the large grey wheelie bin, and then other recycling boxes. The Parish Council suggests that the Somerset Waste Partnership should be consulted to ensure access is achievable, and the plans should be checked to ensure adequate provision is made for the location of all waste containers.

OPEN SPACES

The Open spaces on the site could be improved. The triangular central Village Green is shown on the plans as a balancing pond with a drop of 4 foot from its edge to the lowest point. The Parish Council has experience of other balancing ponds in the Parish, some of which are successfully used as amenity space by local residents and some of which are not. To ensure full usage, the Parish Council suggests that the wavy edges indicated on the plan should be replaced by a smooth edge allowing a greater triangular area in the bottom for ball games and other play. The design of the Urban Park is too square and not appropriate to the nature of the Parish, so the Parish Council suggests that some curves should be included in the park. The best solution of all would be if the balancing pond function was transferred to the Urban Park, and the Village Green left as it was shown in earlier plans as a level central Village Green.

The Parish Council notes that some footpaths will have a gravel surface. This is a

very difficult surface for wheelchairs and pushchairs. The Parish Council suggests that an alternative surface should be considered as there is likely to be high usage of these walkways by people with pushchairs in particular in the vicinity of the public open spaces and play areas. If the gravel has to be retained then the Parish Council would require an undertaking from TDBC that an adequate and regular maintenance schedule would be put in place to ensure that there would be minimal spread of gravel onto the grass, and no bare patches of earth allowed to develop on the gravel paths.

VARIOUS OTHER COMMENTS

In respect of the various fences shown on the plan, the Parish Council seeks reassurance that those fences that will be conveyed to the care of TDBC will be regularly painted and maintained by the Authority. The Parish Council seeks a similar reassurance from TDBC in respect of grass cutting, plant and tree maintenance of the public open spaces and play areas.

In view of the ongoing experience in the adjoining Parish the Parish Council states that the adoption of the roads must take place as the development progresses, and certainly all of Phase 1 must be adopted before Phase 2 commences.

DESIGN GUIDE

The Parish Council is disappointed that the Monkton Heathfield Design Guide included in the plans has been changed from the original. Careful scrutiny by the Parish Council appears to show that only two photos of buildings in the guide are photos of existing buildings in the Parish. As such it is hard to relate the Design Guide to anything existing in the Parish at present. The street scene plans show buildings that could be anywhere in England, with nothing special to Monkton Heathfield. CEP discussions at the outline planning stage suggested that some bricks looking like the local Quantock Stone could be incorporated into buildings, perhaps on the edge walls. The Parish Council would wish to see some incorporation in the dwellings design of local Quantock stone. This is important to secure integration between the existing settlement and the new one, and to provide the new settlement with a sense of identity.

SCC - TRANSPORT DEVELOPMENT GROUP - no objection in principle to the strategic or internal road works and layouts but detailed views awaited and to be included on the update sheet.

BRITISH WATERWAYS, PEEL' WHARF - raise a holding objection awaiting further clarification by the applicant on how the drainage may or may not affect the canal.

SOMERSET WATERWAYS ADVISORY COMMITTEE - A simple overview plan has now been provided establishing that the water run off will be controlled so that it does not exceed Greenfield run off rates and therefore our initial objection is withdrawn.

HERITAGE AND LANDSCAPE OFFICER - Concerns over some of the proposed species, the extent of the strategic landscape bund and planting to the rear of the bunds and acoustic fencing, attenuation areas within areas of open space, were not previously proposed or agreed and will compromise the use of the spaces. Other than swales the attenuation should be outside of areas required for open space. Details of the proposed maintenance regimes are required as the areas are unlikely to be transferred to the parks department to maintain. I will comment further when these details are provided.

CONSERVATION OFFICERS - No comment

FORWARD PLAN & REGENERATION UNIT - comments awaited

ENVIRONMENTAL HEALTH POLLUTION / NOISE comments awaited and to be included in the update sheet.

HOUSING STANDARDS OFFICER - No comments

DRAINAGE ENGINEER - comments awaited.

SCC - RIGHTS OF WAY - Hyde Lane is shown as stopped up for pedestrian and cyclist but will also need to be shown as stopped up to horse riders too. The new crossing will need to include a provision for riders and horses.

LEISURE DEVELOPMENT MANAGER - Public open space should be accessible 365 days of the year any flooding restricts its usefulness and could degrade its quality.

SCC - CHIEF EDUCATION OFFICER - The current section 106 is sufficient for the Education requirements.

DEVON & SOMERSET FIRE & RESCUE - Means of escape, access for Appliances and water supplies will all have to comply with the relevant Building Regulations and British Standards.

SCC - DEVELOPMENT CONTROL ARCHAEOLOGIST - Subject to the submission of an acceptable archaeological programme of work as discussed and agreed with the Archaeological officer.

POLICE ARCHITECTURAL LIAISON OFFICER - no comments received

WESSEX WATER - Acting as the sewerage undertaker Wessex Water are seeking to agree a drainage strategy which includes the following points;

- suitable point(s) of connection to the existing public sewer system
- any phased arrangements necessary to deal with peak flows
- indicative or schematic layouts for proposed foul and surface water networks and any associated attenuation volumes
- suitable locations and arrangements for any ancillary apparatus ie pumping stations

It should be noted that the Environment Agency will be responsible for approving surface water disposal from the development to satisfy the provisions of PPS25.

Our engineers have confirmed that we have enough information to reach "agreement in principle" and we can advise that the submitted drawings are accepted and will form the basis upon which detailed design will be developed for approval under a future adoption agreement.

Please note the following comments for your attention

1. The main storage tank and flow diversion works are to be in place and operational prior to first occupations
2. Storm water drainage within the site is generally being specified by the Environment Agency and Taunton Deane technical staff.

Wessex Water have had limited opportunity to comment upon the proposal plans. The Flood Risk Assessment forming part of the application appears to show only a minimal provision for the proposed school site which may be inadequate. Planning conditions should require the developer of the school site to restrict discharge rates and make attenuation provision within the site to ensure compliance with the overall

developers master plan restrictions on output rates.

1. The final off site storm water sewer proposed below the Bridgwater Road storm storage basin is shown as 225mm which may be too small to provide adequate arrangements to direct flows to the land drainage system.
2. Storm water proposals and attenuation basin provision differ between submitted plans (CO12 issue 002 and 1348/DR/04 Rev E) for the phase 1 drainage such as for the Bridgwater Road basin.
3. Impermeable areas used for the Residential development are stated at 45% and should be agreed and confirmed by the Councils land drainage staff as adequate, as this maybe understated for modern residential areas. Any increase in density must be reflected in an increase in drainage provision.
4. Planners must be able to confirm acceptance of the principles and future ownership and maintenance of the proposed above and below ground storage provisions for the system to operate effectively. Flooding rights for the ponds to be reserved for the future owner / operator of the storm sewerage system.

Please note the proposed legislation below which will affect future sewer connections and approvals required under the proposed legislation.

