

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 30 January 2014 at 17:00.

Agenda

- 1 Apologies.
- 2 Minutes of the meeting of the Planning Committee held on 8 January 2014 (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 48/13/0057 - Variation of condition No. 01 (approved plans) to substitute 20 dwellings of application number 48/10/0036, reserved matters of application 48/05/0072 for details of phase 1, to include 327 No. dwellings and associated highways, landscaping including public open space and the first section of the eastern relief road and roundabout on A38 Bridgwater Road, at land off Bridgwater Road, Monkton Heathfield.
- 6 48/13/0083 - Erection of two storey extension to side and replacement porch to front of 2 Hill Farm Cottages, West Monkton (resubmission of 48/13/0051)
- 7 E/0100/49/13 - Unauthorised subdivision of residential property at Wivey View, Whitefield Rocks, Wiveliscombe
- 8 E/0349/49/07 - Unauthorised upvc windows installed at Woodvale, Croford Hill, Wiveliscombe.
- 9 E/0160/38/12 - Unauthorised signage at the former Westgate Inn, 1 Westgate Street, Taunton.
- 10 E/0004/38/13 - Unauthorised security shutter and illuminated fascia sign at 60 Bridge Street, Taunton.
- 11 E/0154/24/12 - Alleged untidy site at 12 Town Close, North Curry.
- 12 Miscellaneous Report - TPO objection at Whitemoss, Hillcommon, TA4 1DU

13 Planning Appeals - The latest appeals and decisions received (attached).

Bruce Lang
Assistant Chief Executive

11 March 2014

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.

Except at meetings of Full Council, where public participation will be restricted to Public Question Time only, 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.

Full Council, Executive, Committees and Task and Finish Review agendas, reports and minutes are available on our website: www.tauntondeane.gov.uk



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 the Corporate Support Unit on 01823 356414 or email r.bryant@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 B Nottrodt (Chairman)
Councillor S Coles (Vice-Chairman)
Councillor J Allgrove
Councillor C Bishop
Councillor R Bowrah, BEM
Councillor E Gaines
Councillor C Hill
Councillor M Hill
Councillor L James
Councillor I Morrell
Councillor P Tooze
Councillor P Watson
Councillor A Wedderkopp
Councillor D Wedderkopp
Councillor G Wren

Planning Committee – 8 January 2014

Present: - Councillor Nottrodt (Chairman)
Councillor Coles (Vice Chairman)
Councillors Mrs Allgrove, Bishop, Bowrah, Denington, Gaines,
Mrs M Hill, Miss James, Tooze, Watson, A Wedderkopp, and Wren.

Officers: - Bryn Kitching (Development Management Lead), Julie Moore (Major Applications Co-ordinator), John Burton (Major Applications Co-ordinator), Roy Pinney (Legal Services Manager), Maria Casey (Planning and Litigation Solicitor) and Tracey Meadows (Corporate Support Officer)

Also present: Mrs A Elder, a Co-opted Member of the Standards Committee.

(The meeting commenced at 5.00 pm)

1. Apologies/Substitution

Apologies: Councillors C Hill and Morrell.

Substitution: Councillor Denington for Councillor C Hill.

2. Minutes

The minutes of the meeting of the Planning Committee held on 11 December 2013 were taken and read and were signed.

3. Declarations of Interest

Councillor Nottrodt declared a personal interest as a Director of Southwest One. Councillor Mrs Hill declared a personal interest as an employee of Somerset County Council. Councillors Coles and A Wedderkopp declared personal interests as Members of Somerset County Council. Councillor Tooze declared a personal interest as an employee of UK Hydrographic Office. Councillor Bowrah declared that he had attended a meeting at Wellington Town Council where application No 43/13/0133 had been discussed. He felt that he had not “fettered his discretion”. Councillor Wren declared a personal interest as an employee of Natural England.

4. 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 **outline planning permission be granted** for the under-mentioned developments:-

43/13/0133

Development of land for B1(c) light industrial, B2 general industrial and B8 warehouse uses and formation of access at land adjoining Westpark 26 Business Park, Chelston House Farm, Wellington

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 eight years from the date of this permission. The development hereby permitted shall be begun, not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved;
- (b) None of the units hereby approved shall be used or occupied until a means of vehicular access has been constructed in accordance with the plans hereby permitted unless otherwise agreed in writing by the Local Planning Authority;
- (c) (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;
- (d) Before any part of the development hereby approved is commenced, the hedges to be retained on the site shall be protected by a Chestnut paling fence 1.5 m high, placed at a minimum distance of 2 m from the edge of the hedge and the fencing shall be removed only when the development has been completed. During the period of construction of the development the existing soils levels around the base of the hedges so retained shall not be altered;
- (e) Before the commencement of any works hereby permitted, details or samples of the materials to be used for all the external surfaces of the building(s) shall be submitted to, and be approved in writing by, the Local Planning Authority, and no other materials shall be used without the written consent of the Local Planning Authority;

- (f) Before any of the permitted development is commenced, details of the arrangements to be made for the disposal of foul and surface water drainage from the proposed development shall be submitted to, and approved in writing by, the Local Planning Authority. The works shall thereafter be implemented in accordance with the agreed details prior to any building being occupied;
- (g) The development hereby permitted shall not be commenced until details of a strategy to deal with protected species has been submitted to, and approved in writing by, the Local Planning Authority. The strategy shall be based on the advice contained in the 'Ecological Assessment Update' of October 2013, prepared by First Ecology, 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 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 and permanently maintained as such at all times thereafter. The development shall not be occupied until the scheme as may be approved has been fully implemented;
- (h) Provision shall be made for the parking of cycles in accordance with details to be submitted to, and approved by, the Local Planning Authority. Such provision shall be made before each phase of the development hereby permitted is occupied / use hereby permitted is occupied;
- (i) Before any development commences, details of lighting on the site shall be submitted to, and approved in writing by, the Local Planning Authority. Such details shall include the use of appropriate location, orientation, timing, shading and power to avoid any illumination of off-site areas;
- (j) All services shall be placed underground unless otherwise agreed in writing by the Local Planning Authority;
- (k) No retail sales, or the direct sale of goods to the general public, except ancillary trade sales, shall take place from any of the buildings hereby approved;
- (l) No raw materials, finished or unfinished products or parts, crates, packing materials or waste shall be stacked or stored on the site except within the buildings or within designated storage areas that shall previously have been agreed in writing with the Local Planning Authority;
- (m) Before the use hereby permitted is implemented or used, each of the buildings as may be agreed shall be soundproofed in accordance with a scheme that shall have previously been submitted to and agreed by the Local Planning Authority. The soundproofing scheme as may be agreed

shall thereafter remain in place at all times thereafter unless a variation is first agreed in writing with the Local Planning Authority;

- (n) Prior to the commencement of the development, a Travel Plan shall be submitted to, and approved in writing by, the Local Planning Authority. Such Travel Plan shall include soft and hard measures to promote sustainable travel as well as targets and safeguards by which to measure the success of the plan. There shall be a timetable for implementation of the measures and for the monitoring of travel habits. The development shall not be occupied unless the agreed measures are being implemented in accordance with the timetable. The measures shall continue to be implemented as long as any part of the development is occupied;
- (o) Prior to the commencement of the development, a scheme for the parking and manoeuvring of vehicles on site shall have been agreed in writing by the Local Planning Authority. Such a scheme shall be implemented strictly in accordance with the plans to be approved, including being physically marked out on site, and provided in relation to the individual units before they are first used or occupied. The parking area and access thereto shall thereafter be retained at all times to serve the development, being kept clear of obstruction at all times and not used other than for the parking of vehicles in connection with the development hereby permitted or the purpose of access.

(Notes to Applicant: - Applicant was advised to take the following matters into account:-

(i) Applicant was advised that in accordance with paragraphs 186 and 187 of the National Planning Policy Framework, the Council had worked in a positive and pro-active way and had imposed planning conditions to enable the grant of planning permission; (ii) Your attention is drawn to the requirements of the Building Regulations 2000, Part M Access and Facilities for Disabled People, the advise in BS 8300 and the Disability Discrimination Act. Generally speaking a level access will be required for your proposed building(s). An early assessment of site levels will avoid expensive alterations at a later date; (iii) WILDLIFE AND THE LAW. It should be noted that the protection afforded to species under UK and EU legislation is irrespective of the planning system and the developer should ensure that any activity they undertake on the application site (regardless of the need for planning consent) must comply with the appropriate wildlife legislation. 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 of Natural Habitats and Species (Amendment) Regulations 2012, 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 . Bats should preferably not be handled (and not unless with gloves) but should be left in situ, gently covered, until advice is obtained.)

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

31/13/0021

Construction of first floor with raising of roof and erection of rear extension at Tirohanga Ra, Ruishton Lane, Ruishton

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 following approved plan:-
- (A4) Site Plan;
 - (A4) Location Plan;
 - (A1) DrNo 1630/2 Proposed Plans and Elevations; and
 - (A1) DrNo 1630/1 Existing Plans and Elevations;
- (c) All existing trees on site shall be protected in accordance with BS5837:2005 Trees in relation to construction;

(Notes to Applicant: - Applicant was advised to take the following matters into account:-

- (i) In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council had worked in a positive and pro-active way with the applicant and entered into pre-application discussions to enable the grant of planning permission; (ii) Whilst it would appear from the application that the proposed development is to be entirely within the curtilage of the application site, care should be taken upon the commencement and during the course of building operations to ensure that no part of the development, including the foundations and roof overhang will encroach on, under or over the adjoining property.)

30/13/0044

Variation of condition No 2 (approved plans) in relation to Plot 12 of application number 30/10/0032 at Sellicks Green Farm, Pitminster

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 following plans:-
 - (A3) DrNo 02 Rev J Site Plan;
 - (A2) DrNo 77 Rev E Proposed Plans and Elevations Plot 12; and
 - (A2) DrNo 69 Rev P Proposed Site Layout Sketch Scheme XXXII.

(Note to Applicant:- Applicant was advised that in accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the applicant and had negotiated amendments to the application to enable the grant of planning permission.)

5. E/0227/30/13 – Unauthorised works to listed building to create Post Office and unauthorised advertisement in association with the same at The Lamb and Flag Inn, Blagdon Hill Road, Blagdon Hill

Reported that an erection of a non-illuminated hanging sign and the removal of a small section of internal wall to facilitate a Post Office counter had taken place without listed building consent at the Lamb and Flag Inn, Blagdon Hill Road, Blagdon Hill.

Pre-application discussions had been undertaken with the Heritage Lead regarding the introduction of a Post Office facility within the building. This had been agreed in principle but advice was given to the owner as to the need for consent to be obtained for the proposed alterations.

An application had been submitted but, due to missing information had not been validated.

Unfortunately, the works had subsequently been implemented without the benefit of listed building consent.

In the view of the Development Management Lead, if an application had been validated, consent would have been granted.

Resolved that no further action be taken.

6. Appeals

Reported that three appeals had been lodged, details of which were submitted.

