

Amendment Sheet

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**05/2006/015**

WESSEX WATER no objections. The site lies in a sewered area. The developer should agree connection to the sewer. It should be noted that a private sewer crosses the site although this is not Wessex Water's responsibility

THREE ADDITIONAL LETTERS OF OBJECTION have been received raising similar issues to those summarised in the report and the following additional comments:- the owners live in Devon and therefore number 49 Smithy is being used as a business venture; as the existing premises is being let to individuals the proposal would therefore be an enlargement of this business; the sewerage system could not cope with the extra residents and already has some problems that would be exacerbated.

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**20/2006/013**

As amplified by additional supporting letter from applicants as follows:- So far as I understand it the only stumbling block on this application would appear to be the marketing of the property for a 12 month period as you are of the opinion that the survey of the local farmers in the "locality" is inadequate albeit that they are likely to be the only source of a suitable purchaser who would be able to comply with the specific wording of the tie. I have therefore sought additional opinion from a number of local estate agents. 1. Humberts - confirm that our property is beyond the scale and value normally sought by agricultural workers. 2. Stags - Maintain their view that the scale and value of the property is such that there is no market with the tie in place. They refer to their experience with The Old Cider Barn, Pickney 20/2006/003. We understand that this property was marketed for 12 months with the tie in place with no suitable purchasers identified who were able to comply with the tie. Since the removal of the tie the property has now sold. 3. Greenslade Taylor Hunt - Comment is below and is again an indication of a lack of market for tied properties. Hopper Lodge is modest in terms of scale and accommodation when compared to our own. The asking price of £425000 would suggest that ours of £700000 is perhaps conservative and that given our location a valuation of £800000 - £900000 even with the tie is appropriate. With the experience at Hopper Lodge and The Old Cider Barn we suggest that there is evidence that there is no long term

need for agricultural workers or retired workers accommodation in the area and certainly not at the cost of our property when these two lesser properties in the immediate locality have failed to attract suitable buyers within the last 15 months. Any long term purchasers would have to come from within the current farming community within the locality and our survey has confirmed that there is no need within that group. It is also perhaps worthy of consideration that with the issue of our survey at the beginning of March to the local 13 farmers they have been put on notice that our property is available yet there have been no further contacts or interest shown in the interim 4 months. Also on that point can we emphasise that not only did we write to all 13 but also we phoned up each in turn to urge a response. Of the 13 only 6 had any interest to reply and therefore we suggest that it could reasonably be construed that the remaining 7 were sufficiently disinterested and therefore had no short or long term need for agricultural workers or retired agricultural worker accommodation either to rent or purchase for themselves or their workers. Given the tie refers to the locality we cannot see what more extensive marketing locally would achieve having identified and contacted all those that may qualify under the tie. To market the property to a wider market would seem inappropriate and unwarranted as the tie is specific to the agricultural workers employed last employed in the locality. It is therefore reasonable to suggest that to market locally for a further 8 months, given our notice to local farmers in March, would be unlikely to identify a suitable purchaser even if we were interested in moving which we are not. Can we also make reference again to PPS7, as highlighted in our agents letter of 17th May 2006, in relation to the size of agricultural dwellings. Success consents from yourselves have facilitated the increase in the scale of the property to a state that would appear to contradict the provision of PPS7, paragraph 9 Annex A. "Agricultural dwellings should be of a size commensurate with the established functional requirement. Dwellings that are unusually large in relation to the agricultural needs of the Unit or unusually expensive to construct in relation to the income it can sustain in the long term, should not be permitted. It is the requirements of the enterprise, rather than those, of the owner or occupier". It is perhaps fair to say that a property of the scale of ours would not be acceptable as a new application nonetheless it is there and more relevant the Unit for which it was constructed is not. We respectfully submit that there is little point in marketing the property further.

COUNTY HIGHWAY AUTHORITY the removal of the occupancy condition would in effect create a dwelling outside the confines of any major settlement and, if approved, will increase the reliance on the private motor car and compromises unsustainable development which is contrary to advice contained within PPG.13 and the provisions of Policy STR1 of the Somerset Structure Plan Deposit Plan, February 1997.

**23/2006/021**

As amended by e-mail dated 3rd July, 2006.

Amending e-mail states that the fence will have 15 cm wide breaks at 5 m intervals.

COUNTY HIGHWAY AUTHORITY no objection subject to conditions on visibility and position of gates. ENVIRONMENT AGENCY objection withdrawn. Note re proximity to landfill site.

CONSERVATION OFFICER on amending e-mail – seems a reasonable compromise, provided we ensure planting in the gaps/breaks.

PARISH COUNCIL support.

Additional condition re further details of fence to be submitted and planting scheme to include planting in fence breaks.

Additional note re nearby landfill site.

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**27/2006/007**

E-mail from applicant stating there will always be a visual impact with any change, but there will be an overall benefit over what might otherwise be, and any negative impact of this proposal will be mitigated by the design, appearance, and the fact that the stables will be cut into the ground as requested by the Landscape Officer, as well as new and existing tree planting when it has matured. The farmer sold the field as the lanes around Hillfarrance are too small for large, modern farm machinery and so the field is uneconomic to farm. The field will be far better maintained, as such will form an attractive part of the landscape, rather than if it were neglected and allowed to run wild. The entry and exit were created by the Environment Agency as part of the flood defence works several years ago and have no history of any problems. The proposed use of the field will involve less traffic coming and going from the field than what would be the case if it were to continue being farmed. The majority of the trips to the field are by foot.