Flood and Water Management Act 2010

The Flood and Water Management Bill became an act of parliament during April 2010 and central government intend to issue and implement detailed regulations and Codes of Practice some time after April 2011. This will follow consultation upon the new national build standard which will be implemented at the same time.

The developer should note that the provisions contained in the new Flood and Water Management Act 2010 will require that;

- a) sewers and off site lateral connections are subject to a compulsory signed adoption agreement before connecting into the public sewerage system
- b) new sewers and lateral connections are built in accordance with the proposed Government Mandatory Build Standard

National Standards for sustainable drainage

National Standards for the design, construction, operation and maintenance of SuDS are also being drafted.

Plans for the drainage system will need to be approved, before construction can start, by the SuDS Approving Body (SAB) which will be the Unitary or County Council for the area.

This will apply to both permitted developments and those that require planning permission. This will ensure that SuDS are also included in construction that may cover large surface areas, but do not require planning permission.

Where both planning permission and SuDS approval are required, the processes will run together. Applications for the drainage system and for planning permission will be submitted together to reduce burdens for the applicant. The planning authority should notify the developer of the outcome of both the planning permission

and drainage approval at the same time, including any conditions of approval.

Regulations will set out a timeframe for the approval of drainage application by the SAB, so the planning process is not delayed

ENVIRONMENT AGENCY - The drainage proposal split this up into 3 main attenuation areas and we have the following concerns:

- Details of flood risk at Pocket Park

- Post development discharge rates
- Overland flows
- Inclusion of SuDs train (specifically source control, conveyance)

Taunton Deane Borough Council (TDBC) have expressed a concern over the use of public space areas as storage facilities for storm water and have requested us to comment on the frequency / degree of flooding of these features.

We can only inform TDBC of the hydraulic use of these features, the decision will lie with TDBC if this is acceptable in terms of public space provision. Drainage Strategy Note Revision 4, 8th August 2010 includes the detail of Britton's Park, it is suggested that this feature would not flood in any event under a 1 in 5 year event, and only floods to a maximum depth of 400mm in an extreme flood event (1 in 100 year plus climate change).

The drainage statement does not provide similar figures for Pocket Park therefore we cannot advise on flood frequency / degree for this area. This should be provided by the applicants. The information at present shows this feature could flood to a depth of 1 metre which may have safety and design implications.

The drainage note dated July 2010 indicates that the inclusion of more attenuation areas will improve the SuDs train approach. We do not fully understand how this improves the SuDs features further than those originally proposed, it does not include further SuDs such as infiltration strips, swales and other source- pathway-receptor features which aid infiltration and water quality. The Brookbanks flood note states that sewers will collect unattenuated flows; this would not usually be expected from new development following sustainable drainage guidance. We would expect good SuDs to be employed which provide source control and conveyance not only attenuation.

The revised drainage note dated 8 August 2010 has corrected the run off rate to the agreed figure of 2.5l/s/ha for all storm events (up to and including the 1 in 100 year plus climate change) which was agreed for each parcel of development. This figure was based on the existing surface water and channel capacity issues known in this area and is a key part of the drainage strategy.

The Proposed Phase 1 Development Surface Water Drainage Strategy Drawing no 1348/DR/04 Rev F shows that the percentage of hard standing which will be contributing to the sewer network is 45%. This is a very low estimate for impermeable area within a residential development and we require justification as to why this figure has been used.

Following the Environment Agency request for clarity on the discharge points and receiving watercourses, the following drawing: Existing Surface Water Network, Development Run Off Outfalls and Flow Rates Drawing no 10059/DR/10 has been

submitted. This however did not show existing rates which are shown on Existing Surface Water Network, Development Run Off Outfalls and Flow Rates Drawing no 10059/DR/10 Rev A which has been submitted to the Internal Drainage Board.

This drawing indicates a sliding scale for run off over the storm events with the contributing hard standing reduced to 2.5l/s/ha. As stated above, we are concerned that only 45% is considered to be hard standing as this figure seems quite low, however assuming this and using the information from the Drainage Strategy we have calculated the below:

The proposed run off rates shown on Drawing no 10059/DR/10 propose a sliding scale (increasing run off with return period), which is confusing due to the set figure of 2.5l/s/ha. We believe this is for the 'developed area' however these calculations should be explained.

The existing run off rates shown on Drawing no 10059/DR/10 Rev A are the run off rates for the 'developed area' and not the entire catchment. Existing run off should incorporate the whole catchment to be truly representative.

The overall peak run off from each whole catchment is significantly higher than 2.5l/s/ha which is not very clearly described in the drainage statement which states each development parcel will restrict to 2.5l/s/ha in the 1 in 100 year plus climate change event.

This total figure is more useful to understand the reduction in run off rates in the overall catchment and the expectation of the watercourse capacity to ensure the flood risk is reduced. Obviously there is a reduction in run off rate from existing, however only 45% of each block has been reduced to 2.5l/s/ha. It would be helpful to understand the total reduction and as requested above, justification for the use of 45% hard standing.

We are happy that it is not possible to undertake full and detailed S104 design at this stage, the general approval of the design from Wessex Water (received in an email from Julie Moore dated 17 September 2010) is useful. Detailed design of surface and foul are required to discharge the planning conditions.

Proposed Development Overland Flow Flood Routing Plan Drawing no 10059/DR/11 Proposed Development Overland Flow Flood Routing Plan was submitted in response to our request for further information on overland flow routes. We require a drawing which matches up to the micro-drainage PN numbers to understand the volumes of water forming overland flow. This is especially important due to some of the high flood depths shown on the micro-drainage report for the 1 in 100 year plus 30% climate change (PPS25 guidance). This analysis should be undertaken by the consultants to understand where resilience and design may be needed such as raised kerbs and to ensure overland flows and flooding do not reach a dangerous level.

At this stage, no information has been provided on the maintenance and adoption of the surface water system, this information is vital and must be agreed. We would expect this to be detailed at reserved matters stage as the requirements of maintenance may affect layout. However, if TDBC are happy that this information can be satisfied under the outstanding planning condition for adoption and maintenance we are happy that it is dealt with at discharge of condition stage.

NATURAL ENGLAND - We have viewed the wildlife management report on your website following the results of the updated wildlife surveys carried out this year. The 2010 bat surveys have found that lesser horseshoe bats are not commuting or foraging across the site. Therefore, based on results of the bat surveys this proposal will not have a significant affect on Hestercombe House Special Area of Conservation (SAC) which is roughly 2.4km from the phase 1 site.

We support the comments dated 26 July on your website by your Nature Conservation Officer, re conditions for a wildlife strategy that will deal with the impacts of this development on protected species, UK biodiversity priority species, and important habitat features.

NATURE CONSERVATION & RESERVES OFFICERS - Initial comments: - additional wildlife management sub plans are required. Wildlife sub management plan now submitted but detailed comments thereon awaited.

SOMERSET ENVIRONMENTAL RECORDS CENTRE (SERC) - No legally protected species have been recorded on the site but one or more legally protected species has been found within 1 km of the site.