(The meeting ended at 5.55pm)

Declaration of Interests

Planning Committee

- Members of Somerset County Council – Councillors Coles, A Wedderkopp and D Wedderkopp
- Employee of Somerset County Council – Councillor Mrs Hill
- Director of Southwest One – Councillor Nottrodt
- Employee of UK Hydrographic Office – Councillor Tooze
- Employee of Natural England – Councillor Wren

48/13/0057

PERSIMMON HOMES (SOUTH WEST)

VARIATION OF CONDITION NO. 01 (APPROVED PLANS) TO SUBSTITUTE 20 DWELLINGS OF APPLICATION NUMBER 48/10/0036, RESERVED MATTERS OF APPLICATION 48/05/0072 FOR DETAILS OF PHASE 1, TO INCLUDE 327 NO. DWELLINGS AND ASSOCIATED HIGHWAYS, LANDSCAPING INCLUDING PUBLIC OPEN SPACE AND THE FIRST SECTION OF THE EASTERN RELIEF ROAD AND ROUNDABOUT ON A38 BRIDGWATER ROAD, AT LAND OFF BRIDGWATER ROAD, MONKTON HEATHFIELD

Location: STREET RECORD, BRIDGWATER ROAD, WEST MONKTON,
TAUNTON

Grid Reference: 325916.126461

Removal or Variation of Condition(s)

RECOMMENDATION AND REASON(S)

Subject to the receipt of amended plans altering the boundary treatment of plot 265 and removing reconstituted stone from the proposed materials the Development Manager be authorised to grant conditional planning permission.

Recommended Decision: Conditional Approval

RECOMMENDED CONDITION(S) (if applicable)

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

Reason: To ensure that the proposed development does not harm the character and appearance of the area in accordance with Policy DM1 of the Taunton Deane Core Strategy.

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

DrNo 800 Rev F Planning Layout

DrNo 811-1 Rev A Fences & Enclosures

DrNo R4050-1 Rev C-Highway Detail and Hyde Lane Crossing Re-plan April 2011

DrNo 801 Rev B Location Plan

DrNo 601 Topographical survey

DrNo 602 Topographical survey

DrNo 1348/DR/04 Rev K Surface water drainage strategy

DrNo 10059/DR/05 Rev D Off-site foul water strategy

DrNo 1348/DR/06 Rev F Foul water drainage strategy phase I

DrNo 1348/DR/07 Rev 0 Propose Development surface water strategy
DrNo 1348/DR/OS Rev 0 Foul water drainage strategy whole site
DrNo 1348/DRJ1O Rev B Development runoff outfall/rates
DrNo 1348/DR/il Rev C Overflow flood routing plan
DrNo 10059/CD/0l Rev B Surface water/sewer construction details
DrNo 10059/EW/l01 Sports field water retention basin
DrNo 1009/EW/102 Brittons Ash water retention basin
DrNo 10059/5K/Ol Rev G Eastern Relief Road Proposed Noise Barriers
DrNo 10059/HL/03 Rev A Horizontal and vertical alignment
DrNo 10059/HLII I Rev E Proposed Alignment Eastern Relief Road - Phase 1
DrNo 10059/HL/12 Rev B Eastern Relief Road - Phase 1 typical Construction
Details
DrNo 10059/HL/13 Rev C Typical Construction Details - H
DrNo 10059/HL/15 Rev C Single Development Access
DrNo 10059/SK/06 Rev E Proposed roundabout
DrNo 4000 Rev A Bus and refuse vehicle tracking sheet 1
DrNo 4001 Rev C Bus and refuse vehicle tracking sheet 2
DrNo 4002 Rev C Bus and refuse vehicle tracking sheet 3
DrNo 4003 Rev A Bus and refuse vehicle tracking sheet 4
DrNo 4004 Vehicle Tracking Large Car sheet 5
DrNo 4005 Vehicle Tracking Large Car sheet 6
DrNo 4006 Vehicle Tracking Large Car sheet 7
DrNo 4007 Rev A Engineering Layout sheet 1 of 2
DrNo 4008 Rev C Engineering Layout sheet 2 of 2
DrNo 4010-1 Rev K Engineering Layout parcel sheet 1 of 2
DrNo 4010-2 Rev L Engineering Layout parcel sheet 2 of 2
DrNo 4010-3 Engineering Layout Temporary access
DrNo 4013-1 Rev G Engineering Layout parcel sheet 1 of 2
DrNo 4013-2 Rev H Engineering Layout parcel sheet 2 of 2
DrNo 4014-1 Engineering Layout parcel sheet 1 of 2
DrNo 4014-2 Engineering Layout parcel sheet 2 of 2
DrNo 4015 Engineering Layout parcel R4
DrNo 4016 Engineering Layout parcel P4
DrNo 4017-1 Engineering Layout parcel sheet 1 of 2
DrNo 4017-2 Engineering Layout parcel sheet 2 of 2
DrNo 4020 Rev K Road and sewer long sections sheet 1 of 2
DrNo 4021 Rev K Road and sewer long sections sheet 2 of 2
DrNo 4022 Rev B Road and sewer long sections road 2 and existing
Bridgwater Road
DrNo 4023 Rev F Road and sewer long sections road 8, 81 and 82
DrNo 4024 Rev E Road and sewer long sections road 3 and 5
DrNo 4025 Rev D Road and sewer long sections road 5T, 51 and 52
DrNo 4026 Rev B Road and sewer long sections road 6, 61 and 62
DrNo 4027 Rev A Road and sewer long sections road 7, 63 and 71
DrNo 2028 Rev A Road and sewer long sections road 4, 40 and 72
DrNo 4029-1 Long sections Brittons Ash Open Space
DrNo 4029-4 Long sections offsite F84 – F66
DrNo 4029-4 Long sections offsite 6, 61 & 61T
DrNo 4029-4 Long sections offsite 62 & 63
DrNo 4030 Road and sewer long sections road 9, 10 and 91
DrNo 4034 Rev G Section 38 Agreement plan
DrNo 4050 Rev A Highway detail, proposed turning head and Hyde Lane

crossing

DrNo 4038 Proposed adoptable highway sheet 1
DrNo 4039 Proposed adoptable highway sheet 2
DrNo 4050-1 Highway detail, proposed turning head and Hyde Lane crossing
DrNo 4051 Rev D Road construction details sheet 1 of 2
DrNo 4051-1 Rev F Road construction details sheet 2 of 2
DrNo 4052 Rev A Sewer construction details
DrNo 4053 Square kerbs detail
DrNo 4054 Square at ch 350-390 kerbs detail
DrNo 4055 Highway Detail, Road 1 and Hyde Lane
DrNo 4055 Spine Road, Green Lane cross sections
DrNo ACH-5691/40389 Rev S Proposed Adoptable Highway
DrNo ACH 5691/ 001 Typical Section through bund
DrNo ACH 5691/ 003 Rev B Phasing Plan
DrNo ACH 5691/ 004 Extract from Revised Planning Layout
DrNo ACH 5691/ 005 Rev A Land Ownership Plan
DrNo ACH 5691/ 005-02 Land ownership breakdown plan
DrNo ACH 5691/ 006 Rev B Cycle rack location plan
DrNo ACH 5691/ 007 Rev A Section 106 Agreement plan
DrNo ACH 5691/ 008 Proposed Sub Station Location Plan
DrNo ACH 5691/ 009 Rev A Overhead 33kv Cable re-route Plan
DrNo ACH 5694 Masterplan plan
DrNo Ski 0-2 Redrow Developable Area Plan
DrNo 2309-04 Rev E Tree and hedgerow retention and removal plan 1 of 3
DrNo 2309-05 Rev G Tree and hedgerow retention and removal plan 2 of 3
DrNo 2309-06 Rev E Tree and hedgerow retention and removal pan 3 of 3
DrNo 2309/07 Rev L Landscape strategy plan
DrNo 2309-09 Rev L Proposed landscape scheme- sheet 1 of 3
DrNo 2309-10 Rev N Brittons Ash landscape proposals
DrNo 2309-11 Rev D Brittons Ash Greenway Detailed landscape proposals
DrNo 2309-12 Rev E Urban Park proposals
DrNo 2309-13 Rev I Community Square landscape proposals
DrNo 2309/14 Rev A Pocket Park
DrNo 2309/15 Rev B Central Park south
DrNo 2309/16 Rev A Central Park north
DrNo 2309/17 Secondary school playing field
DrNo 2309/18 Cricket green/local park with super leap
DrNo 2309-19 Rev F Proposed landscape scheme sheet 2 of 3
DrNo 2309-20 Rev C Proposed landscape scheme sheet 3 of 3
DrNo P300 Rev G Landscape Proposals Parcel P1
DrNo P301 Rev F Landscape Proposals Parcel P1
DrNo P302 Rev E Landscape Proposals Parcel P2
DrNo P303 Rev F Landscape Proposals Parcel P2
DrNo P304 Rev D Landscape Proposals Parcel P2
DrNo P305 Rev E Landscape Proposals Parcel P2
DrNo P306 Rev C Landscape Proposals Parcel P3
DrNo P307 Rev C Landscape Proposals Parcel P3
DrNo P308 Rev C Landscape Proposals Parcel P3
DrNo R309 Development Entrance Landscape Proposal
DrNo R309 Rev E Landscape Proposals Parcel R1
DrNo R310 Rev E Landscape Proposals Parcel R2
DrNo R311 Rev D Landscape Proposals Parcel R3

DrNo R312 Rev D Landscape Proposals Parcel R4
DrNo ACH 5691/100-1 Rev M Planning Layout Sheet 1 of 2
DrNo ACH 5691/100-2 Rev J Planning Layout Sheet 2 of 2
DrNo ACH 5691/101 Rev C Location Plan
DrNo ACH 691/102 Rev C P.0.8. Location Plan
DrNo ACH 5691/103 Rev C Adoption and P05 plan
DrNo ACH 5691/104 Rev B Sections Through Key Building
DrNo ACH 5691/105 Rev B Sections Through Key Building
DrNo ACH 5691/106-1 Rev 0 Materials sheet 1
DrNo ACH 5691/806-1 Rev B Materials sheet 1
DrNo ACH 5691/106-1 Rev C Materials sheet 3
DrNo ACH 5691/106-1 Rev C Materials sheet 4
DrNo ACH 5691/107 Rev D Surface Treatment Plan
DrNo ACH 5691/108-1 Rev B Affordable Housing Location plan
DrNo ACH 5691/808 Rev B Affordable Housing Location plan
DrNo ACH 5691/109-1 Rev A Storey height plan sheet 1
DrNo ACH 5691/809 Rev B Storey height plan sheet
DrNo ACH 5691/109-3 Rev A Storey height plan sheet 3
DrNo ACH 5691/ 809 Rev B Storey height plan sheet
DrNo ACH 5691/110-1 Rev E Fences and enclosures location plan sheet 1
DrNo ACH 5691/810-1 Rev B Fences and enclosures location plan sheet 2
OrNo ACH 5691/110-3 Rev D Fences and enclosures location plan sheet 3
DrNo ACH 5691/811-1 Rev A Fences and enclosures detail sheet
DrNo ACH 5691/811-2 Rev C Fences and enclosures detail sheet
DrNo ACH 5691/115-1 Rev B Street Scenes
DrNo ACH 5691/115-2 Rev B Street Scenes
DrNo ACH 5691/115-3 Rev B Street Scenes
DrNo ACH 5691/115-4 Rev B Street Scenes
DrNo ACH 5691/150-1 Conveyance Plan
DrNo ACH 5691/150-2 Conveyance Plan
DrNo ACH 5691/155 Joint Infrastructure works
Waste management plan 'Procedure 03: Waste Management'
Persimmon House Types:
DrNo ACH 5691/P-120-1 Rev B house type 621
DrNo ACH 5691/P-120-2 Rev B house type 621
DrNo ACH 5691/720-1 Rev A house type 621
DrNo ACH 5691/720-2 Rev B house type 621
DrNo ACH 5691/830-1 House type 640
DrNo ACH 5691/830-2 House type 640
DrNo ACH 5691/721-1 Rev A house type 641
DrNo ACH 5691/722-1 Rev A house type 753
DrNo ACH 5691/831-1 Rev A house type 753
DrNo ACH 5691/832-1 Rev A house type 753
DrNo ACH 5691/832-2 Rev A house type 814
DrNo ACH 5691/832-3 Rev A house type 814
DrNo ACH 5691/832-4 House type 814
DrNo ACH 5691/723-1 Rev A house type 814
DrNo ACH 5691/723-2 Rev A house type 814
DrNo ACH 5691/723-3 Rev A house type 814
DrNo ACH 5691/723-4 house type 814
DrNo ACH 5691/723-5 Rev C house type 814
DrNo ACH 5691/833-1 Rev A house type 950

