

**Planning Committee - WEDNESDAY 13th FEBRUARY 2008  
Amendment Sheet**

**6 06/2007/064**

USE OF LAND TO SITE 3 NO MOBILE HOMES AND PROVISION OF SEPTIC TANK FOR ONE GYPSY FAMILY (RETROSPECTIVE) AT SUNNY DENE, DENE ROAD, COTFORD ST LUKE, BISHOPS LYDEARD AS AMENDED BY LETTER RECEIVED 7TH DECEMBER 2007.

HOUSING OFFICER - Details received confirming Housing Assessment meeting between Applicant and Housing Officer - Personal details included in report - Planning Committee circulated Confidential Report.

FORWARD PLANNING OFFICER - In terms of the principle of this development the key policy of the Taunton Deane Local Plan (TDLP) is policy H14. This allows for the location of gypsy sites outside the defined limits of settlements, provided that they meet a number of criteria that are set out in the policy.

The majority of the criteria relate to matters of detail rather than principle. Others will comment on the details, so I will limit my views to the general principles of the application site's location, and the need for the pitch.

In assessing these issues regard must also be given to the following:

- \* ODPM Circular 01/2006: Planning for Gypsy and Traveller Caravan Sites;
- \* DCLG guidance on Gypsy and Traveller Accommodation Needs Assessments (2007);

and

- \* the proposals of the emerging Regional Spatial Strategy (RSS) including the current review of additional pitch requirements.

Also relevant are the recommendations contained in a report to, and agreed by, the Executive in April 2006, in response to the advice in Circular 01/2006.

Location

In terms of the location of gypsy and traveller sites, it has long been accepted in planning policy that rural locations outside settlements are one of the exceptions to the normal strict control of new development. This is re-affirmed at paragraph 54 of Circular 01/2006, which states that 'Rural settings, where not subject to special planning constraints, are acceptable in principle.' Policy H14 of the TDLP relates specifically to proposals in such areas.

Two criteria of the policy relate to the location of residential sites - (B) and (H).

The issue dealt with by criterion (B), that of safe and convenient access to schools and other community services, is one of the areas affected by the advice in the Circular. In addition to the statement above, which indicates unequivocally that rural locations are acceptable, paragraph 54 goes on to say that in assessing the suitability of sites '...local authorities should be realistic about the availability, or likely availability, of alternatives to the car in accessing local services'. The need for the Council to take a more flexible approach to the consideration of this issue was one of those agreed by the Executive in April 2006.

In this case, the application site is situated a short distance from the village of Cotford St Luke, which contains local services including a primary school, community centre and shop. The village also has a reasonable level of bus services to Taunton. I therefore consider its general location to be acceptable. As far as criterion (H) is concerned, the site is not within an AONB or a SSSI. Nor, to my knowledge, would it harm the special environmental importance of any other protected area.

#### Need

The issue of need, which is addressed by criterion (A) of policy H14, is an area where the more recent advice and guidance in PPS3, Circular 01/2006, Gypsy and Traveller Accommodation Assessments Guidance, and the emerging RSS is of particular relevance.

At present there is no agreed figure for the number of additional pitches needed in the Borough, with the TDLP only containing the criteria-based policy H14 and no estimate of pitch requirements.

PPS3 tasks local authorities with ensuring that everyone has access to a decent home, and Circular 01/2006 requires them to undertake Gypsy and Traveller Accommodation Assessments (GTAA) in their areas, to assess the scale of need and identify pitch requirements. The information produced is to inform the preparation of Regional Spatial Strategies, which will identify the number of pitches required for each local planning authority, and the preparation of Development Plan Documents.

An assessment of accommodation needs was undertaken by the Ark consultancy in 2005 for all the Somerset local authorities, but it pre-dated the Government guidance. Consequently it was not fully compliant with the guidance, and did not produce a specific recommendation of the number of additional pitches required. Since then, in order to have an input to the preparation of proposals for gypsy and traveller needs in the RSS, an estimate of pitch requirements has been made. This identified a need for 17 additional pitches. However, it is recognised that the figure produced was an interim estimate, and that further, detailed work is required as a matter of priority to properly assess the situation and inform the preparation of the Local Development Framework. It is hoped that the results of this will be available by the end of the year.

In the meantime, in advance of those results it is appropriate to have regard to the methodology in the guidance on GTAAs when assessing proposals such as the current one. This identifies a number of sources of demand that need to be taken into account in assessing the number of pitches for which provision should be made. Two of the groups to be included are households seeking permanent accommodation in the area, and households on unauthorised developments. The applicant clearly falls within these categories, so there is a clear need to make provision for the household.

In conclusion I consider that, subject to acceptance of the applicant's gypsy status, there is a clear need for a site to accommodate the household. One of the Government's objectives in relation to gypsies and travellers, set out in paragraph 12 of Circular 01/2006, is to promote more private gypsy and traveller sites in appropriate areas. The general location is appropriate so, unless there are concerns with the site on other grounds, I consider that the proposal should be supported.