SOMERSET DRAINAGE BOARDS CONSORTIUM - A simple overview plan has now been provided establishing that the water run off will be controlled so that it does not exceed Greenfield run off rates and therefore our initial objection is withdrawn.

SPORT ENGLAND SOUTH WEST - no observations received

SW REGIONAL DEVELOPMENT AGENCY - no observations received

SW WATER - no observations received

RUISHTON & THORNFALCON PARISH COUNCIL - There is concern over the potential for increased traffic to go through Creech St Michael and traffic should be kept to the A38 and A358. Members support the numbers of affordable homes that are to be provided. ‘

SW REGIONAL ASSEMBLY - TAUNTON OFFICE - no observations received

SOMERSET PRIMARY CARE TRUST - no observations received

SW REGIONAL DEVELOPMENT AGENCY - no observations received

SOMERSET & AVON CONSTABULARY - POLICE LICENSING OFFICER - no observations received

ENVIRONMENTAL HEALTH - NOISE & POLLUTION - no observations received

HOUSING ENABLING MANAGER - I am concerned that the affordable housing is in groups of more than 15 but I understand that the Shared ownership housing was excluded from the cluster numbers in the Section 106 agreement and therefore the proposal is acceptable.

SOUTH WEST DESIGN REVIEW PANEL - Our main comment is that the way the outline masterplan has been translated into detailed proposals seemed to be mechanical rather than creative, housing layout rather than urban design.

We did not meet a set of principles that are guiding you to make a special place. True, we did not see more than a tiny proportion of the material you will have submitted, but our experience tells us that when principles are clearly established and used then they will shine through even brief presentations. We see a level of detail that would have shown us exactly how this place will work and it was unfortunate that the one detailed portrayal displayed, a street view, that proved to be illustrative and not to be a guide to what was planned. The Council consider that it is important to set high standards for development of the whole site in terms of urban design and community and to set standards for the additional 3000 houses in future.

It is disappointing that your scheme so far is lacking in this ambition.

The spine road was shown as consistent when it would better respond to changes in character of the areas it connects — notably either side of the green lane, It was shown with unchanging carriageway and pavement widths when it would better give character and interest by having well designed planting, parking bays and so on The square — though a space is welcome in principle it needs to reflect nicer attentions about how each part will be used. A rigorous geometry may not be the right approach: a more informal green might better suit the scheme. But whatever the approach, the diagram needs to come to life through careful thought and detailed design. For the square, and the roads too, it is important that they are looked at in three dimensions and from eye level, O the housing itself, we have no objection to the density proposed but found it hard to judge how successful the scheme would be when we did not discern a clear vision about the form of living. The cul de sacs seemed accidental when they could be so disposed, for example, to help engender a sense of community.

We acknowledge that you are working in changed and uncertain market conditions and that it is challenging to develop one phase of a larger scheme (especially adjacent to a somewhat amorphous village). The panel is naturally concerned that there might be a delay before subsequent phases proceed or even that they might be dropped. The consequences would be more than a stump of relief road. However optimistic you are about the future we'd encourage you to have regard to a range of possible scenarios including phase I only. You might even ponder shifting a portion (the road at the northeastern edge perhaps) to a later phase to release money to strengthen community life in this phase. Although your application has been running for some time we'd ask you to take another look at this scheme and to see if you could draw more out of the outline consent. Our conviction is that you could deploy the same site, quantum, house types and spaces to form a more successful scheme and a better precedent for later phases.

SOMERSET WILDLIFE TRUST - no observations received

SOMERSET ARCHAEOLOGIST-The outline permission that this application relates to had a condition requiring archaeological investigation of areas of this site. This is because outline assessment indicated that a number of prehistoric settlements are located on the site. A full Project Design detailing these investigations must be submitted and approved before determination of this reserved matters application.

The Project Design should include further trial trenching and generic descriptions of the mitigation process (i.e. excavation). The combination of the outline assessment data and this trial trenching will enable areas of excavation to be defined.

This advice follows PPS5 and Local Plan Policy.

Representations

1 letter of representation has been received from Cllr Waymouth, (Ward member)

As one of the District Councillors for West Monkton I have been present at the Parish Council meetings over the past 14 years and know how much detailed consideration has been given to the proposed development within the Parish. The Parish Councillors have understood the needs for Taunton Deane to find the sites necessary for urban expansion and have taken a very responsible positive attitude during the process. I wholeheartedly support the views given in the Parish Council's response and hope Taunton Deane's planning conditions will give these matters full

support. As County Councillor for the area I will be pressing County Highway Officers that the solution proposed to the traffic chaos issues in School Road is an opportunity which will be hugely beneficial – without it I cannot see anything but angry residents in the future!

Two further issues which I realise are more commercial decisions, but hope we can deliver –

1. Each household will need a convenient place for 4 outside recycling containers plus 1 (optional) green waste bin. I have made this point to the Persimmon representatives and suggest they communicate with Somerset Waste Partnership to get a set of bins so that their Architects can factor this into the design at the plan stage.

2. Can we please have a variety of local stone, brick, tiles and roof angles and heights. I suggest Hillyfields and Cotford St. Luke are reasonable local examples where this has been achieved.

20 letters of representation have been received (including 1 joint letter with 5 signatures from residents in Britton's Ash) raising the following points:-

- Local schools are at capacity and will be unable to provide placements for additional children;
- the additional traffic will result in significant traffic congestion on A38 leading to the Creech Castle and M5 junctions;
- the access points to the A38 are poor and additional traffic will make this more dangerous;
- additional traffic using Milton Hill is unsuitable for the additional traffic that this proposal will generate, given the traffic volume at the moment especially at school start and finish times;
- the development will add to the growing amount of traffic on the A358;
- the proposed roundabout and other roads needed to help congestion should be provided before the houses are occupied, the construction vehicles will cause an unacceptable increase in the volume of traffic in any event;
- the new roundabout on the A38 is most welcome; the proposed density is too high for the low density area and will result in a cramped development with too much traffic trying to reach Taunton along the A38;
- the development will result in the loss of fertile farmland and result in a grid lock of traffic in Taunton;
- I support the vision of a future dual carriageway but the number of roundabouts will be difficult to negotiate by concrete supply lorries, livestock vehicles (which, since the loss of Taunton's livestock market, now have to go to Bridgwater via North Petherton);
- the entrance to the new housing will be opposite the Old Forge and will result in congestion it should be relocated further along the road opposite to existing field and avoiding the houses opposite;
- three storey dwellings are out of keeping with the area and should be kept to a minimum on the site; additional surface water run off will exacerbate the existing drainage problems at Hyde Lane;
- The green wedge is being eroded in bite size chunks resulting in the loss of a

wildlife buffer area between villages and Taunton the existing rural village life will be swamped and the loss of green fields is unacceptable;