DrNo ACH 5691/833-2 Rev A house type 950
DrNo ACH 5691/833-3 house type 950
DrNo ACH 5691/725-1 Rev B house type 950
DrNo ACH 5691/725-2 Rev B house type 950
DrNo ACH 5691/725-3 Rev A house type 950
DrNo ACH 5691/726-1 Rev B house type 969
DrNo ACH 5691/727 Rev A house type 1180
DrNo ACH 5691/834-1 house type 1187
DrNo ACH 5691/834-2 house type 1187
DrNo ACH 5691/834-3 house type 1187
DrNo ACH 5691/728-1 Rev A house type 1187
DrNo ACH 5691/728-2 Rev B house type 1187
DrNo ACH 5691/728-3 house type 1187
DrNo ACH 5691/728-4 Rev A house type 1187
DrNo ACH 5691/835-1 house type 1228
DrNo ACH 5691/835-1 house type 1228
DrNo ACH 5691/836-1 Rev A house type 1264
DrNo ACH 5691/836-2 Rev A house type 1264
DrNo ACH 5691/731-1 house type 1264
DrNo ACH 5691/731-2 Rev A house type 1264
DrNo ACH 5691/837-1 Rev A house type 1443
DrNo ACH 5691/838-1 house type 1457
DrNo ACH 5691/838-2 house type 1457
DrNo ACH 5691/838-3 Rev A house type 1457
DrNo ACH 5691/733-1 Rev B house type 1475v1
DrNo ACH 5691/733-2 Rev A house type 1475v2
DrNo ACH 5691/839-1 house type 1710
DrNo ACH 5691/839-2 house type 1710
DrNo ACH 5691/734-1 Rev A house type 1710v1
DrNo ACH 5691/840-1 Apartment type 2FS
DrNo ACH 5691/840-2 Apartment type 2FS
DrNo ACH 5691/840-3 Apartment type 2FS
DrNo ACH 5691/840-4 Apartment type 2FS
DrNo ACH 5691/840-5 Apartment type 2FS
DrNo ACH 5691/841-1 house type 2S
DrNo ACH 5691/842-1 house type 2S
DrNo ACH 5691/841-2 house type 2S
DrNo ACH 5691/843-1 house type 3S
DrNo ACH 5691/843-2 house type 3S
DrNo ACH 5691/850-1 Garages
DrNo ACH 5691/850-2 Garages
DrNo ACH 5691/745-1, 2, 3, 5 and 6 garages
DrNo ACH 5691/851-1 Bin Store
DrNo ACH 5691/746-1 Bin Store
DrNo ACH 5691/851-2 Cycle Store
DrNo ACH 5691/746-2 Cycle Store
Redrow Homes:
DrNo ACH 5691/R-120-1 to 120-5 Rev C
DrNo ACH 5691/R-1 25-2 Rev C
DrNo ACH 5691/R-126 Rev A
DrNo ACH 5691/R-1 27 Rev C
DrNo ACH 5691/R-128-1 and 4 Rev B

DrNo ACH 5691/R-128-2 Rev C
DrNo ACH 5691/R-128-4
DrNo ACH 5691/R-129-1 Rev B
DrNo ACH 5691/R-1 29-2 Rev C
DrNo ACH 5691/R-129-3
DrNo ACH 5691/R-130 Rev A
DrNo ACH 5691/R-131-1 Rev B
DrNo ACH 5691/R-131-2 Rev A
DrNo ACH 5691/R-131-3 Rev C
DrNo ACH 5691/R-132-1 Rev B
DrNo ACH 5691/R-132-2 Rev A
DrNo ACH 5691/R-133-1 Rev A
DrNo ACH 5691/R-133-2 Rev B
DrNo ACH 5691/R-1 334 Rev C
DrNo ACH 5691/R-1 33-4 Rev D
DrNo ACH 5691/R-134-1 Rev B
DrNo ACH 5691/R-134-2 Rev C
DrNo ACH 5691/R-134-3 Rev B
DrNo ACH 5691/R-134-4
DrNo ACH 5691/R-140-1 Rev A
DrNo ACH 5691/R-140-2 Rev B
DrNo ACH 5691/R-141-1 Rev B
DrNo ACH 5691/R-141-2 Rev C
DrNo ACH 5691/R-141-3 Rev B
DrNo ACH 5691/R-142 Rev B
DrNo ACH 5691/R-143 Rev B
DrNo ACH 5691/R-144 Rev B
The Cambridge D series Rev A - Render
The Cambridge (Cnr) D series Rev A - Render
The Canterbury D series - Brick
The Dart D series - Brick
The Dart D series - Floor Plans
The Letchworth D series Rev A - Brick
The Letchworth D series Rev A - Render
The Letchworth D series - Floor Plans
The Tavy D series - Brick
The Tavy D series - Floor Plans
The Warwick D series - Brick
The Warwick D series Rev A - Render
The Warwick (Cnr) D series Rev A - Render
The York D series - Render
DrNo ACH 5691/R-145-1 garages - Plans and Elevations
DrNo ACH 5691/R-145-2 Rev A garages - Plans and Elevations
DrNo ACH 5691/R-145-3 garages - Plans and Elevations
DrNo ACH 5691/R-145-4 garages - Plans and Elevations
DrNo ACH 5691/R-145-5 Rev A garages - Plans and Elevations
DrNo ACH 5691/R-146-1 Rev A Bin Store detail
DrNo ACH 5691/R-146-2 Rev A Cycle Store detail
DrNo ACH 5691/R-150-1 Garages - Plans and elevations sheet 1 of 2
DrNo ACH 5691/R-150-2 Garages - Plans and elevations sheet 2 of 2
DrNo ACH 5691/R-151 Rev A Bin and Cycle store Detail Sheet
DrNo ACH 5691/R-152 Electricity Sub station

DrNo RHSW.05246.02.EP001 Rev A Enclosures Plan
DrNo RHSW.05246.02.MP001 Rev A Materials Plan
DrNo RHSW.05246.01.PL001 Rev G Site Layout Plan
DrNo RHSW.05246.01.PL002 Rev A Location Plan
DrNo RHSW.05246.02.SH001 Rev A Storey Heights Plan
DrNo RHSW.05246.02.SL001 Rev A Slab Levels
DrNo RHSW.05246.02.AP 001 Rev C Adoption Plan
DrNo RHSW.05246.02.TP 001 Rev Tracking Plan
DrNo 601 Rev B Topographical Survey
Tree Survey schedule D14 132 P1 1 of 2
Tree Survey schedule D14 132 P1 2 of 2
DrNo RED17988-12B Sheet 1 of 2 Landscape Proposals
DrNo RED17988-12B Sheet 2 of 2 Landscape Proposals
DrNo R-4034 Rev G Section 38 Agreement Plan Parcel 'P2'
(A4) DrNo120-1 Elevations and Plan for House Type - Alnwick
(A4) DrNo 120-2 Elevations and Plans for House Type - Alnwick
(A4) DrNo 120-3 Elevations and Plans for House Type - Alnwick
(A4) DrNo 120-4 Elevations and Plans for House Type - Alnwick
(A4) DrNo 120-5 Elevations and Plans for House Type - Alnwick
(A4) DrNo 121-1 Elevations and Plans for House Type - Hanbury
(A4) DrNo 122-1 Elevations and Plans for House Type 804
(A4) DrNo 123-1 Elevations and Plans for House Type 969
(A4) DrNo 124-1 Elevations and Plans for House Type - Clayton
(A4) DrNo 124-2 Elevations and Plans for House Type- Clayton
(A4) DrNo 124-3 Elevations and Plans for House Type - Clayton
(A3) DrNo 125-1 Rev A Garage Elevations and Plans
(A4) DrNo125-2 Garage Elevations and Plans
(A1) DrNo P304 Rev H Landscape Proposals P2
(A1) DrNo P303 Rev L Landscape Proposals P2
(A1) DrNo P305 Rev G Landscape Proposals P2
(A3) DrNo 806-1 Rev J Materials Key Plan Sheet 1
(A3) Dr No 808 Rev E Affordable Housing Location Plan
(A1) DrNo 105 Street Scene
(A2) DrNo 815-3 Street Scene 16-16
(A1) DrNo 800-1 Rev J Planning Layout
(A1) DrNo 201 Rev B Engineering Layout

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

3. Ecological monitoring shall be undertaken in accordance with clause 7.14 of the updated Landscape and Wildlife Strategy prepared by Cooper Partnership dated November 2010 and clause 5.2 of the Wildlife management sub-plan for phase 1 Monkton Heathfield prepared by EAD dated November 2010. In the event that the monitoring identifies that changes/modifications are required to meet the management objectives of the Wildlife Management sub-plan, those changes/modifications shall be undertaken within the next 6 months and thereafter maintained unless a variation is first agreed in writing by the Local Planning Authority.

Reason: To comply with any Natural England license requirement and to ensure that the long term management of the site is informed by up to date

information and to identify where the existing maintenance regime requires modification to ensure adequate protection, mitigation and enhancement for wildlife in accordance with National Planning Framework paragraph 11.

4. Prior to the commencement of works on phase 2 of the development (planning permission no. 48/05/0072) and notwithstanding the submitted drainage details for the whole site, full details of the Pocket Park surface water drainage attenuation feature shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the details of Pocket Park provide adequate surface water attenuation and do not compromise an acceptable residential layout with an adequate level of amenity and open space, in accordance with Taunton Deane Core Strategy Policy DM1 and the Monkton Heathfield Design Guide SPD.

5. The surface water drainage feature at Brittons Ash shall be constructed in strict accordance with the details on Cooper plan number 2309 - 1OL unless an alteration is first submitted to and approved in writing by the Local Planning Authority.

Reason: In order to ensure that the surface water attenuation feature does not pose a threat to public safety and is available for safe use in connection with the adjacent public open space when drainage conditions allow, in accordance with the provision of retained Taunton Deane Local Plan Policy C4.

6. The proposed estate roads, footpaths, footways, tactile paving, cycleways, bus stops/laybys, verges, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhangs margins, multi purpose crossing, embankments, visibility splays, accesses, carriageway gradients, drive gradients and associated furniture and works shall be constructed in accordance with the approved highway details. The roads shall be laid out prior to the occupation of any dwelling, or any dwelling in an agreed phase of the development that may have been agreed by the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed estate is laid out in a proper manner with adequate provision for various modes of transport in the interests of highway safety.

7. The development hereby submitted shall not gain vehicular access to the A38 Bridgwater Road from the junction shown with Road 2 (the new estate road junction) on drawing number ACH5691-100-1 M until such time as the new distributor road known as the Eastern Relief Road (ERR) and associated calming and Traffic Regulation Orders to the A38 have been constructed, implemented and are operational for the public in accordance with a design and specification that will have been submitted to and approved in writing by

the Local Planning Authority.