GYPSY LIAISON OFFICER - confirmed that Mr Henry Small is recognised as a bonafide gypsy as defined within the Housing Act 2004

COTFORD ST LUKE ACTION COMMITTEE - Arrival of mobile homes / static caravans triggered a massive public outcry and a resultant large attendance at a residents meeting, at which all comments from the floor spoke strongly against the application, believing it should be refused; some residents have been inhibited from writing letters of objection; will not only cause harm in itself, but will undermine and frustrate the aims of the Local Plan and Structure Plan and lead to considerable loss of visual and other amenities, rather than the continued establishment of sustainable communities and effective use of limited land resources for housing; the application is contrary to government guidance and several specific strategies and policies in the Local and Structure Plans; access is potentially dangerous and would harm the appearance of what is at present open countryside; the development is not of good design and does not make good use of the site; the site is isolated from both existing nearby communities, hence does not form part of an existing sustainable community and would increase the use of car travel; contravenes strict controls over development outside settlements; if approved would defeat the aims of Local Plan policies; does not protect the appearance of the countryside surrounding Cotford St Luke and views from the Quantock Hills AONB as required by policies for Cotford St Luke; fails to provide a beneficial use in respect of agricultural or other essential rural need; the area's distinctive landscape would be harmed by the development; the site is clearly visible across open countryside for some considerable distance, including the A358 from close to Conquest Farm to the Dene Road roundabout; it is out of character with other development and detracts considerably from the visual amenity of the surrounding countryside; contrary to policies concerning the use of agricultural land; the site is close to Bishops Lydeard, the setting of which is protected by policies for outstanding heritage settlements; initially the applicant claimed the site was for stabling horses, then to house and settle his family, then a claim was made for gypsy status, which implies a nomadic lifestyle - many residents remain unconvinced that this is the ultimate purpose of the application; applicant claims he is homeless - but there appears to have been limited occupation of the site since the mobile home arrived; the mobile home is not mobile; unsafe road access for transporter lorries; there should be footpath access for the safety of children; the request to keep unlimited numbers of vehicles on the site could be indicative of proposed expansion or business use.

AMENDED RECOMMENDATION - Permission be REFUSED ... for reasons stated in Report

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**7      07/2007/023**

CHANGE OF USE, CONVERSION AND EXTENSION OF BUILDING TO B1 USE AT BUILDING AT HEATHERTON PARK FARM, BRADFORD ON TONE (REVISED SCHEME)

ONE NEIGHBOUR LETTER - removing objection

ONE FURTHER LETTER OF OBJECTION - on the grounds of visual amenity impact, creeping intensification, size increase double, fear over increased use will follow and use of private drive.

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**9      38/2007/574**

CONVERSION OF LISTED BUILDING TO PROVIDE A THREE BEDROOM HOUSE AND ERECTION OF TWELVE DWELLINGS AND PROVISION OF NEW ACCESS AT THE COTTAGE INN, 117 KINGSTON ROAD, TAUNTON AS AMENDED BY LETTER DATED DATED 8TH JANUARY 2008 AND PLANS NO 5840/14A & 17

AGENTS LETTER - advising applicant bought property some time after its closure as a pub. There are nine additional public houses within a miles of the Cottage Inn, four within half a mile. The site was marketed by Agents.

The submission is a sensitive conversion following Officer discussion. Guidance encourages efficient use of sustainable land and development on Brownfield sites. This also requires housing delivery should reflect market demand. The proposal accords with this guidance in all respects and delivers the high demand in Taunton for the given mix of housing. The density is consistent with that in the immediate area and appropriate to the site.

ADDITIONAL CONDITION - re obscure glazing

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**10     49/2007/076**

REDEVELOPMENT OF SHOP AND STORAGE/GARAGE TO FORM DWELLING WITH REPLACEMENT OF SHOPFRONT AT 24 SILVER STREET, WIVELISCOMBE AS AMENDED BY AGENTS LETTER RECEIVED 16TH JANUARY 2008 AND ACCOMPANYING BLOCK PLAN AND ALSO AS AMENDED BY AGENT'S LETTER RECEIVED 6TH FEBRUARY 2008 AND PLANS NO 02A

AMENDED TITLE - Agent's Letter Received 6th February 2008 and Plans No 02A

TWO FURTHER LETTERS OF OBJECTION - have been received, one of which

raises concern over the unauthorised works that have carried on at the property and the damage to his property, and one which clarifies the access area does not belong to the applicant, and therefore the condition relating to the treatment of the cobbled drive should be removed since the applicant has no control over this.

AMENDED CONDITION - That condition relating to treatment of cobbled drive be removed.

AMENDED RECOMMENDATION - Deletion of reference to receipt of amended plans and insertion of Subject to no adverse views of the County Archaeologist.

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