- Taking into account the Nerrol's Farm and Maidenbrook proposals existing development is becoming hemmed in; any farmland that remains around the development site should be securely fenced;
- where is the employment for the occupants?
- What and when is the public transport to be provided?
- The plans do not provide any "core" to the development including facilities such as shops, health centres;
- Britton's Ash is an unadopted highway and is not suitable or wide enough for pedestrians, cyclists or additional vehicular traffic;
- the developer proposes to erect a gate at the bottom of Britton's Ash but a permanent barrier with planting must be erected on site;
- a stretch of hedge at the northern end of Britton's Ash is marked for removal which is unnecessary and it should be retained as shown on all previous correspondence;
- all measurements in relation to the existing dwellings in Britton's Ash should be adhered to;
- the narrowing of the open space adjacent to the eastern side of 14 Britton's Ash should be straightened out to provide a wide enough distance between new and old;
- the properties opposite the side of 14 Britton's Ash have windows overlooking the existing dwelling and garden and should be revised so that windowless gables are provided; plot 165 should be adjusted into a straight line;
- we are disappointed that the affordable housing is to be located so close to existing large detached dwellings and feel that they could have been sited slightly further east into the development site;
- the proposed 2.5 storey housing is out of character with the two storey houses in the area and should be replaced with a maximum of two storey dwellings;
- the works to provide a turning head at the top of Britton's Ash, block off Hyde lane and provide cycle and footpath links across Britton's Ash are supported but are concerned that vehicles may choose to turn using the private area of Britton's Ash lane, perhaps a sign No turning could be provided next to the lane and a circular turning area instead of the proposed fork?
- Arrangements should be put in place to stop vehicles parking in the turning head;
- support the new relief road and soil bunding/landscaping;
- ATS are concerned that any changes to the A38 which result in the restriction of vehicles using the road are likely to have a detrimental impact on the business and have a negative impact on the viability of the business and result in a loss of jobs;
- the proposed central refuge island along the A38 may restrict vehicle width and should not be allowed before the new eastern relief road is built;
- I oppose the development as it is a result of the Regional Spatial Strategy which

has been discredited as it proposes a need for new dwellings that does not exist;

- the houses will not provide sufficient affordable, low cost dwellings or dwellings of an acceptable environmental standard;
- the houses are not required and are not supported; there should be close boarded fencing along the eastern boundary of 134 Bridgwater Road to maintain security for the occupants following the adjacent development.

PLANNING POLICIES

T8 - TDBCLP - Monkton Heathfield Major Development Site,
T9 - TDBCLP Mixed-use Development Allocation (Monkton Heathfield),
S1 - TDBCLP - General Requirements,
S2 - TDBCLP - Design,
H9 - TDBCLP - Affordable Housing within General Market Housing,
C4 - TDBCLP - Standards of Provision of Recreational Open Space,
M4 - TDBCLP - Residential Parking Provision,
EN12 - TDBCLP - Landscape Character Areas,
EN13 - TDBCLP - Green Wedges,
EN22 - TDBCLP Dev Affecting Sites of County Archaeological Importance,
STR1 - Sustainable Development,
STR2 - Towns,
S&ENPP1 - S&ENP - Nature Conservation,
S&ENPP5 - S&ENP - Landscape Character,
S&ENPP9 - S&ENP - The Built Historic Environment,
S&ENPP35 - S&ENP - Affordable Housing,
S&ENPP42 - S&ENP - Walking,
S&ENPP44 - S&ENP - Cycling,
S&ENPP48 - S&ENP - Access and Parking,
S&ENPP49 - S&ENP - Transport Requirements of New Development,
PPS1 - Delivering Sustainable Development,
PPS3 - Housing,
PPS4 - Planning for Sustainable Economic Growth,
PPS9 - Biodiversity and Geological Conservation,
PPS10 - Planning for Sustainable Waste Management,
PPS25 - Development and Flood Risk,
PPG24 - Planning and Noise,

DETERMINING ISSUES AND CONSIDERATIONS

Design Code – The Monkton Heathfield allocation T9 is for a mixed use development of circa 900 houses, playing fields, school, local centre and employment.

Development of the site will take several years and it is important to establish some overarching principles that will guide development of the area in a comprehensive manner. As a result a requirement of the outline permission was that a Design code document was to be submitted and approved prior to the submission of a reserved matters application. In reality it was the detailed design of phase 1 of the development which enabled the design code principles to be established and as a result, the current application includes a proposed design code document for the whole site. Comments from the SCCy on the proposals contained within the design code are still awaited and I anticipate that alterations will be required to ensure that

the details are acceptable and that those codes are reflected in the phase 1 development scheme. I anticipate that these details will be resolved before the Committee date and if so there will be an update to the committee on this matter and the recommendation will be amended accordingly.

Highways – The outline planning permission issued by the Secretary of State granted full permission for the construction of an Eastern Relief Road to bypass the existing settlement and enable the provision of a cohesive community that spanned the A38 without being divided by the large amount of traffic that uses it at the present time. The Transport Assessment that supported the outline permission established that circa 300 houses could be built and occupied before the ERR had to be constructed and the A38 calmed but as the Local Community had expressed a strong desire for the relief road and traffic calming, the Consortium agreed that the ERR would be constructed, in full use and the A38 traffic calmed prior to the occupation of any of the dwellings for which outline planning permission had also been granted (S106 agreement). The approved phasing plan for the development indicated that new build would commence on land at the north of the site working its way south to the final phase. With the downturn in the economy it has become increasingly difficult for developers to provide large up front works without the prior sale of properties to help fund it and the consortium have altered their phasing of development at Monkton Heathfield to minimise such costs. The development, as represented by this application, would commence at the south of the allocated site by building the first leg of the relief road to serve as an access for the construction vehicles and the first phase of housing. The application is for 327 houses, in excess of the 300 that would be allowed before the ERR is built in full and the developer's intention at this time is to continue to construct the road as soon as possible to enable the development of the allocated site to continue. Discussions are also taking place with Urban Initiatives to look at how the road might be adjusted to accommodate the greater level of development to be proposed at Monkton Heathfield through the core strategy.

The outline planning permission granted permission for the erection of a new roundabout at the south west of the site, linking with the A38. This was designed to be in use after the A38 had been traffic calmed, with the new phasing the roads leading to the roundabout have had to be adapted to ensure that traffic coming to and from the village via the A38 can be catered for. The County Highway Authority has now accepted the proposed details from a highway safety point of view.

The internal road system provides a spine road that will be the main bus and traffic route through the development site. This has been designed to avoid a carriageway with overlong stretches of straight road and clear visibility around/ across corners (that tend to encourage high traffic speeds and an environment which is highway dominated and forms a detrimental barrier and environment for residents and pedestrians). Car parking for this phase is a mixture of on plot and rear courtyard parking and there are generally 2 spaces per unit with an odd case of 1 space for some of the smallest units. The Taunton Deane Local Plan requires a maximum of 1.3 parking spaces per dwelling (0.3 parking space results in one visitor space for three dwellings) and the proposals are therefore in excess of this. I have requested the developer to amend their proposed car parking in line with current standards and am awaiting their response.