Reason: To ensure that the proposed access from the A38 into the new development is not used until the ERR has been completed and traffic flows are reduced to a level that can safely accommodate the traffic from the development in the interests of highway safety.

8. The access to serve the foul water tanks, to the south west of the site, shall be constructed in accordance with the details approved under planning permission ref 48/11/0009 and shall thereafter be maintained in order to provide access for maintenance purposes to the foul drainage tanks approved by that permission, unless an alternative is first submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed road provides an acceptable junction with the highway network and does not gain direct access off a County Route in the interests of highway safety.

9. All on site car parking spaces shall be a minimum of 2.4m x 4.8m, where those spaces are backing onto pedestrian pavements a minimum of 2.4m x 6m and where the spaces are arranged in tandem they shall have a minimum length of 10.5m.

Reason: In order to ensure that adequate on plot provision of parking spaces and to avoid cars overhanging the pedestrian walkway in the interests of highway safety.

10. Prior to the implementation of on site planting around the electricity substation in the urban park, a planting schedule shall be submitted to and approved in writing by the Local Planning Authority. Planting shall be undertaken in compliance with the approved details and thereafter maintained as such unless agreed in writing by the Local Planning Authority.

Reason: To ensure that the impact of the proposed substation is not detrimental to the visual amenity of the street scene in accordance with Taunton Deane Core Strategy policy DM1.

11. Prior to the occupation of Redrow plot numbers R51 - 90 and R92 - 97, the approved landscaping bund shall be constructed on site. The bund shall be landscaped, in accordance with the approved landscaping scheme, during the next available planting season. The landscaped bund shall thereafter be retained in accordance with the approved details and maintained in accordance with approved landscape management strategy unless a variation is first submitted to and approved in writing by the Local Planning Authority.

Reason: In order to ensure that the new relief road and timber noise barrier where applicable is adequately screened from view in the interests of the

visual amenity of the residents and surrounding area in accordance with Taunton Deane Core Strategy policy DM1.

12. The existing hedge to the north of the A38 boundary with the development site shall be retained (except at the approved points of access) with additional planting where necessary and where any plants die, shall be replaced with similar species and shall thereafter be maintained in accordance with the approved Landscape Management Plan unless a variation is first submitted to and approved in writing by the Local Planning Authority.

Reason: To retain the hedge in the interests of the visual amenity of the area and to avoid potential harm to the root system of any hedge leading to possible consequential damage to its health which would be contrary to Taunton Deane Local Plan retained Policy EN6.

13. The approved noise barriers shall be completed prior to the occupation of any adjacent dwellings hereby approved and shall thereafter be maintained in accordance with those approved details.

Reason: In order to avoid unacceptable levels of noise pollution for future residents of the site in accordance with the World Health Organisation guidance and the requirements of Taunton Deane Core Strategy policy DM1.

14. The children's play areas shall be equipped and constructed in accordance with details that shall first be submitted to and approved in writing by the Local Planning Authority. Those details shall be in accordance with the submitted details and shall thereafter be maintained as such unless a variation is first agreed in writing by the Local Planning Authority.

Reason: To ensure that adequate and equipped children's play areas are provided on the site in accordance with Taunton Deane Local Plan Policy C4 and Taunton Deane Borough Councils standards for children's play areas as incorporated in to the Section 106 agreement for the site.

15. Other than the Capland stone or similar materials to be used on plots 5, 7 and 33 and the proposed mortar for the site, only those materials specified in the materials key plan ACH5691 - 706 rev B and 806 - 1 rev B shall be used in carrying out the development hereby permitted unless otherwise agreed in writing with the Local Planning Authority. In respect of the Capland stone or similar materials no development, shall begin on the external walls of plots 5, 7 and 33 until a panel of the proposed stone measuring at least 1m x 1m has been built on the site and both the materials, the coursing detail and the colour and type of mortar for pointing used within the panel have been agreed in writing by the Local Planning Authority. The development shall be completed in accordance with the agreed details and thereafter maintained as such, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the character and appearance of the building in

accordance with National Planning Policy Framework Paragraph 56 and Policy DM1 of the Taunton Deane Core Strategy.

16. (i) The approved landscaping/planting schemes for phase 1, including the new hedge along the A38, shown on the submitted plans ACH5691/P300 Rev F, ACH5691/P301 Rev F, JBR2191/300G, ACH5691/P302 Rev C, ACH5691/P303 Rev L and ACH5691/P305 Rev G, ACH5691/P304 Rev H, shall be completely carried out within the first available planting season from the date of commencement of the development of the relevant parcel.

(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 and shall thereafter be maintained in accordance with the approved Landscape Management Plan

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 National Planning Policy Framework Paragraph 109 and Taunton Deane Core Strategy Policy DM1.

17. Prior to the occupation of plots 1 to 4, 7 to 12 and 26 to 30 and their respective parking areas/garages, the agreed boundary wall between those areas and the employment allocated land to the south of the application site, shall be completed in accordance with plan number ACH5691 rev D and thereafter maintained as such, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenities of the future residents in accordance with Policy DM1(E) of the Taunton Deane Core Strategy and National Policy Framework Core planning principles (Para 17).

18. No structure or erection exceeding 600 mm in height shall be placed within the visibility play shown on plan number JBR2191/100F.

Reason: To preserve sight lines at a junction and in the interests of highway safety.

19. Prior to any works being undertaken to move/breach the existing hedge along Hyde Lane, to provide a footpath/cycle link, a method statement shall be submitted to and approved in writing by the Local Planning Authority. All works to move/breach the hedge shall be carried out in complete compliance with the agreed method statement.

Reason: To ensure that the proposed development does not result in unnecessary damage to the hedge and does not harm the character and appearance of the area in accordance with Policy DM1 of the Taunton Deane Core Strategy.

20. The proposed porches for the dwellings hereby permitted and the garages serving plots 89, 90, 93, 122, 264 and 266 shall be constructed prior to the occupation of the dwellings which they serve.

Reason: in the interests of the visual amenity of the area.

Notes to Applicant

PROPOSAL

The proposal is for the re-plan of a small area within parcel P2 of the reserved matters permission 48/10/0036. The proposal replaces 9 detached dwellings and a terrace of 5 dwellings (14) with 3 detached dwellings, 6 pairs of semi detached dwellings and a terrace of 5 dwellings (20)

SITE DESCRIPTION AND HISTORY

The site P2 is currently under construction. This site is located approximately mid way up the P2 parcel and extends from the middle of the site east to Hyde Lane and, running parallel, to Hyde Lane, extending down to the new estate through road.

48/05/0072 Outline Application for the proposed mixed use urban extension development comprising residential, employment, local centre, new primary school, A38 relief road, green spaces and playing fields at Monkton Heathfield. Permission granted 22/10/2008

48/10/0036 Application for approval of reserved matters of application 48/05/0072 for details of phase 1, to include 326 no. dwellings and associated highways, landscaping including public open space, and the first section of the Eastern Relief Road and roundabout on A38 Bridgwater Road, at Land off Bridgwater Road, Monkton Heathfield. Conditional approval granted 20/05/2011

48/11/0027 Application for reserved matters for the re-plan of 8 no. plots, 17-20 and 36-39, following planning application 48/10/0036 at land off Bridgwater Road, Monkton Heathfield conditional approval 16th Dec 2011 (parcel fronting the A38)

48/11/0031 Application for reserved matters for the re-plan of parcel P2 following planning application 48/10/0036 at land off Bridgwater Road, Monkton Heathfield application awaiting withdrawal following the determination of this proposal.

48/12/0022 Variation of condition nos 1 and 5 of application 48/10/0036 for

amendments to the layout and house detailing/design (in regards to parcel P1 plots 1 - 40) at land off Bridgwater Road, Monkton Heathfield under consideration (parcel fronting the A38).

48/13/0004 Variation of condition number 1 (approved plans) and condition number 5 (approved layout) of application number 48/10/0036, (phase 1 residential development of 327 dwellings, associated highways, landscaping, relief road and roundabout) at land off Bridgwater Road, West Monkton.

Consultees

SCC - TRANSPORT DEVELOPMENT GROUP - No objection -

Having assessed the submitted plans the proposed amendments will not have a detrimental impact on the proposed highway layout. However it is noted that the amended plan has proposed tandem parking for each residential unit. The applicant should note that these will need to be a minimum length 10.5m.

WEST MONKTON PARISH COUNCIL - The floor plans show that these properties will be very small, and the Parish Council wants to ensure that there is no clustering of social and affordable housing in this area. The principles established with TD Housing should continue to be observed, namely small clusters of no more than 12 social and affordable houses in any one area. Otherwise there is potential for ghetto areas to develop.

DRAINAGE ENGINEER - no response

LEISURE DEVELOPMENT MANAGER - The public open space provision should not be reduced by this application. Any increase in dwelling numbers should have additional children's play and public open space provision within the development proposal.

SCC - CHIEF EDUCATION OFFICER - no response

WOODLAND TRUST - no response

ENVIRONMENT AGENCY - no response

SOMERSET DRAINAGE BOARDS CONSORTIUM - no response

RUISHTON & THORNFALCON PARISH COUNCIL - no response

HOUSING ENABLING - The affordable housing provision should remain as 35% of the total dwellings as affordable housing for each phase. The affordable housing tenure split should remain 50% social rent and 50% shared ownership. Notice should be taken to ensure there are clusters of no more than 16 social rented unit together in line with the unilateral undertaking.

The affordable housing scheme must be submitted to and approved in writing by the Housing Enabling Lead at Taunton Deane Borough Council.

The developer should seek to provide the Housing Association tied units from Taunton Deane's preferred affordable housing development partners list

Representations

2 petitions have been received from local residents in Brittons Ash and Bridgwater Road with a total of 32 signatures and 5 letters of objection have been received raising the following issues:

- The original permission was considerate to existing residents but the proposed changes going from 29 to 46 dwellings in a small area will be overbearing and out of character with the area
- The approved design code allocates this area for low density but the various re-plans have led to an incremental increase in density
- The proposed dwellings are of a uniform and poor design
- No open space is provided in parcel P2 and there is a general lack of landscaping
- The proposed increase in numbers will result in an overdevelopment of the area
- We have accepted the loss of our rural surroundings and the permitted development (even though it reduces the value of our house) due to the need for homes to be built however, the increased number of dwellings now proposed will have a detrimental impact on our view and the character of the area
- The original plans were sensitive to the local residents but these proposals fly in the face of the previous scheme
- What is the point of consultation if approved plans are altered so frequently and in this case at such a late stage
- The 2 bed-roomed terrace dwellings will stick out like a sore thumb and there is a danger that such properties will be used for buy to let often without the degree of maintenance and care for the upkeep of the property usually associated with larger dwellings
- Brittons Ash is a rural area with lovely hedges and wildlife but this has not been considered in these proposals as they result in a loss of open space and gardens
- Currently Brittons Ash floods in heavy rain and placing more dwellings so close will make matters worse
- The application does not include a design and access statement
- The proposal represents overdevelopment as it results in a material increase in the number of dwellings on the site
- The proposal does not reflect the existing local street pattern and in particular the scale and proportions of the surrounding buildings and dwellings
- The proposed dwellings will be visually overbearing in the street scene
- The blocks of 2 bed roomed houses will look out of character with the area and the long rows of parking areas will look unsightly
- The parking bays look too small making them difficult to use and some of them are in tandem which is inconvenient for users
- The density of the proposed development is likely to result in unacceptable

