

**Planning Committee - WEDNESDAY 22nd NOVEMBER 2006  
Amendment Sheet**

**5 06/2006/051**

PARISH COUNCIL wish to note that they would support an application for a single appropriate and appropriately situated development on the site. The present application, whilst having addressed the Inspector's report in certain aspects, continues to present difficulties. The property by its bulk and position on the site is overbearing, particularly to the detriment of the bungalow (Little Orchard) next door and to the lane frontage onto Piffens Lane which in many places is barely 3 m wide. The comparatively low roof line of the neighbouring properties was not evident in the plans and drawings before the Council, they consider the height of the proposed detached dwelling is inappropriate. The footprint of the proposed dwelling is too large for its position at one end of the site. The site is large and the position of the proposed detached dwelling on the site could be altered: the land slopes away to the rear and a bungalow would be more in keeping with the lie of the land, without interfering with views of the Church. Although the present application shows the dwelling moved back from the lane frontage, it does not appear to be in line with the existing properties, a garden frontage of similar depth to the neighbours would do much to address the issues of the overbearing nature of the proposed development. To the south side of Piffens Lane, fronting onto Church Street, lies The Old Forge, the oldest building in Bishops Lydeard, having listed building status as a 'Hall House'. This building is low, and it seems quite possible that the roof height of the proposed detached dwelling would actually be visible over the top of The Old Forge when looking from Church Street. This would be detrimental to the visual amenity of the village. The Parish Council is pleased to note suggestions from the architect to fell Eucalyptus trees on the site; believed to be about 15 years old, neighbours report they are pushing over a wall believed to be at least 200 years old.

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**8 27/2006/019**

As amplified by certificate and plans received on 16th November, 2006. COUNTY HIGHWAY AUTHORITY the proposed development site is remote from any urban area and therefore distant from adequate services and facilities, such as, education, employment, health, retail and leisure. As a consequence, occupiers of the new development are likely to be dependant on private vehicles for most of their daily needs. Such fostering of growth in the need to travel would be contrary to government advice. The proposed site is located approximately 1km from the centre of Hillfarrance, however the nearest settlement in terms of services is Norton Fitzwarren which is approximately 3km away. There is one very limited bus service that operates for Hillfarrance, but such a limited service

from the village, would make access to facilities and major centres of employment difficult except by car and would be outside of the recommended walking distances as set out in RPG10. If the Local Planning Authority consider that this is an acceptable location in terms of meeting the criteria set out in Policy 36 of the Somerset and Exmoor National Park, Joint Structure Plan Review and H14 of the Taunton Deane Local Plan in relation Gypsy and Traveller Sites, it may be unreasonable to raise a Highway objection. In detail the site will be accessed from an existing agricultural access from/onto a classified unnumbered highway. Visibility at the point of access is good to the northeast, however it is restricted to the southwest by the roadside hedge. If the Local Planning Authority are minded to grant consent it is imperative that the existing access is of a suitable standard to serve the proposed change of use. In the event of permission being granted I would recommend the following conditions are imposed:-

1. There shall be no obstruction to visibility greater than 900 mm above adjoining road level forward of lines drawn 2.0 m back from the carriageway edge on the centreline of the access and extending to points on the nearside carriageway edge 33 m either side of the access.
2. The proposed access over the first 5m of its length, as measure from the edge of the adjoining carriageway, shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details, which shall have been submitted to and approved by the Local Planning Authority.
3. Any entrance gates erected shall be hung to open inwards and shall be set back a minimum distance of 4.5 m from the carriageway edge.
4. The gradient of the access shall not be steeper than 1 in 10.
5. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway details of which shall have been submitted to and approved by the Local Planning Authority.

10 FURTHER LETTERS OF OBJECTION have been received raising the following issues:- field totally unsuitable for living with a young family; use of septic tank could cause pollution to nearby stream; precedent for others wishing to erect dwellings; if allowed would constitute positive discrimination; local area likely to change to a semi-rural sprawl of housing; field not designated as a gypsy site; application form vague and incomplete; the countryside should be protected for the enjoyment of all; infringes villagers' human rights; if applicant is claiming gypsy status - applicant should not need permanent accommodation; education facilities not required as no children of school age; immediate family do not live in Somerset; inappropriate location for someone with applicant's medical condition; not in the interest of tax payers; no bridleways in area, so encouraging horse riders onto the surrounding poor road network; gypsies do not contribute to the local economy; criminals being assisted to continue to break the law at the expense of law abiding locals; should not be given what they are not entitled to - especially when they are so unwilling to abide by rules and regulations; flood risk in the area has increased considerably by the choice of route for floodwater diversion from the Hillfarrance flood alleviation scheme; every Member of the Committee should visit the site personally, rather than relying on slides presented by planning officers; insufficient notification to local residents; question why applicant believes that local inhabitants will be less than hostile.