Housing – The proposal is for the erection of 327 houses of which 114 (35%) are “affordable” housing, a split of social rented and shared ownership. I am awaiting a plan clarifying the exact location of each type of dwelling to ensure that they are not arranged in clusters which are contrary to the requirements of the Section 106

agreement. The proposal comprises a mixture of detached, semi-detached and terraced dwellings and two larger blocks of three storey blocks of flats in focal point locations. The dwellings are generally two storey in height but there are a few three storey dwellings with rooms provided in the roof.

Site layout and design. The developer aims to produce a locally distinctive settlement which interprets the traditional use of local materials to create a recognisable development which is both of its time and place. This development of this site will have a lower density (35 dwellings per hectare) than the remaining, northern part of the site and would act as a transition from the green wedge to the core of the development around the local centre, which is expected to be a higher density.

This phase of the layout will provide the first part of an internal access road which loops around the site to provide a main route that enables a bus and transport link throughout the site that will be accessible to residents. The buses would not be provided into the development at this stage of the development but the existing bus route runs along the A38 and would be within 400m walking distance for the majority of the dwellings in this phase.

Persimmon Homes and Redrow Homes have split the site into 8 parcels of land and these are distributed around the site. Particular care has been taken to ensure that roads with different developers on either side have been treated in similar ways in terms of boundary treatment and vision to try to create a coordinated approach to the street scenes. This has been particularly important along the main route. The developer has submitted a number of street scenes so that the proposals can be fully understood and these will be shown at the committee meeting.

The developer has introduced some interesting areas of open space adjacent to the "internal access" road and these are welcomed. Plans will be shown to illustrate these areas.

The developers have selected standard house designs that suit the local area and I await samples of the proposed materials to ensure that they are suitable. Rear boundaries that are adjacent to public highway or open space would be walling and front boundaries are generally hedges as befits the rural/urban approach to this part of the site. Where houses are located on corner or focal points in the street scene care has been taken to ensure that all important elevations are detailed to provide suitable street scenes and overlooking of open space.

Residents have expressed concern over the proximity of the new dwellings to the old dwellings near Brittons Ash. The distances are approx 14m - 22m and I consider that these are adequate to preserve amenity of existing residents.

A brief summary of the proposals was presented to the South West Design Review panel. They were generally disappointed with the information they were shown and felt that a higher standard of urban design was required. Their detailed points have been considered by the developer and limited changes have been made to the "square" public open space area.

Drainage:- The foul drainage strategy that has been proposed would provide a series of storage tanks which flow into the sewers in a controlled manner to ensure that the sewers are not overloaded at peak times. The first of the tanks must be in place prior to first occupation of any of the dwellings as there is no capacity for additional flows until the tank has been provided. The Surface water proposals are not in accordance with the outline permission which indicated that surface attenuation basins would be provided on the outside of the new Eastern Relief Road. The developer has cited two reasons for the new approach; firstly the storage of surface water drainage in large closed pipes is contrary to government advice in Planning Policy statement 25,

where open water storage and natural treatment is preferred, and there is now a need to cater for an additional 20% water to cater for climate change so the scheme has to cater for larger volumes than before. The developer undertook a full review of the drainage for the whole site and the current proposal is acceptable in principle to the Environment Agency. I have two main concerns with the proposals that have been submitted. Firstly, the scheme requires the Britton's Ash area to be remodelled to form a dish, 1.5m deep with a base that will have a 30% chance of flooding in any one year. Whilst the applicant's assert that in reality when the land has water in it (up to a max 390mm) it will be raining so hard that no one will be outside any way and by the time the rain has stopped the water will have drained away . To date TDBC have objected to this and I am concerned that its provision on the site has resulted in a land form that is less suitable for informal public use and has too much land taken up by sloping surfaces that will be difficult to maintain. The applicants have produced a draft layout of the area and this is being considered by the Council's landscape and open space teams and I await their comments. I believe that it is possible to devise an alternative scheme but the consortium has so far been unwilling to negotiate over any alternative.

The submitted drainage scheme covers proposals for the whole of the allocated site and includes the provision of a significant surface water drainage feature which has been located at Pocket Park, further north on the site. In the masterplan this was shown as a green link between Green lane on the far east of the site and the centrally located School and play facilities. The submitted drainage scheme does not contain the finished design for that area but the submitted detail indicates that it would be more of a wet feature with the area filling up to 1m in depth with surface water in extreme events and may result in the loss of that important green link. I am concerned that if we approve the drainage scheme as submitted we would be unable to determine the best design and use of Pocket Park and would instead be left with an unwanted drainage feature. I am keen that the consortium should submit additional details of the drainage scheme in relation to pocket park so that the impact of their proposals can be fully assessed at this stage. I will include any update on these matters in the update sheet.

Details of the future ownership and maintenance of the foul and surface water drainage systems has been requested and must be approved prior to the commencement of works on site.

Landscaping – Full details of the strategic and internal landscaping for this phase have now been submitted. Whilst the proposed strategic scheme is acceptable in principle amendments have been requested in relation to appropriate species of plants for the area and the incorporation of planting on the western side of the noise bund and an extension of the landscaping bund further around the roundabout and into the access road. Revised plans are awaited which reflect these details. The Landscape Officer has also expressed reservations about the lack of planting within the residential areas. Discussions are currently taking place regarding the matter and any alterations will be included on the update sheet, .

Noise – An acoustic barrier (bund plus a high fence between 2.8 - 3.6 total height depending on the land form) is to be erected at the top of the proposed landscaped bund which runs along the west of the Eastern Relief Road to ensure that noise levels of the dwellings, which back onto the proposed road, fall within the guidelines contained within Planning Policy Guidance note 24. In order that this does not have a detrimental impact on the visual amenity of the residents and the wider area, the masterplan shows landscaping on both sides of the fencing. The proposed landscaping scheme is limited to the road side of the fence and this is considered to

be unacceptable the properties will have a bund and fence at the bottom of their gardens that will be overbearing and liable to removal by future residents who may not be aware of its important function. Revisions have been requested and agreed in principle to provide a similar planting to both sides of the fencing. I am awaiting the views of the Environmental Health Officer to the noise attenuation scheme and will report these on the update sheet.

Archaeology – Previous developments in the vicinity of this site have had good archaeology and as a result a desk top study was undertaken at outline applications stage which identified the need for some pre-development investigations. Due to the ephemeral nature of the remains (in particular the potential Iron Age site) an Archaeological condition was placed on the outline planning permission, requiring a programme of archaeological work involving excavation in advance of development in accordance with a written scheme of investigation. The County Archaeologist has met with the developer's representative on this matter and a full project design has now been agreed in principle. The project design must be submitted and approved prior to any commencement of works on site and I have asked the developer to forward the design as soon as possible.