- levels of noise, disturbance and nuisance to existing residents of Brittons Ash
- Brittons Ash properties are characterised by larger dwellings, predominantly bungalows on substantial plots with space between them, none of the proposed dwellings reflect that character and the proposed layout would be cramming
- Materials should blend in with the local character of the area
- The developer would appear to provide the larger dwellings with more space on the edges of their development and on this type they should be reminded that Brittons Ash is on the edge and development should be treated accordingly.
- Due to the cramming of dwellings on the site there is little space left for landscaping and results in a loss of valuable green open space.
- No space has been left for planting along the boundary with Brittons Ash
- Does the layout allow for minimum distances to existing hedgerows?
- Space should be left, adjacent to Brittons Ash garage to allow for access to maintain the roadside ditch(plot 270) which has not been maintained for some time
- Normally the boundaries of development would allow for wildlife corridors for nature conservation purposes
- A maintenance strip should be provided to the south of the existing hedge to allow for its maintenance
- Landscaping plans are poor with a general lack of planting
- The re-plan results in a high density development which is not integrated properly with the existing low density bungalows and houses
- The new development will result in increased use “footfall” in the area and greater attention should be paid to the street scene
- This area of the development has a high number of affordable homes permitted, further increases in density could result in a problem area due to the lack of space
- The permitted development already results in a loss of privacy for existing residents in the area and we require a good standard of layout and design to ensure that adequate privacy is maintained for both the existing and future residents the proposals would have a dominant impact on existing residents and dwellings should be orientated away from existing dwellings with obscure glazed windows used to protect that privacy
- The level of development and parking arrangements are likely to result in residents parking in Brittons Ash and measures are required to ensure improved pedestrian and cyclist safety
- The developers have already released for sale some of these proposed dwellings WITHOUT PLANNING PERMISSION and hope that this is not used to pressure the Council to let them proceed

The above representations have been made in regard to 2 applications that were submitted at the same time 48/13/0057 current application.

48/13/0072 proposal for the replacement of 18 dwellings by 29 dwellings, including a change in house types from 14 detached dwellings and a terrace of 4 in the previous permission to 5 detached dwellings, 5 pairs of semi detached dwellings and 4 terraces of three dwellings for the amended plan on land located to the north of parcel P2 immediately adjacent to Brittons Ash and opposite to the existing dwellings lying to the north of that road. Following representations made by the Parish Council and Local residents and negotiations by the LPA the developer has agreed to withdraw the later application 48/13/0072 and has amended the current

proposal to include some garages and gates to improve the street scene at the junction with the main N-S estate road and fronting onto Hyde Lane.

PLANNING POLICIES

SS1 - TD CORE STRATEGY MONKTON HEATHFIELD,
T1 - TDBCLP - Extent of Taunton (HISTORIC),
T8 - TDBCLP - Monkton Heathfield (HISTORIC),
T9 - TDBCLP Mixed-use Dev (HISTORIC),

LOCAL FINANCE CONSIDERATIONS

The development of this site would result in payment to the Council of the New Homes Bonus.

1 Year Payment

Taunton Deane Borough Council (Lower Tier Authority)	£21,581
Somerset County Council (Upper Tier Authority)	£5,395

6 Year Payment

Taunton Deane Borough Council (Lower Tier Authority)	£129,488
Somerset County Council (Upper Tier Authority)	£32,372

The Council note the new homes bonus payable for this development but it is considered of little material weight in this case.

DETERMINING ISSUES AND CONSIDERATIONS

Density

Reserved matters approval for phase 1 of the allocated site (325 dwellings) was granted permission in May 2011. Since that permission there have been 15 applications submitted for amendments 6 of which have resulted in alterations to the number of dwellings. Currently these amendments have resulted in an increase in the total number of dwellings from 325 to 340 (plus an additional 5 if this application is approved). As the affordable housing, education and open space contributions are all based on the number of dwellings built on the site, changes to the number does not have a detrimental impact on the provision of facilities. The main consideration for such proposals is to insure that they continue to create a quality urban environment which does not have a detrimental impact on the amenity of local residents or the character of the area. Development proposals are assessed against the character of the existing development in the area, guidance contained within the Borough produced Design Guide and the Design Code approved in association with the reserved matters approval. The Design Code identifies this area for development as a low density area with increasing density to the north in later phases. There has been increasing concern regarding the rise in the number of dwellings in this area given that it is identified as a low density area. As a result the developer has

withdrawn the application for a further increase in the number of dwellings to the north of this parcel of land (P2) and has been advised that future applications for increased numbers were likely to be contrary to the approved Design Guide. Discussions have commenced regarding the submission of reserved matters for the remainder of the allocated site and this should enable the delivery of a higher density of dwellings as originally outlined in that Design Code

Design

This application proposes a change to the mix of house types and results in an increase in the number of dwellings in this part of the site. Initial concerns over the impact of the alterations to the street scene, in particular as a result of the larger parking areas, have been reduced by the provision of a garage and gates to the side 263 and 264 which are located in a visually prominent location on the corner of the main estate road running N-S through this parcel (P2).

Whilst the proposed dwellings are standard house types used by the house builders the materials and designs have been chosen (or altered if necessary) to fit into the traditional vernacular design of the area wherever possible. In this case the proposed dwellings have a simple design and form in keeping with existing vernacular dwellings of a similar size. Generally the materials, brick or render for the walls with reconstituted slate or tiled roofing materials, are in keeping with the local area except for the proposed use of reconstituted stone which is not considered to be of an appropriate character to reflect the local stone. In this case an amended material schedule is awaited deleting that material from the proposal. The local stone is available and has been suggested as an alternative to the developer albeit a relatively more expensive material to use.

Parking

The proposal includes 2 car parking spaces (in some cases this includes a garage) for each of the dwellings. These spaces are provided one behind the other and are located at the side or rear of the dwelling which they serve. This does result in the formation of 2 parking areas which are three parking spaces wide. This results in a wider gap between dwellings and can lead to an over dominance of cars in the street scene. In this case, I consider that the incorporation of a garage for plot 264, on the corner of the two estate roads, and gates to the front of the parking area serving plots 262 and 263 reduces the impact of the larger parking area to an acceptable degree and provided there is a suitable finished treatment for the parking and side garden area for plot 265 I consider that the proposed parking is acceptable in the circumstances.

Landscaping

In order to create a semi-rural character for this part of the development hedging is proposed for the front boundary treatment for the dwellings and that theme has been continued for this scheme. The dwellings fronting onto Hyde Lane continue to be set well back from the boundary hedge with an access road constructed between the two. In order to retain the soft street appearance along Hyde Lane additional planting, including trees, is to be undertaken between the access road and the existing hedge.

West Monkton Parish Council and Local residents have raised a number of concerns regarding the two latest proposals for changes to the numbers, mix of house types and layout of dwellings in phase 2. In particular they are concerned about the nature of the development fronting existing residential properties and the impact that has on the amenity of residents and character of the scheme. In response the developer has withdrawn the proposed amendment affecting the northern part of the parcel (introducing the larger number of new dwellings) and made amendments to the current proposals to overcome the more serious concerns. I now consider that this proposal is acceptable.

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

CONTACT OFFICER: Mrs J Moore Tel: 01823 356467

48/13/0083

MR & MRS N CAVILL

ERECTION OF TWO STOREY EXTENSION TO SIDE AND REPLACEMENT PORCH TO FRONT OF 2 HILL FARM COTTAGES, WEST MONKTON (RESUBMISSION OF 48/13/0051)

Location: HILL FARM WEST, 2 HILL FARM COTTAGES, YALWAY ROAD,
WEST MONKTON, TAUNTON, TA2 8LW

Grid Reference: 325221.129167 Full Planning Permission

RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval

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 01 Location Plan
(A4) DrNo 02 Site Plan
(A3) DrNo 10 Rev B Site Plan
(A1) DrNo 13 Proposed Plans and Elevations

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

3. (i) The landscaping/planting scheme shown on the submitted plan 1316 10B 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.

Reason: To ensure that the proposed development does not harm the

character and appearance of the area in accordance with Policy DM1 of the Taunton Deane Core Strategy.

Notes to Applicant

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way and has imposed planning conditions to enable the grant of planning permission.

PROPOSAL

The property is a brick and tile semi-detached cottage, attached to a property of almost identical design. The cottages lie end on to the country lane in a remote rural location, with No.1 being positioned closest to the lane. No.2 has formerly had a garage located against the road to the south of the garden of No.1, which has recently been removed.

A planning application has recently been permitted for the creation of the access on the site of the former garage, change of use of agricultural land to residential to create the driveway to the south and west and for the erection of a garage.

Last year a planning application was refused for a porch to the front and a two storey extension to the side due to the dominating and detrimental impact, which unbalances the appearance of the semi-detached properties. This application is now the resubmission, which seeks planning permission for a two storey extension which has been reduced in length by 450mm, reduced in width by 400mm resulting in a set back from the front of 500mm and a marginally lower ridge level, with various alterations to the fenestration. This would provide a large sitting room with a bedroom and roofed balcony area above. It would be of a contemporary design incorporating horizontal cedar boarding with large elements of glazing, yet of a tiled roof to match the existing. The proposed porch is as per the design shown on the previous application, being larger than that it would replace with a low brick wall, glazing above and a tile roof.

This application comes before committee as the applicant is a Councillor and it is recommended that planning permission be granted.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

WEST MONKTON PARISH COUNCIL - The resubmission of these plans makes the extension subservient to the original build. It is now clear that the nature and character of the original build is dominant to the extension. The materials are in keeping with the buildings and the surroundings. We therefore fully support this application.

LANDSCAPE - Subject to detailed landscape proposals, the scheme should have

an acceptable landscape impact.

SCC - TRANSPORT DEVELOPMENT GROUP - No observations

Representations

None received at the time of writing

PLANNING POLICIES

DM1 - TD CORE STRATEGY - GENERAL REQUIREMENTS,
CP8 - CP 8 ENVIRONMENT,
H17 - TDBCLP - Extensions to Dwellings,

DETERMINING ISSUES AND CONSIDERATIONS

The proposed porch is significantly larger than the current porch, particularly in depth. It has been designed in matching brick, with an appropriate gabled roof style to reflect that of the existing dwelling and the porch to the front of the adjoining property. Although substantial, it is not considered to appear excessively dominating to the detriment of the traditional appearance of the cottage.

The proposed side extension is clearly differentiated from the existing in a contemporary style, although it's design does reflect the gabled roof and materials of the existing property. Concerns were raised on the original application regarding the dominating impact of the large extension, however this application now shows a revised design to reduce the length and width of the extension, which results in a set back from the front and a consequently lower ridge level. As such, the extension is now considered to appear sufficiently subservient.

It is usual for materials to match the existing, however in this instance, the design of the extension would be a clear contrast to the style of the traditional cottage. The use of cedar cladding and large elements of glazing would introduce a contemporary element to the scheme. Although this is not an ideal solution to extending a brick built traditional cottage, the cedar boarding is considered to compliment the appearance of the brick. It is acknowledged that the extension is large, however, as a result of the set back from the front and lower ridge level, combined with the contrasting timber cladding, it is considered to appear sufficiently subservient so as not to dominate the existing cottage, or unbalance the appearance of the pair of semi-detached properties, to an unacceptable level. The resulting property would be considerably larger than the current situation and whilst the extensions would change the character, it is not considered to cause excessive harm to the appearance of the dwelling.