ONE LETTER OF REPRESENTATION if approved should be conditioned so that only temporary permission restricted to those applying.

TWO FURTHER LETTERS OF SUPPORT - attitude towards applicant's application is not as consistently hostile as may have appeared at the public meeting; confusion and worry caused by leaflets delivered to houses in village, assumed to have been issued by the Parish Council; no reason not to welcome the family; objectors have put forward irrational arguments; not all the inhabitants of Hillfarrance share the feelings that were being so forcefully expressed at the public meeting; not a problem with the road network, which is used by heavy farm and goods vehicles and the school bus.

OBJECTION FROM WARD COUNCILLOR FOR NORTON FITZWARREN (neighbouring Ward) - inappropriate development for what is a totally rural site and is outside the settlement area in the local plan; underlain by green belt land contrary to Circular 01/06; site is prone to flooding and the road on either side of the entrance has a history of flooding - the Environment Agency's opinion should be pursued; sustainability of the site is poor, i.e. access to local services such as shops, doctors and schools and no bus service past the site; no human rights issue that would result from a refusal of permission; does not satisfy the criteria detailed in Circular 01/06.

Additional conditions: First 5 m of access to be hardsurfaced; any entrance gates to be hung to open inward; access gradient no steeper than 1 in 10; no discharge of surface water onto highways.

Development Control Manager's Comments:- It is considered that the visibility splay requirements requested by the County Highway Authority would have a detrimental impact on the rural character of the lane at this point.

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## **9      30/2006/043**

FORWARD PLANNING OFFICER supports objection from Parish Council and Landscape Officer. In what way does it differ in principle from the refusal. We have issues at the Local Plan Inquiry concerning rounding off of settlements, including Blagdon Hill. I note what the report says about concerns that this could set a precedent for the adjoining paddock and your response that this is in separate ownership and beyond the settlement limit. I am dubious over defending this position next time a settlement limit is drawn and consulted on. I think it could set a precedent for further encroachment and can see no justification for going against adopted plan policies other than there will be native boundary planting. This in itself does not provide a justification for breaching the settlement boundary and criteria of Policy S7. I note what is said regarding a condition to prevent further development in the garden extensions. I am unclear how 'enforceable' this would be in the future but if we are accepting that the domestic curtilage is well defined by "native planting around the perimeter" why would we not accept new development in principle in the future as after all it would be within the settlement limit

2 ADDITIONAL LETTERS OF OBJECTION have been received raising the following issues:- unsightly nature of timber shed to rear of Glengary.

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**10 31/2006/020**

Withdrawn

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**11 31/2006/021LB**

Withdrawn

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**14 38/2006/419**

Letter from applicant - This application is to enable us to not only survive but also provide for ourselves in our retirement and be close to our family. We find the objections so far to be rather strange as all around people have been granted planning permissions for their own properties. An example of this is an extension only next door which actually overshadows our garden and blocks light into the dining room/kitchen. The sun comes round in such a way that it will not affect any of the neighbouring properties. We are not using this proposal as a money making machine but are merely trying to survive and we intend to live in the house ourselves. It would mean that we can live near our Grandchildren and we can reciprocate help. The plan is for my Son to move into the house next door as they find it difficult financially as well. Our family has had many tragedies and all we are trying to do is mind our own business and survive. We understand from comments made that the issue may well be that we are trying to make money. We have done our best to keep the house in keeping with the neighbourhood and think we have achieved this well. As we understand it in terms of planning we have complied. There is a house that has been built up the road from us and now that it is there I am sure that no one would know it hadn't always been there. We hope you can look favourably on our planning application so as to enable us to remain independent within the community.

1 LETTER OF SUPPORT has been received.

Additional conditions re no first floor windows or rooflights on rear south elevation and protection of birch during construction.

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**15 38/2006/434**

Withdrawn

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**16 38/2006/450**

As amended by letter and plans Nos. P1106B and 109B received 10th November, 2006.

Amend description to ... 4 Town Houses ...

COUNTY HIGHWAY AUTHORITY consider parking provision acceptable and recommend condition to provide cycle parking.

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**18 42/2006/037**

Delete refusal reason 1.

Additional notes re revised design to address highway safety issues, and public right of way.

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**19 43/2006/112**

As also amplified by Agent's e-mail dated 15th November 2006.

TOWN COUNCIL - does not object/supports

ONE FURTHER LETTER OF REPRESENTATION: heights of buildings not clear; hope will follow the contours of the land; effect on garden wall.

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**20 43/2006/113CA**

TOWN COUNCIL does not object/support.

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