West Monkton Parish Council's concerns – The Parish council are concerned about the change in the proposals in relation to the provision of the Eastern Relief Road (ERR) and the traffic calming of the A38. The parish were previously assured that the ERR would be provided in full prior to any new dwellings. The Parish believe that additional traffic using the A38 and Milton Hill will create even worse traffic queues leading to traffic at a standstill. However, due to changes in economic circumstances the developers of this site have reconsidered their proposal. The Traffic assessment submitted with the outline application did indicate that 300 houses could be built and serviced off the existing road network before the ERR had to be provided and the Somerset County Council agreed this. Planning Authorities must be reasonable in their requirements of developers if much needed development is to come forward. I do not consider that it would be reasonable to insist on the provision of the whole road with its full construction in these circumstances. In addition the Parish council refer to their earlier request to provide a vehicular link from School road to the A38. This matter was considered by the planning committee when they considered the outline application and the Committee supported this objective. The developer was approached about this and agreed to look at the proposal when drawing up a scheme for the local centre. This application does not cover that area and details are not yet provided. I have reminded the developer of the need to honour this commitment when they begin to plan that area. The masterplan indicated that a footbridge was to be provided to enable the safe crossing of the ERR. The provision of a footbridge has three implications, firstly it involves long access ramps and a bridge constructed at a high level both of which allow for overlooking of any properties that are planned near to them having a detrimental impact on the amenity of residents; they are large and often unsightly structures that are often detrimental to the visual amenity of a development and finally they are extremely costly to erect. During the course of the outline application a strong case was put forward by Ruishton and Creech St Michael parish council for the replacement of the footbridges with an at level traffic light crossing of the road and this is now proposed by the consortium. The footbridge details are not part of this application as their location is outside of the boundary of the site. The parish council raise concerns over the design of the three storey blocks of flats and revised designs have now been received to overcome this issue. The Parish will be notified of these when they have been formally submitted, along with a change to some of the fenestration and

designs of some of the proposed houses. Regarding the drainage feature shown at Britton's Ash, I would also prefer this to be relocated but this matter is still under discussion and the developer is reluctant to alter the proposal. I am informed that these areas will be privately maintained and I have requested details of the maintenance regime and who is to be responsible for their upkeep.

Conclusion

The South West Design Review Panel's assessment that the scheme shows a housing layout rather than an urban design is accepted to some degree. However there is more information within the application than was presented to the panel and this does give more of a third dimension to the scheme. The Design Code needs to be revised in order to guide the future development of the whole allocation and I await this before being in a position to recommend that the details be approved. You will note from the report that there are still several outstanding matters to be finalised and I do not recommend that reserved matters approval be granted until these details and other outstanding matters have been satisfactorily resolved.

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

CONTACT OFFICER: Mrs J Moore Tel: 01823 356467

49/10/0034

MR M FRY

DEMOLITION OF GARAGE/STORE AND ERECTION OF SINGLE STOREY ONE BEDROOM DWELLING AT LAND TO THE REAR OF 16 STYLE ROAD, WIVELISCOMBE

Grid Reference: 308267.12808

Full Planning Permission

RECOMMENDATION AND REASON(S)

Recommended Decision: Refusal

RECOMMENDED CONDITION(S) (if applicable)

1. The proposed development would give rise to an intensification of an existing sub-standard access. Furthermore, the scheme does not incorporate adequate turning facilities to enable a vehicle to enter and leave the highway in forward gear and fails to incorporate necessary visibility splays at the access point with Golden Hill. The proposal is therefore contrary to Policy 49 of Somerset and Exmoor National Park Joint Structure Plan Review and Policy S1 of Taunton Deane Local Plan.
2. The proposed layout, due to the restricted size of the plot, is considered unacceptable and would have a detrimental impact on the residential amenities of future occupiers. The plot would be severed by an existing vehicular/pedestrian right of way immediately to the front of the living accommodation. The restricted turning area, together with the retention of parking provision to serve No. 16 Style Road, would be likely to give rise to noise and light disturbance to the future occupiers of the dwelling. Moreover, the occupiers would have little privacy by reason of the proposed parking layout and the vehicular access serving Hillview. The proposal is therefore contrary to Policy STR1 of Somerset and Exmoor National Park Joint Structure Plan Review and Policies S1 and S2 of Taunton Deane Local Plan.

Notes for compliance

PROPOSAL

Planning permission is sought for the demolition of a garage/store and the erection of a single storey dwelling. The floor plan indicates a one bedroom self-contained unit of accommodation; external dimensions measuring 7.6m x 11.65m. The dwelling would be finished with render under a part slate, part sedum roof, to enable a living green roof installation. The proposal also incorporates solar panels on the south

elevation. All fenestration is proposed to be timber. The proposed dwelling would incorporate part of the curtilage of No. 16 Style Road to provide amenity space and parking area. The parking area would provide one space for the new unit and retain two spaces for the existing property, No. 16.

SITE DESCRIPTION AND HISTORY

The existing garage/store comprises a single storey building constructed of concrete block under a corrugated roof. The site is located within the designated Conservation Area of Wiveliscombe; the settlement is a Rural Centre. The site is currently served by a single track lane, off Golden Hill, which provides access to the garage and parking area for No. 16 Style Road and a bungalow, known as Hillview.

An application for a two storey dwelling on the site was withdrawn in 2005, reference 49/05/0065.

CONSULTATION AND REPRESENTATION RESPONSES

PARISH COUNCIL – The proposal is considered not to have a detrimental impact upon visual or residential amenity and is therefore considered acceptable.

CONSERVATION OFFICER – The proposed dwelling is on the border but just within Wiveliscombe Conservation Area. The existing building is of no historic significance and does not positively contribute to the Conservation Area. The proposed dwelling looks to have a fairly low impact. The properties in the vicinity are not on any particular axis so it will not disrupt the historic settlement pattern. It is an unusual design and not in keeping with the Conservation Area but I do not consider that it will have a detrimental impact on the Area's character or appearance.

HIGHWAY AUTHORITY – As the planning officer will be aware this site was the subject of a previous application, see 49/05/0065, whereby the Highway Authority (HA) raised issues regarding the access from/onto Golden Hill. In addition pre-application advice was sought by the applicant with the HA, prior to submission where previous access issues were reiterated.

The proposal is located within the development limit of Wiveliscombe and I have no objection in principle. In detail, the proposal seeks to erect a new (one bedroom) dwelling at the rear of 16 Style Road and it would appear that the applicant owns 16 Style Road together with the private access which will serve the new dwelling that derives access from/onto Golden Hill. In addition, Hill View bungalow has a pedestrian and vehicular right of way over the private access.

It is essential that sufficient on site parking and turning should be provided within the site (but not to the detriment of any existing use). The proposal is seeking a shared access/parking/turning arrangement with two spaces being retained for the existing dwelling, no 16 Style Road and one space provided for the proposed dwelling. The parking and turning area is restricted. It is not clear what boundary treatments may be proposed for the new dwelling, separating the small amenity area from the shared access/parking/turning area. However, currently it is likely that vehicles will overrun this amenity area due to the restricted size of the parking/turning area.

The existing access to the site is via a private un-surfaced track that does not afford sufficient pedestrian or vehicular visibility for emerging vehicles to see or be seen.