The two-storey extension would lie to the west side of the dwelling, away from the road and the roadside boundary is a reasonably well established hedge. It would not therefore appear clearly visible from public viewpoint. Whilst there will be some glimpses of the extension, particularly the roof on the approach from the south and through the access point, the revised design now avoids a long unbroken ridgeline and is not deemed dominating. The adjacent land to the north and west lies on a higher level and the existing high hedge to the north, along with the proposed

hedge/trees to the west would assist in screening it from wider views. Whilst the landscape officer has requested detailed landscape proposals, the indigenous hedge proposed and additional trees to be planted is considered suitable. As such, the proposal is not considered to cause excessive harm to the rural character of the countryside.

The porch would lie to the front, set well within the plot, away from the boundary with the adjacent dwelling. The two storey side extension is situated some distance from the neighbouring property, screened by the existing property. Whilst the proposal would incorporate a balcony, this is on the western side and would not protrude to the front or rear. It is not therefore deemed to allow clear views of the amenity space of the adjacent property. As such, the scheme is not considered to result in any increased impact upon the amenities of the adjoining property and due to the countryside location, there are no other nearby neighbours to be affected.

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

CONTACT OFFICER: Mrs K Walker Tel: 01823 356468

E/0100/49/13

**UNAUTHORISED SUBDIVISION OF RESIDENTIAL PROPERTY AT WIVEY VIEW,
WHITEFIELD ROCKS, WIVELISCOMBE**

OCCUPIER:

OWNER: MR & MRS COCKING
WIVEY VIEW, WHITEFIELD ROCKS, WIVELISCOMBE
TAUNTON
TA4 2UP

PURPOSE OF REPORT

To consider whether it is expedient to serve an Enforcement Notice requiring the return of the building to one single dwelling following the refusal of Planning permission for subdivision to two dwellings.

RECOMMENDATION

The Solicitor to the Council be authorised to serve an Enforcement Notice and take prosecution action should the notice not be complied with, to secure the cessation of the building as two separate units and return the building to comply with the floor plan submitted with the 2011 certificate of lawfulness application.

The Enforcement Notice shall require:-

- to secure the cessation of the building as two separate dwellings and return the building to comply with the previous layout (plan to be attached).

Time for compliance: 1 month from the date the notice comes into effect.

SITE DESCRIPTION

The site is in open countryside to the north of Langley Marsh and the dwelling is a converted barn. There is a further building to the west that was a dog kennel which has recently been formed into a dwelling without planning permission which is subject to a separate enforcement investigation. The surrounding land uses are mainly agricultural.

BACKGROUND

The complaint was brought to the attention of the Enforcement section in June 2013. A site visit was carried out and the owner was advised of the need for Planning permission should she wish to retain the sub division of the dwelling. A planning application was received in September 2013 and subsequently refused in November 2013.

DESCRIPTION OF BREACH OF PLANNING CONTROL

The formation of a dwelling through the subdivision of an existing dwelling is development.

RELEVANT PLANNING HISTORY

Permission to convert the building to a dwelling in 1990 was refused and an appeal was dismissed. A further application in 2003 was refused to convert the building to a dwelling, but permission was granted later in 2003 to convert it to holiday accommodation.

In 2008, an application was refused to remove the holiday occupancy condition and a subsequent appeal in 2009 was dismissed. The Inspector found that this was not a suitable location for a permanent dwelling, and also that the development would result in the creation of a domestic curtilage that would have an unacceptable impact on the visual appearance of the area.

In 2011, a Certificate of Lawful Use was applied for and issued confirming that the building had been occupied as a permanent dwelling for more than four years despite the previous planning history. A floor plan was included with the documentation showing the building as one dwelling.

Application 49/13/0046 retrospectively sought permission to subdivide the building into two separate dwellings. The application was refused on the basis that the proposal would result in the creation of a new unit of permanent residential accommodation in the open countryside, the cumulative impact of which would result in an increase in the need to travel by private car in order for the occupants to meet most of their day to day needs. The proposal, therefore, represented unsustainable development in transport terms and was considered to be contrary to Policies CP8 and DM2 of the Taunton Deane Core Strategy.

RELEVANT PLANNING POLICES

National Planning Policy Framework

Enforcement (paragraph 207)

Taunton Deane Borough Council Core Strategy

DM2 - Development in the Countryside

CP8 - Environment

DETERMINING ISSUES AND CONSIDERATIONS

In assessing the previous application, it was considered that the main issues were the principle of the development and highways.

Principle of development

The site is in the open countryside, detached from any recognisable settlement. The hamlet of Whitefield is some distance to the south, but this comprises only a handful of houses and it too, in planning policy terms, would be considered as open countryside.

In locations such as this, policies CP8 and DM2 of the Taunton Deane Core Strategy seek to restrict new residential development. New dwellings in such locations are considered to be unsustainable in transport terms due to the reliance on the private car for most (if not all) of the occupant's day to day needs.

The proposal is, therefore, considered to be contrary to well established settlement policies and your officers do not consider that there are any material considerations that can outweigh this conflict.

Highways

The proposed dwelling would be served via the existing access which already serves the single dwelling that exists on this site. The Highway Authority advice about required visibility splays are dependent on actual vehicle speeds in the locality. Having visited the site, it is considered that vehicle speeds along the lane are likely to be in the region of 30mph, and certainly no greater than 40mph due to the poor horizontal and vertical alignment at this point. Visibility of almost 100m appears to be achievable provided that the hedge was trimmed back along site frontage and this is adequate for the likely speed of traffic.

The Somerset Parking Strategy requires the provision of 5.5 spaces for this development. The previous application identified space for 3, resulting in an objection from the highway authority. However, the parking area is some distance from the public highway and there is other, less formal, space in and around the site. The purpose of ensuring that adequate parking is identified is considered to be to ensure that there is sufficient space to park and vehicles do not park or manoeuvre on the public highway. Taking account of the site layout in real terms and the characteristics of the highway in this location, it is considered that any users of the site would find space to park and turn. The lack of demonstrable parking space, therefore, was not considered to warrant refusal of the previous application and should not, therefore, be a reason to serve an enforcement notice in this instance.

Other matters

Given the established lawful use of the building as a single dwelling, it is not considered that has been an adverse impact on other nearby property or the visual amenities of the immediate rural area.

Conclusions

The site is in the open countryside where there is a strong presumption against new residential development. The development conflicts with established planning policies that seek to prevent such development and as such it is considered to be unacceptable. Planning permission has recently been refused for this development. It is, therefore, recommended that an Enforcement Notice is served.

In preparing this report the Enforcement Officer has considered fully the Implications and requirements of the Human Rights Act 1998

PLANNING OFFICER: Mr M Bale
PLANNING ENFORCEMENT OFFICER: Mrs A Dunford

CONTACT OFFICER: Mrs A Dunford, Telephone 01823 356479

E/0349/49/07

UNAUTHORISED UPVc WINDOWS INSTALLED AT WOODVALE, CROFORD HILL, WIVELISCOMBE.

OCCUPIER:

OWNER: MRS LAWSON-PIGOTT (Dec'd)
WOODVALE, CROFORD HILL, WIVELISCOMBE
TAUNTON
TA4 2TW

PURPOSE OF REPORT

To request authorisation to serve a Listed Building Enforcement Notice in respect of unauthorised UPVc windows at Woodvale, Croford Hill, Wiveliscombe. The Planning Committee may recall this case being brought to them in March 2008 when the decision taken at that time was to defer serving the Notice due to the owner/occupier's personal circumstances at that time. The case is now before you as the then owner has died and the property is under offer of sale.

RECOMMENDATION

The Solicitor to the Council be authorised to serve a Listed Building Enforcement Notice and take Prosecution Action subject to sufficient evidence being obtained that the Notice is not complied with.

The Enforcement Notice shall require:-

- The removal of the unauthorised UPVc windows and their replacement with single glazed timber windows with side hung casements and top hung fanlights over.
- Time for compliance:- 6 months from the date of completion of the sale of the property.

SITE DESCRIPTION

The site is off Croford Hill, Croford which is on the outskirts of Wiveliscombe. Woodvale is a two storey early 19th Century dwelling. It is rendered with raised quoins under a tiled roof.

BACKGROUND

The windows were first brought to the Council's attention in November 2007. A site visit was made and the owner decided to submit an application for the retention of the UPVc windows and this was received in December 2007. The application was subsequently refused under delegated powers on 29th February 2008. A report was taken to The Planning Committee on 26 March 2008 with a recommendation to serve a Listed Building Enforcement Notice but due to the then owner/occupier's

personal circumstances, members considered that it was not appropriate to serve the Notice at that time. The Planning Committee approved the recommendation and resolved that the situation be reviewed in five years time or the Notice served when the current occupier vacated the property, whichever was the sooner. (The case, along with other Enforcement matters, have since been reviewed on a monthly basis)

DESCRIPTION OF BREACH OF PLANNING CONTROL

The installation of unauthorised UPVc windows in a Grade II Listed Building known as Woodvale, Croford Hill, Wiveliscombe.

RELEVANT PLANNING HISTORY

This site does not have any other applications other than the one submitted in January 2008 for the retention of the UPVc windows which was subsequently refused in February 2008.

RELEVANT PLANNING POLICES

National Policy, Guidance or Legislation

NPPF - Section 12

Taunton Deane Core Strategy 2011-2028

Policy CP8 (Environment)

DETERMINING ISSUES AND CONSIDERATIONS

The appearance, materials and detailing of the replacement windows are detrimental to the character of this Grade II statutory Listed Building contrary to Section 16 of The Planning (Listed Buildings and Conservation Areas) Act 1990, Section 12 of the National Planning Policy Framework and Policy CP8 of the Taunton Deane Core Strategy.

As noted above the approved enforcement action has to date been delayed due to the personal circumstances of the owner at the time. As the property is now up for sale it is considered expedient to serve the notice in order that all parties are aware of the unauthorised works and the need to rectify them.

In preparing this report the Enforcement Officer has considered fully the Implications and requirements of the Human Rights Act 1998

PLANNING OFFICER: Ms D Hartnell
PLANNING ENFORCEMENT OFFICER: Mrs A Dunford

CONTACT OFFICER: Mrs A Dunford, Telephone 01823 356479

E/0160/38/12

UNAUTHORISED SIGNAGE AT THE FORMER WESTGATE INN, 1 WESTGATE STREET, TAUNTON

OCCUPIER:

OWNER: MR A HORUN & MR H ALI
WESTGATE INN, 1 WESTGATE STREET, TAUNTON
TA1 4EX

PURPOSE OF REPORT

To consider whether it is expedient to take Prosecution action over an illuminated sign on North elevation.

RECOMMENDATION

No further action.

SITE DESCRIPTION

The site is on the corner of Westgate Street and Shuttern on the South west side of the Town centre. The property is in use as an Indian Restaurant with accommodation over. Previously the property was in use as a public house. The sign is on the front elevation in a prominent position, opposite Cann Street. The sign is illuminated.

BACKGROUND

The sign was brought to the Council's attention following a site visit by the Planning Officer when she advised the owners that advert consent was required should they wish to retain the sign. An application was submitted to retain two signs and a split decision was issued which granted consent for the advert on the side elevation but refused consent for the larger sign on the front elevation.

Following this the applicant appealed against the refusal element of the decision but the Inspector agreed with the Council's original assessment and dismissed the appeal.