Additional note re the timber field shelter currently placed at the southern end of the field does not have the benefit of planning permission.

### **38/2006/198**

As amended by agents letter dated 26th June, 2006 and attached plan numbers 5130-07-04, 5130-E-03, 5130-E-04.

COUNTY HIGHWAY AUTHORITY a previous application for 13 flats and 8 parking spaces on the site was refused partly because of insufficient parking and turning. However a subsequent appeal was allowed. The current application is for 24 flats with 14 parking spaces. This provision is pro rata the same proportion as the previous and so is the mix of 1 Bedroom units, Bed/sit units and 2 Bedroom units. The highway authority's policy on the provision of car parking is contained in the Local Transport Policy, LTP2. As a starting point the maximum standard is for one space per 1 bed unit and 2 spaces per 2+ bed unit, i.e. 32 spaces. Reductions below the maximum allowance are then made dependant upon the location of the site and accessibility. The site being located close to local services can be assessed as having a high accessibility. The site can also be classed as being on the edge of the town centre. In these circumstances a reduction in maximum parking standards of 30-50% is appropriate. For the proposal therefore, the maximum parking' standards (using LTP2 criteria) equate to 16-22 car parking spaces. Considering that this is the maximum standard and the previous appeal decision, it would be unrealistic to specify more car parking than the 14 spaces proposed. Regarding the provision for the storage of cycles, there ought to be a minimum provision to park one cycle per unit of accommodation. The space needs to be secure and sheltered from the elements. The proposed area (on drawing No April 06 5130/7/01) appears to be too open and of insufficient size. The proposed car parking space No.1 is close to the highway and drivers using this space would be tempted to reverse out onto the highway instead of using the turning area. I therefore recommend that spaces 1 to 3 be reduced to 2 spaces as indicated on the enclosed plan extract. This would then more likely ensure vehicles enter and leave the site in a forward gear.

Development Control Manager's comment:- The proposal involves some excavation of the land between the site and the neighbouring property, 45a Eastwick Road. To ensure this is acceptable I recommend a condition for details to be submitted and approved prior to the commencement of works on site. The applicant has now altered the materials from half render and half brick to brick with a tile roof. On the basis of the appeal decision the planning report does not require any contributions to leisure and recreation. However the Leisure Office has now provided details on the need to improve the existing provision in the area and on this basis the applicant has agreed to make the usual contributions for the 11 additional units now proposed.

Additional conditions re - prior to works commencing on site full construction details of the excavation works and retaining walls shall be submitted to and approved in writing by the LPA, temporary car park during construction, car park to be marked out, prior to commencement details of a properly constructed access, drop kerbs installed prior to use of the access, highway drainage, gradients of access drive no greater than 1:10, provision and retention of a turning area.

Amended recommendation:- Subject to the completion of a S106 regarding leisure and recreation contributions for 11 flats and the receipt of an acceptable amended parking plan and no new letters of objection raising new issues by 20th July 2006 the Development Control Manager in consultation with the Chair/Vice Chair be authorised to determine and permission be GRANTED subject to conditions ...(as printed)

In the event of the Section 106 Agreement not being completed by 1st August, 2006 the Development Control Manager in consultation with the Chair/Vice Chair be authorised to determine and permission be REFUSED as the proposal is contrary to Taunton Deane Local Plan Policy C4 or to GRANT permission with an additional condition requiring the applicant to enter into a S.106 prior to the commencement of development.

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**38/2006/200**

Withdrawn

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**43/2006/057**

As amended by E-mails dated 21<sup>st</sup> June and 5<sup>th</sup> July 2006.

E-mails indicate that all units will have the living room and kitchen on the first floor and confirms that the new pedestrian access gates onto White Hart Lane and into the public car park are to have security locks linked to an intercom system connected to each new house. This will allow only the residents and authorised person (visitors/deliveries) to enter the site. With regard to the existing access onto White Hart Lane to the south east of Sans Ombre, locked gates are to be fitted adjacent to the rear of the existing garage, keys to which will only be provided to those with a legal right of way along this path.

TOWN COUNCIL objects because access is inadequate and there will be more congestion.

1 LETTER has been received raising no objection to proposals - consider whether you can put any restrictions on works being carried out; my building on corner of White Hart Lane has been scratched and damaged; concrete lorry unable to get down White Hart Lane so contents dropped off close to my premises and failed to

clean up afterwards; lorries have blocked entrance causing danger to pedestrians and traffic, and affecting people who live/work in immediate area.

Additional Conditions re (i) none of the dwellings to be combined to create a larger dwelling; (ii) lockable gates to be provided in accordance with details set out in e-mail dated 5<sup>th</sup> July, 2006.

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**52/2006/010**

Withdrawn from Committee – Parish Council withdraw their objection.

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**52/2006/021**

Withdrawn

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Planning Reception/JJ/RB/17 Committee Members/15 Public