Therefore any increase in use of this access is considered to be detrimental to highway safety for all road users. The Highway Authority recommends refusal on the following grounds: increase in use of sub-standard access; insufficient visibility splays; and, lack of turning facilities.

Representations

One letter of OBJECTION has been received. Summary of objections: -

- Highway Safety – the lane to the site is narrow and un-surfaced and visibility at the exit onto Golden Hill is very poor;
- Increased danger to pedestrians, cyclists and other traffic;
- Parking plan is unclear;
- Increase pressure for on-street parking on Golden Hill;
- Ugly design;
- No site notice (planning officer comment – site notice displayed 21.09.10)

Four letters of SUPPORT have been received. Summary of support: -

- Although the new dwelling will be visible it will not intrude on privacy or enjoyment of garden;
- Improvement over existing workshop/store;
- Within keeping of Golden Hill;
- Benefit security of the immediate area;
- Improvements to drive will make access better for existing residents

PLANNING POLICIES

Section 72 of the Planning Listed Buildings and Conservation Areas Act 1990, states with respect to any buildings or other land in a conservation area 'special attention shall be made to the desirability of preserving or enhancing the character or appearance of that area.

PPS1 - Delivering Sustainable Development,
PPS3 - Housing,
PPS 5 - PPS5 Planning for the Historic Environment,
STR1 - Sustainable Development,
STR5 - Development in Rural Centres and Villages,
S&ENPP9 - S&ENP - The Built Historic Environment,
S&ENPP48 - S&ENP - Access and Parking,
S&ENPP49 - S&ENP - Transport Requirements of New Development,
S1 - TDBCLP - General Requirements,
S2 - TDBCLP - Design,
EN14 - TDBCLP - Conservation Areas,
EN23 - TDBCLP - Areas of High Archaeological Potential,
M4 - TDBCLP - Residential Parking Provision,
EN12 - TDBCLP - Landscape Character Areas,
EN23 - TDBCLP - Areas of High Archaeological Potential,

DETERMINING ISSUES AND CONSIDERATIONS

Planning Policy Statement 3 (PPS 3, 2006) encourages the effective use of land, particularly in urban locations. However, it also requires new housing to be well

integrated with, and to complement, neighbouring buildings and the local area more generally in terms of scale and layout, advising that schemes which are inappropriate in their context should not be accepted.

The principal considerations are: impact of the proposal on the character and appearance of the Conservation Area; impact on the amenity of existing and future residents; and, highway safety.

Impact on the character and appearance of the Conservation Area

The existing garage is of no historic significance and does not positively contribute to the Conservation Area – its redevelopment is therefore acceptable in principle. The proposed dwelling takes the form of a single storey building and therefore would have a low impact. The Conservation Officer acknowledges that the design is rather unusual and not in-keeping with the wider Conservation Area. However, due to its position and scale the building would not be detrimental to the Area's character or appearance. The officer also notes that the pattern of development in the immediate locality is on no particular axis; the proposal would therefore not result in any visual incongruity. The proposal therefore accords with the statutory duty imposed by Section 72 of the Planning Listed Buildings and Conservation Areas Act 1990.

Impact on residential amenity

The proposal constitutes back-land development which requires careful consideration due to the potential impact of development on existing residents and the character of the area. The dwelling by reason of its scale and siting would not result in any loss of amenity to nearby residents. The proposal would sever the existing curtilage of No. 16 Style Road (at the rear) to provide amenity and parking area to serve the proposed dwelling; however the remaining garden area to No. 16 would be adequate to provide for the recreational needs of the occupiers. The application indicates that a 1.8m timber fence would be erected to provide screening to No. 16. This is required due to the changes in levels which drop steeply from the site towards No. 16.

The proposal would give rise to amenity concerns with regards to the future occupiers of the proposed dwelling. There is an existing right of way which crosses the site immediately in front of the proposed dwelling. This vehicular/pedestrian access would divide the plot from the proposed amenity area. There is a small amenity space to the side of the proposed dwelling which is likely to be in shade given its position; the main area is located on the other side of the access track. The larger amenity area would be sited next to the parking area which the applicant has confirmed would provide 2 two spaces for No. 16 Style Road. This would lead to parking of vehicles in close proximity to the proposed amenity area and there would be little privacy to residents. Moreover, the restricted turning and position of the parking would also lead to noise and light disturbance to the occupiers of the proposed bungalow from vehicle movements.

Highway safety

The Highway Authority has raised an objection to the proposal. The scheme would lead to an intensification of the existing sub-standard access serving an additional dwelling. The Highway Authority considers that the visibility at the entrance to Golden Hill is inadequate and the proposal does not provide sufficient turning area

within the site.

Conclusion

The principle of residential development and the proposed design, scale and materials are considered acceptable and would preserve the character and appearance of the Conservation Area. Nevertheless due to the restricted size of the plot it is considered that the residential amenities of future occupiers of the dwelling would be compromised. The existing vehicular right of way, retaining parking for No. 16 Style Road, and restricted turning area would impact on the amenities of the occupiers of the proposed dwelling. Moreover, the Highway Authority has raised a formal objection to the proposal, as set out above. It is therefore recommended that the application be refused.

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

CONTACT OFFICER: Mr A Pick Tel: 01823 356586

Planning Committee – Wednesday 20 October 2010

Report of the Development Manager

Enforcement Item

Parish:

1. **File/Complaint Number** E0365/27/2006
2. **Location of Site** Land Southwest of Allerford Farm known as Gaia
3. **Names of Owners** Mr W Slater and Mrs D Hawkins
4. **Name of Occupiers** As above
5. **Nature of Contravention**

Items of a non-agricultural nature stored on the land

6. **Planning History**

Members will recall that in November 2009 a report was before them for authorisation to take enforcement action for the unauthorised residential occupation of the land. The notice was served on 7th December 2009 and had a 6-month compliance time. The notice has been complied with as the owners have found alternative accommodation.

The land however is extremely untidy with numerous items stored in various locations over a large section of the site. Some of the items can and indeed are used for agriculture on the land but many of the items are not and are causing injury to both the visual amenities of the area as well as causing concern to the neighbouring properties.

A site visit was made on 5th August 2010 to investigate the excavation of a trench being dug across the land. Wessex Water was in fact carrying the works at the request of a third party. Whilst on site it was noted that the condition of the land was somewhat untidy but it was not possible to ascertain the full extent at the time. A further visit was made on 12th August to discuss the condition of the land and take photographs. The owners were informed that the non-agricultural items that are on the site should be removed. It was agreed that further information would be given to the owners as to the best course of action after discussions with relevant officers had taken place. A record of the site meeting together with photographs have been sent to the owners advising them that Enforcement action would be sought if the breach continued. The owners have said that they are trying to remove some of the items from the site but Mr Salter states that it would be a costly exercise. To date there are still numerous items stored on the land.

7. Reasons for Taking Enforcement Action

The authorised use of the site is agricultural. The storage of domestic and non-agricultural items therefore requires Planning permission and none has been obtained. The site is in a location where it can be readily viewed from public vantage points especially from the main London – Penzance railway line. The storage of non-agricultural items is considered to have a detrimental effect on the visual amenities of the area, contrary to Policy S1 of the Taunton Deane Local Plan.