At the Planning Committee on 16th October 2013, Members gave authorisation for the Solicitor to the Council to commence Prosecution action for the unauthorised display of an internally illuminated advertisement.

The sign was removed and replaced with another illuminated sign which is also unauthorised. The owner has submitted an application to retain this new illuminated sign but the application is invalid.

DESCRIPTION OF BREACH OF DEVELOPMENT CONTROL

The sign is on the front elevation in a prominent position, opposite Cann Street. The sign measures 1.6m x 1.8m x 50mm and is at first floor level, between two windows. Due to its location, the advertisement requires express consent.

RELEVANT PLANNING HISTORY

38/12/0145 -External Alterations - Conditionally approved 25 June 2012

38/12/0411A - Display of 1 internally illuminated sign and 1 fascia sign - Split decision 13 March 2013 - Appeal dismissed

RELEVANT PLANNING POLICES

National Planning Policy Framework

Paragraph 67

Taunton Deane Local Plan 2004

EC26 – Outdoor Advertisements and Signs

DETERMINING ISSUES AND CONSIDERATIONS

The sign has been reduced in size to reflect the proportions of the first floor windows and the sign is no longer considered to significantly affect the visual amenities of the area.

An advertisement consent application is in the process of being submitted.

In light of the above I do not consider that any further action should be taken over the unauthorised sign.

In preparing this report the Enforcement Officer has considered fully the Implications and requirements of the Human Rights Act 1998

PLANNING OFFICER: Ms F Wadsley
PLANNING ENFORCEMENT OFFICER: Mrs A Dunford

CONTACT OFFICER: Mrs A Dunford, Telephone 01823 356479

E/0004/38/13

UNAUTHORISED SECURITY SHUTTER AND ILLUMINATED FASCIA SIGN AT 60
BRIDGE STREET, TAUNTON

OCCUPIER: MR A ULGUT

OWNER: MR VICKERY
3 BROADLANDS WAY, TAUNTON, TA1 4HJ

PURPOSE OF REPORT

To consider whether it is expedient to serve an Enforcement Notice requiring the removal of the external security shutter and to take Prosecution action over the illumination to the fascia sign.

RECOMMENDATION

No further action

SITE DESCRIPTION

The site is in Bridge Street which is the main road that leads into the town centre and is north of the river Tone. The premises is a three storey brick building with the shop at ground level. The rear access is onto Black Horse Lane. The upper floors of the building are residential use.

BACKGROUND

The original complaint was brought to the Council's attention in December 2012. Contact was made with the owner and he was advised that both Planning permission and Advert consent was required. Both applications were submitted but did not contain all the relevant documents in order to register them as valid applications. Despite contacting the owner for the missing documents they were not forthcoming and both applications have been returned as they were invalid and not capable of being determined.

A report was prepared and the Planning Committee authorised the serving of an enforcement notice to secure the removal of the security shutter and take prosecution action over the illuminated fascia sign and two other signs attached to the shop front.

The two signs attached to the stall-riser on the shopfront have been removed and the trough light above the main fascia sign has been altered so that it does not project as much as previously.

The security shutter has been removed and replaced with a different style with and open mesh. Despite advising the owner/occupier that the new shutter and illumination required permission no application has been forthcoming.

DESCRIPTION OF BREACH OF DEVELOPMENT CONTROL

Under The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2010 Part 42 Class A.1.(i) the development would involve the installation or replacement of a security grill or shutter on a shop front requires permission. Also under The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 consent is required for the illumination of the fascia.

RELEVANT PLANNING HISTORY

The following applications have been applied for.

38/11/0271- ALTERATIONS TO SHOP FRONTAGE, REFURBISHMENT OF 1ST AND 2ND FLOOR MAISONETTE, AND CHANGE OF USE OF TWO STOREY EXTENSION TO THE REAR FROM STORES WITH FLAT ABOVE, TO FORM 2 SEPARATE FLATS AT 60 BRIDGE STREET, TAUNTON - WITHDRAWN

38/12/0103- ALTERATIONS TO SHOP FRONTAGE, REFURBISHMENT OF 1ST AND 2ND FLOOR MAISONETTE AND CHANGE OF USE AND ALTERATION OF TWO STOREY EXTENSION TO THE REAR FROM STORES WITH FLAT ABOVE, TO FORM 2 SEPARATE FLATS AT 60 BRIDGE STREET, TAUNTON (RETENTION OF PART WORKS ALREADY UNDERTAKEN) (RESUBMISSION OF 38/11/0271) - CONDITIONAL APPROVAL 29/05/12

RELEVANT PLANNING POLICY

National Policy, Guidance or Legislation

NPPF - paragraph 207

Taunton Deane Core Strategy 2011-2028

Policy DM1 (General Requirements)

Taunton Deane Local Plan 2004

EC17 – Shopfront Security (retained policy)

EC26 – Outdoor Advertisements and signs (retained policy)

DETERMINING ISSUES AND CONSIDERATIONS

The works carried out to the shopfront include a new external security shutter that is galvanised and open mesh grille and is enclosed within a shutter housing box. The new fascia sign is illuminated by means of a trough light that is white, attached to the brick of the elevation.

These external alterations are not considered to detract from the appearance and amenity of the building and street scene.

The shutter is a form of open mesh grille that projects right across the shopfront and when in the closed position the inside of the shop can be seen through it. It is accepted that shop owners may want to protect their premises when closed and the Authority has allowed a number of similar shutters in the area. This new shutter is not considered to detract from the street scene in this location and so therefore

complies with policy EC17 of the retained Local Plan which allows shutters where (A) they do not detract from any architectural features and are not detrimental to the street scene; and (B) they are designed and finished in a way which minimises their visual impact and is compatible with the shop front. The shutter also complies with Policy DM1d of the Core Strategy which seeks to prevent unacceptable harm to the appearance and character of any affected building or street scene.

The revised means of illumination of the fascia sign is considered to be acceptable with the appearance of the elevation and street and does not detract from the visual amenity of the street scene in accordance with the retained Local Plan policy EC26(A).

It is considered that a satisfactory means of security to the shopfront and providing an illuminated sign has now been achieved. Therefore it is considered that no further enforcement action is necessary.

In preparing this report the Enforcement Officer has considered fully the Implications and requirements of the Human Rights Act 1998

PLANNING OFFICER: Mr G Clifford
PLANNING ENFORCEMENT OFFICER: Mrs A Dunford

CONTACT OFFICER: Mrs A Dunford, Telephone 01823 356479

E/0154/24/12

ALLEGED UNTIDY SITE AT 12 TOWN CLOSE, NORTH CURRY

OCCUPIER:

OWNER: MR HUNT
12 TOWN CLOSE, NORTH CURRY, TAUNTON
TA3 6LZ

PURPOSE OF REPORT

To consider whether it is expedient to serve a notice under Section 215 of the Town and Country Planning Act 1990 requiring the rear garden of 12 Town Close, North Curry Taunton to be cleared of items as listed below considered to cause injury to the visual amenities.

RECOMMENDATION

It is considered that the amount of items stored on the land does not constitute injury to the visual amenities of the neighbouring property and as such the service of a notice under s215 would not be expedient.

SITE DESCRIPTION

12 Town Close, North Curry is a small development built by the Local Authority. It comprises mainly of semi and terraced properties fronting onto a small cul de sac accessed from Windmill Hill. The properties have front and rear gardens some with parking. Two other parking areas are provided within the development. Many of the properties are now owner occupied, Number 12 being one. The slightly unusual rear garden configuration of number 12 has lead to the situation being more noticeable by more properties than would normally be the case. This is due to the garden wrapping around the neighbours garden and being adjacent to the rear garden of No 5 Chapel Close, a relatively new development.

BACKGROUND

Complaints have been received about possible unauthorised activities at the property as far back as 2007. The owner started to construct a building in the garden to store some of the items and enquired how big the building could be without the need for planning permission. The building proposed was within the size criteria at the time so was 'permitted development'. In 2012 a complaint was received that the rear garden was very untidy and was affecting the neighbouring properties. A visit was made some time later where it was found that although the rear garden contained many items it appeared tidier than on previous visits. The owner showed me the area adjacent to Chapel Close and insisted that everything stored had a use. He still intends to complete the construction of the building which he originally enquired about. A subsequent visit was made to the neighbouring property to assess the impact of the items stored in the rear garden on that property. The owner confirmed that although noticeable above the fence they did not have a problem with the condition of the garden. I was shown the view of the garden from the upstairs windows of No 11. I took a photo which shows the way the garden of 12 Town Close surrounds the garden of number 11 and the open fields beyond.

DESCRIPTION OF BREACH OF PLANNING CONTROL

It would appear that the garden has never been used for any other purpose than for domestic use. All the items stored are considered to be in connection with the domestic use of the property. Therefore no enforcement action can be taken for a change of use.

If it appears to the Local Planning Authority that the amenity of part of their area, or of an adjoining area, is adversely affected by the condition of land in their area, they may serve on the owner and occupier of the land a notice under section 215 of the Town and Country Planning Act 1990.

Various factors have to be taken into account when assessing if a Section 215 notice is appropriate.

- Does the condition of the land affect members of the public
- Is the land viewed from a public vantage point.
- Is the way items stored on the land for private use have an affect on the quality of the neighbours amenities.

One also has to take into account that not everyone keeps their property in a tidy condition and therefore peoples perception of what is tidy and what is not is vastly different.

There are a number of items stored that could be positioned less obtrusively but the owner knows what he has on the land and can readily access the items required. There is a degree of order in the dis - order.

If the land was tidied the appearance may still have an affect on the neighbouring properties due to their close proximity and overlooking.

RELEVANT PLANNING HISTORY

None

RELEVANT PLANNING POLICES

National Planning Policy Framework

Enforcement (Paragraph 207)

DETERMINING ISSUES AND CONSIDERATIONS

The main issue for consideration is the impact on amenity of the area and on the public. The rear garden is 'L'-shaped and abuts 3 adjacent properties. The back of the garden that is fenced is also visible from two public rights of way, one to the north and one to the south.

There are two large timber posts and a bracing timber with tarpaulin over within the garden that are visible from a distance from the public rights of way. The impact of this is not considered harmful to the amenity of the area in general, given its location within a private garden. The storage of domestic items within a private rear garden is not visible from public vantage points and is only visible from individual private locations. The majority of the garden storage is obscured from adjacent gardens by fencing and views are only possible from first floor windows. The impact of these very limited views is not considered sufficient an impact to significantly harm amenity.

In view of the limited amenity impact and impact on the public it is not considered expedient to take further action and serve a Section 215 notice in this instance.

In preparing this report the Enforcement Officer has considered fully the Implications and requirements of the Human Rights Act 1998

PLANNING OFFICER: Mr G Clifford

PLANNING ENFORCEMENT OFFICER: Mr J A W Hardy

CONTACT OFFICER: Mr J A W Hardy, Telephone 01823 356466

REPORT FOR THE PLANNING COMMITTEE, 30 JANUARY 2014

Objection to Tree Preservation Order TD1110, (Oake No.1) 2013, at Whitemoss, Hillcommon, TA4 1DU. The Tree Preservation Order (TPO) includes one oak tree.

RECOMMENDATION

That the Tree Preservation Order be confirmed. Management works to give clearance to the garage roof and to remove any significant dead or dangerous branches can be agreed in writing and on site.

Background

The Tree Preservation Order (TPO) was served on 13 September 2013.

The TPO was served in response to a routine enquiry from a tree surgeon who, having been asked to quote for felling the tree, contacted the Landscape Support Officer to ascertain whether the tree was protected by TPO.