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8. Recommendation

The Solicitor to the Council be authorised to serve an Enforcement Notice in order to secure the removal of all non agricultural items stored on the land. To take prosecution action, subject to satisfactory evidence being obtained that the notice has not been complied with.

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

CONTACT OFFICER:

Mr John AW Hardy – Tel: 01823 356466

Planning Committee – Wednesday 20 October 2010

Report of the Development Manager

Enforcement Item

Parish:

1. **File/Complaint Number** E/0023/38/10
2. **Location of Site** Land between 15 and 13 South Street, Taunton
3. **Names of Owners** Mrs Addison-Smith, 35 Tidcombe Lane,
Tiverton, Devon EX16 4DZ
4. **Name of Occupiers** Unoccupied
5. **Nature of Contravention**

Land between 13 and 15 South Street in an untidy condition

Possible Section 215 Notice required at South Street, Taunton

6. **Planning History**

The matter was brought to the Council's attention in January 2010. The site was visited and it was seen that some rubble, black refuse sacks and some car body parts appeared to have been deposited on the land. Initially the condition of the site was not considered serious enough to take action. The owner was contacted and requested that the area should be cleared. Some improvement was made but the site has over the months deteriorated again. Further letters have been sent to the owner requesting clearance but since June 2010 there has been little progress.

Further site visits have been made and the site appears to be getting worse. As the site has not been closed off and cleared it has become a site for fly tipping.

7. **Reasons for Taking Enforcement Action**

The site is between two properties adjacent to the highway. It is very visible from South Street and although some of the properties are vacant there are residential properties opposite the site. It is considered that the site in its present condition is harmful to the visual amenities of the area. The condition of the site will encourage fly tipping adding to the unacceptable condition.

8. Recommendation

The Solicitor to the Council be authorised to serve a Notice under Section 215 to ensure the site is cleared to an condition acceptable to the Local Planning Authority and to take Prosecution action subject to satisfactory evidence being obtained should the Notice not be complied with.

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

CONTACT OFFICER: Mr John AW Hardy – Tel: 01823 356466

Planning Committee – 20 October 2010

Report of the Development Manager

Enforcement Item

Parish:

1. **File/Complaint Number** 06/08/0046
2. **Location of Site** Sunnydene, Dene Road, Cotford St Luke
3. **Names of Owners** Mr H Small
4. **Name of Occupiers** As above
5. **Nature of Contravention**

Non compliance with condition imposed by Planning Inspector following an appeal

6. **Planning History**

Planning Permission was granted under ref 06/08/0046 for the siting of 3 mobile homes for Gypsy use. The owner of the site lodged an appeal against the conditions attached by the Local Planning Authority following the grant of that Planning permission. The Planning Inspectorate imposed a number of revised conditions stating that - The use hereby permitted shall cease and all caravans, structures, equipment and materials brought onto the land for the purposes of such shall be removed within 28 days of the date of failure to meet any one of the requirements set out in the Inspectors decision.

The requirement to submit a development scheme including landscaping, improved visibility splays, parking areas and siting of touring caravans has not been complied with. After numerous requests reminding the owner to comply with the Inspectors decision no scheme or timetable for its implementation has been agreed.

7. **Reasons for Taking Enforcement Action**

It is considered that the landscaping of the site is fundamental to its acceptability and this was accepted by the appeal Inspector. The failure to provide the Landscaping means that the site is unacceptably prominent in the local landscape, detrimental to its character and the visual amenities of the area it is therefore contrary to policies S1 and EN12 of the Taunton Deane Local Plan. In line with the Inspectors decision and conditions attached, the use on the land should now cease.

8. Recommendation

The Solicitor to the Council be authorised to serve an Enforcement Notice requiring the occupation to cease and the caravans, structures, equipment and materials to be removed and take prosecution action subject to satisfactory evidence being obtained that the notice has not been complied with.

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

CONTACT OFFICER: MR JAW HARDY – 01823 356466

APPEALS RECEIVED : FOR COMMITTEE AGENDA : 20 OCTOBER 2010

| Proposal | Start Date | Application/Enforcement Number |
|--|-------------------|---------------------------------------|
| DISPLAY OF PVC BANNER SIGN AT 27 BRIDGE STREET, TAUNTON. (RETENTION OF WORKS ALREADY UNDERTAKEN) | 20 SEPTEMBER 2010 | 38/10/0186A |

APPEAL DECISION FOR COMMITTEE AGENDA – 20 OCTOBER 2010

| APPEAL | PROPOSAL | REASON(S) FOR INITIAL DECISION | APPLICATION NUMBER | DECISION |
|---|---|--|--------------------|---|
| APP/D3315/C/10/2123196 & APP/D3315/C/10/2123197 | New access being formed onto classified road at Cedar Moor, Meare Green, Stoke St Gregory, Taunton, TA3 6HS | Enforcement | E0269/36/08 | The Inspector considered the new access should go ahead with the imposition of conditions of consolidation, surfacing, drainage of the access, provision of visibility splays, planting of replacement hedging within 11 months of the decision date and approved by the Local Planning Authority. He therefore ALLOWED the appeal. |
| APP/D3315/A/10/2128850/NWF | Conversion of barn to single storey dwelling at Maundown Cottage, Jews Lane, Maundown, Wiveliscombe | The site is located within open countryside where Development Plan policy provides that development should be strictly controlled and only provided for where consistent with the policies and proposals set out in the Plan. Having regard to the form, character and appearance of the building, which this application seeks to convert, it is considered not to constitute a traditional agricultural building in that the building does not contain any features of historic or | 49/09/0046 | The Inspector concluded the proposed development should not be permitted in the light of national and local planning policies on sustainable development in rural areas. He therefore DISMISSED the appeal. |

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|------------------------|---|--|------------|--|
| | | architectural importance or interest. | | |
| APP/D3315/A/10/2129601 | Erection of 10 x 2 storey dwellings (to include 3 affordable housing) and associated works at the Old Coal Yard, Woodhill, Stoke St Gregory | <p>The proposed development site is located outside the confines of any recognised development boundary limits, in an area that has very limited public transport services. The residents of the development are likely to be reliant on the private car and there will therefore be an increase on the reliance on the private motor car and thus comprises unsustainable development.</p> <p>The buildings the subject of the proposed development are considered to be new dwellings which are not proven to be required for an existing agricultural purpose or activities. The application site is outside a town, rural centre or village where development is strictly controlled.</p> <p>The proposed layout is considered to be</p> | 36/09/0017 | The Inspector considered the location of the site outside the settlement limits must weigh against approval, he shared the Council's concern about the inappropriate form and layout of the proposed development. He therefore concluded the development should not be permitted and DISMISSED the appeal. |

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| | | unacceptable in terms of design, in particular in terms of extent of hard surfacing, road layout and siting of dwellings is uncharacteristic of the area and is of poor quality. | | |
|--|--|--|--|--|

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