Note: There are two trunks growing very close together – the TPO has been served on the basis that it is one multi-stemmed tree. However, it may be that it is two separate trees growing as one canopy.

Procedure

A Tree Preservation Order comes into force on the date that it is served for a period of 6 months. The TPO lapses after that date unless it has been confirmed by the LPA. If there are no objections to the TPO, it can be confirmed. If any objections are received, the points raised must be considered and a decision made as to whether to confirm the TPO, either with or without modification. The decision whether to confirm a TPO that raises objections is taken by members of the Planning Committee.

When deciding whether to serve and confirm a TPO, the present or future public amenity value of the trees must be considered. Tree Preservation Orders are served to protect selected trees if their removal would have a significant impact on the local environment. TPO trees should therefore be visible from a public place, such as a road or footpath.

In assessing a tree's amenity value, consideration must be paid to its visual impact, its health and structural integrity, its life expectancy and its suitability to the location. The tree's potential impact on highways, services and structures should be considered.

Note: In considering whether to confirm the Tree Preservation Order in question, the tree's suitability for TPO has been scored using the Amenity Evaluation System. The score sheet is attached to this report

Representations

The objection was received from the owner of the tree, Mr N Fillery, by email on 13 October 2013 (letter and list of questions) and subsequently discussed at a site meeting.

The reasons for objection can be summarised as follows:

- a) The tree is too close to the adjacent garage, due to the potential for direct and indirect (subsidence) damage;
- b) There are overhead wires that pass through the tree;
- c) The tree is too close to the main Hillcommon road, the house and the parking area;
- d) Crown reduction would 'butcher' the tree and destroy its natural shape;
- e) There are inaccuracies in the TPO because i) a site visit did not take place prior to the TPO being served; ii) there are two trees, not one; iii) Whitemoss is not on the edge of Hillcommon but in the middle.

Determining Issues and Considerations

The initial telephone enquiry from the tree surgeon was in respect of one oak tree. During the discussion it was established that there were no health or safety issues with the tree that could be easily detected by visual assessment.

A site visit was carried out by the Landscape Support Officer, during which the tree's amenity value was considered from the vantage of the main road and footpath. No entry to the property was made at this stage. The tree appears to be a single tree when viewed from the road. However, there is a secondary trunk immediately to the south of the main trunk that cannot be easily seen from the road.

The tree appears to be healthy. It is an English Oak, approximately 14 metres in height and of similar spread. It is growing in a metre-high hedge bank that runs north-south along the western boundary of the property. The tree is highly visible to the public from the main Hillcommon road, looking from both directions. It can also be seen from properties, lanes and footpaths to the south. The life expectancy of the tree could be in excess of 100 years. As stated in the owner's letter, the tree forms a 'magnificent picture and gives the property privacy and wind protection'.

The main reason for the objection is that the tree is close to an adjacent garage. The distance has not been measured but appears to be approximately 3 metres, although the owner suggests that it is only 2 metres from the garage. Mr Fillery has lived at Whitemoss for 21 years, and the tree is estimated to be about 50-60 years old? The age of the garage is not known by the officer, but according to the owner no damage has occurred to it thus far due to the tree.

In response to this concern, it is not inevitable that the oak's roots will directly damage the garage (the foundation depth of which is not known by the officer) in the future, bearing in mind that no damage has so far occurred. In addition, much of the rooting area of the tree will be along the hedge bank and into the adjacent field. There is no evidence of subsidence, or of the presence of clay soil with high plasticity. (It should be noted that if subsidence was an issue, removal of the tree might cause more damage to the garage due to ground heave).

In response to the other points raised in the owner's letter of objection:

- Branches can be pruned so as to give clearance to overhead wires. This work is routinely carried out by contractors for Western Power. (As Statutory Undertakers, no consent is required for this work).
- The trunk of the tree is approximately 9 metres from the road and 16 metres from the nearest house. This is not considered to be excessively close, so long as the tree is maintained in a safe condition.
- The canopy of the tree should not be a source of danger so long as the tree is regularly inspected and any significant dead, decayed or split branches are removed. (No consent is required for the removal of dead or dangerous branches).
- Tree management works, ie. crown-reduction, thinning or lifting, do not necessarily adversely affect the health or amenity value of a tree. Whether a tree is 'butchered' is down to the competence of the tree surgeon and whether the works are carried out to British Standard 3998 (2010). Trees growing in towns and villages are not growing in their natural environment and therefore some pruning works are occasionally necessary to maintain them in a reasonably safe condition, and so that they are not causing obstruction or nuisance. With respect to this oak tree an overall crown-reduction is not considered to be necessary. However, there are some low branches, touching the roof of the garage, which could be removed or shortened as necessary (subject to agreement with the Council).
- Oak trees, when pruned correctly, do not necessarily re-grow more quickly. The growth of roots is slowed after any significant pruning due to the reduction in foliage area of the tree.
- Further oaks or other trees could be planted in the hedgerow to the south in addition to the TPO tree, so that they are able to replace the TPO tree should it succumb to disease or damage at some point in the future.

Once confirmed, applications can be made to carry out work to a TPO where the merits of the proposed works can be considered against any supporting evidence. It is therefore recommended that the Tree Preservation Order be confirmed.

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

CONTACT OFFICER: Mr D Galley Tel: 01823 356493

Surveyor: DAVID GALLEY

Date: DECEMBER 2013 Weather:

Amenity Evaluation Rating For TPO's

Tree Species: OAK

Evaluation Score: 20

Grid Ref:

Address: WHITEMOES, HILLCOMMON, TAUNTON, TA4 1BU

Location: western boundary hedge bank

Typical useful life expectancy of common trees. 300+ Yew / 200-300 Oak, Sweet Chestnut, Plane, Sycamore, Lime / 200 Scots Pine, Hornbeam, Beech, Tulip Tree, Norway Maple, Lebanon Cedar / 100 - 150 Ash, Spruce, Walnut, Red Oak, Horse Chestnut, Field Maple, Monkey Puzzle, Mulberry, Pear / 70 - 100 Rowan, Whitebeam, Apple, Gean, Catalpa, Robinia, Ailanthus / 50 - 70 Poplars, Willows, Cherries, Alders, Birches.

<p>1. Size 1 V ery small 2-5m² 2 S mall 5-10m² 3 S mall 10-25² 4 Medium 25 -50m² 5 Medium 50 -100m² 6 Large 100 -200m² 7 Very large 200 m² +</p>	score	Notes	<p>6. Suitability to area -1 Unsuitable 1 Just suitable 2 Fairly suitable 3 Very suitable 4 Particularly suitable</p>	score	Notes
<p>2. Life expectancy 1 5 -15 yrs 2 15 -40 yrs 3 40 -100yrs 4 100yrs +</p>	3		<p>7. Future amenity value 0 Potential already recognised 1 Some potential 2 Medium potential 3 High potential</p>	2	
<p>3. Form -1 Trees which are of poor form 0 Trees of not very good form 1 Trees of average form 2 Trees of good form 3 Trees of especially good form</p>	2		<p>8. Tree influence On Structures -1 Significant 0 Slight 1 Insignificant</p>	0	
<p>4. Visibility 0 Trees not visible to public 1 Trees only seen with difficulty or by a very small number of people 2 Back garden trees, or trees slightly blocked by other features 3 Prominent trees in well frequented places 4 Principal features in a public area.</p>	3		<p>9. Added factors <i>If more than one factor relevant maximum score can still only be 2</i> 1 Rare 1 Screening unpleasant view 1 Relevant to the Local Plan 1 Historical association 1 Considerable wildlife value 1 Veteran tree status</p>		
<p>5. Other trees in the area 0.5 Wooded (70% = 100+ trees) 1 Many (30% = 10+ trees) 2 Some (10% = 4+trees) 3 Few (<10% = 1+trees) 4 None</p>	3		<p>10. Notes and total score Not / Reasonable for inclusion within the TPO (>15 Merits consideration)</p>	20	

<p>Justification/Expediency</p> <p><input type="checkbox"/> Human Rights Act 1998? <input type="checkbox"/> Change of ownership? <input type="checkbox"/> Development pressures? <input checked="" type="checkbox"/> Risk of felling? <input type="checkbox"/> Risk of unacceptable pruning? <input type="checkbox"/> Section 211 notification? <input type="checkbox"/> Tree Preservation Order Review? (DETR BB Chapter 4) <input type="checkbox"/> Hedgerow regulations? <input type="checkbox"/> Member of public/Committee request?</p>	Notes
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Signature Of Surveyor: David Galley

Notes Continued Overleaf Y (N)

APPEALS RECEIVED FOR COMMITTEE AGENDA – 30 JANUARY 2014

APPEAL NO	PROPOSAL	APPLICATION NUMBER
APP/D3315/A/13/2210793	CONVERSION OF STABLE BUILDING TO HOLIDAY LETTING ACCOMMODATION AT PICKET MEAD, OLDWAY LANE, HATCH BEAUCHAMP	47/13/0004
APP/D3315/D/14/2211430	ERECTION OF A SINGLE STOREY REAR EXTENSION TO 3 HEARNE BARTON, WESTWOOD, BISHOPS LYDEARD	45/13/0015

APPEAL DECISIONS FOR COMMITTEE AGENDA – 30 JANUARY 2014

APPEAL	PROPOSAL	REASON(S) FOR INITIAL DECISION	APPLICATION NUMBER	INSPECTOR'S REMARKS
APP/D3315/A/13/2200053	ERECTION OF DWELLING ON LAND AT BIBORS HILL, WATERROW (AS AMENDED)	The site is located outside of any defined settlement limits, (as set out in the Taunton Deane Core Strategy) where Development Plan Policy and guidance within the National Planning Policy Framework provides that development should be strictly controlled and provided for where consistent with the policies and proposals set out in the Plan. Waterrow is a small rural village served by few, if any services. The proposed dwelling would be remote from adequate provision of employment, education, health, retail and other such services and facilities required for day to day living. As a result the proposed development will foster growth in the need to travel by private motor vehicles due to its location and lack of accessibility to alternative sustainable modes of transport. The proposed development is	09/12/0013	The Inspector found that the development would not be harmful in terms of highway safety but would cause considerable harm in respect of its location, having regard to the principles of sustainable development, and to the character and appearance of the surrounding area. He had had regard to all other matters raised, including the appellant's desire to continue living in the village and to provide care to his parents and also noted some local support for the proposal. However, he found no material considerations sufficient to outweigh the harm he identified above. He therefore concluded that the appeal should be DISMISSED.

		<p>therefore considered to conflict with Policies STR1 and STR6 of the 2000 Somerset and Exmoor National Park Joint Structure Plan Review, Policies SP1, CP4, CP8 and DM1 of the Taunton Deane Core Strategy together with guidance contained within the National Planning Policy Framework.</p> <p>The proposed development would constitute an undesirable intrusion into a locally prominent and attractive area of open countryside to the detriment of the visual amenities of the locality. The proposals would significantly harm the character and appearance of the surrounding landscape and, therefore, conflict with Policies DM1(d) and CP8 of the Taunton Deane Core Strategy.</p> <p>Inadequate details have been provided to demonstrate that a safe means of access and egress at the site can be achieved. The proposed dwelling would be served by a substandard access virtue of its inadequate visibility splays across the site frontage. The proposal therefore presents a risk to highway safety, contrary to</p>		
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		Core Strategy Policy DM1 and Structure Plan Policy 49.		
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