

**Planning Committee - WEDNESDAY 21st MAY 2008
Amendment Sheet**

N/A 06/2007/027

ERECTION OF MIXED USE DEVELOPMENT COMPRISING 3 UNITS OF HOLIDAY ACCOMMODATION, TOURIST FACILITIES (A3 PLANNING USE CLASS), 21 OPEN MARKET HOUSES, 16 AFFORDABLE HOUSING UNITS (COMPRISING 8 HOUSES AND 8 FLATS) AND ASSOCIATED HIGHWAY INFRASTRUCTURE AT STATION FARM, STATION ROAD, BISHOPS LYDEARD AS AMENDED BY LETTERS DATED 16TH AND 22ND AUGUST 2007 WITH ACCOMPANYING REPTILE SURVEY (JULY 2007), PROTECTED SPECIES SURVEY REPORT (JULY 2007) AND EXTENDED PHASE 1 HABITAT SURVEY (JULY 2007) AS FURTHER AMENDED BY LETTER DATED 31ST AUGUST 2007 WITH ACCOMPANYING DRAWING NOS A2001 18/303B AND 304A AS AMPLIFIED BY LETTER DATED 4TH DECEMBER 2007 WITH ACCOMPANYING DRAWING NO SPP/1363/1 AS AMENDED BY LETTER DATED 18TH MARCH 2008 WITH ACCOMPANYING DRAWING NUMBERS A2001/18/PL303 REV C AND PL304 REV C

TITLE AMENDED - As amplified by e-mail dated 12th May 2008 with accompanying Water Vole Survey.

As amplified by letter dated 9th May 2008 (confirms that all the existing hedges and strategic landscape belt to the southern and western boundaries of the proposed development are to be retained under the control of the Gadd Management Company. The landscape to the inn/restaurant, office and tourist facilities will be subject to a positive legal covenant guaranteeing protection and long-term protection of trees and hedges. It is also the applicant's intentions to impose this approach on the individual dwellings).

AMENDED DESCRIPTION - 23 open market houses, 14 affordable housing units and associated

ECONOMIC DEVELOPMENT AND ARTS PORTFOLIO HOLDER - I'd be grateful if you could inform the committee that the Economic Development Portfolio Holder recommends this application in much stronger terms than those set out on Page 66 of the report from the Economic Development Unit. This should also counter objection No. 59 on page 73 of the report where the objector talks about "lukewarm" support.

It is no longer a question of withdrawing our objections to the proposals but taking forward the positive aspect of this application both from the Tourism offer for the enhancement of the important function performed by WSR but also the additional housing helping in achieving our targets both for affordable housing units and also the wider ones identified in the Regional Spatial Strategy.

I have visited the site and believe that sensitivity has been used in drawing up the sight lines for not overpowering the listed buildings and attention to detail will make this a venue which will attract a lot of tourists who would have otherwise

not bothered when it is completed.

I am glad the recommendation has pointed out the unsuitability of the Norton Fitzwarren triangle for some of the development that the Conservation and Landscape Officer thought more appropriate.

The development outside the village envelope is modest and as it is sited on where existing farm building already are should I hope that there is little danger from this application being called in by the Minister. It seems to me to be only a modest departure from the formal plans for the area.

The 216,000 passengers and rising annually will soon lead I hope to allowing a Brown Sign being added to the M5 as a tourist attraction for WSR and it already surpasses by a factor of 2.5 the number of visitors that come to Hestercombe. The WSR is "going places" (pun intended) and we should support it as best we possibly can by granting this conditional approval as recommended.

LETTER FROM LISTED BUILDINGS AND CONSERVATION AREAS

CONSULTANT APPOINTED BY APPLICANT - I have been appointed by Gadd Homes Ltd, the applicants for the above application proposals, to present to you and your Authority a case of support for these proposals. The applicants have approached me to undertake this task on the basis that I have behind me twenty years experience as a Local Authority Conservation Officer.

I am aware that your principal report to Committee has been written and circulated to Members. However, having spoken to one of your colleagues last week, I was given an assurance that a letter of support from me would be placed before your Committee as part of your "up-dating" report. Could I ask that the following letter is made available and reported to Members at the appropriate committee meeting.

Rather than submit to you a report which in the time you have available may be a cumbersome way for me to relay information, I will instead present the aspects of my case as a series of numbered bullet points.

This letter does not supersede any previous correspondence or supporting material already in your possession. It is intended to be read in conjunction with any such earlier information.

The points I would like to bring to your attention and that of the Committee are as follows:

The purpose of the West Somerset Railway (WSR) is to preserve a working steam railway for:

its own inherent heritage interest;

the value it has as a tourist attraction in its own right;

its ability to act as a means of access to other tourist attractions of wider interest in the County.

In their heyday, railways formed the vital principal transport network throughout the nation for freight and passengers.

3The environs of railway stations, especially termini, created obvious locations for necessary associated uses and for onward transfer of goods to local communities by road.

Associated uses historically adjacent to stations would consist of hotels, workshops, factories, commercial premises, workers' houses and others. The sweeping reduction in the coverage of the national rail network in the 1960s saw the closure of the vast majority of rural branch lines.

Resurrection of the Bishops Lydeard to Minehead line by the WSR as an operational line was based on the change of its function to a tourist facility. This change responded to emerging social trends in the public's increasing interest towards the preservation of various aspects of the Nation's heritage. Although this interest originated in preserving historic features for their own sake, it has provoked a widespread basis for tourism as well.

7The station at Bishops Lydeard has effectively become a rail terminus. Despite a functioning connection to the national rail network, the rail trips operated by the WSR for the most part terminate, and then return to Minehead, from this station.

8The station is therefore one of the line's principal focal points for visitor attention.

9The functioning connection with the national rail network allows direct access on to the WSR line for special excursions originating from all parts of the country. This presents considerable advantages over other preserved steam railways. In so doing, it increases the popularity, not just of the WSR, but also that of West Somerset as a whole.

10The application proposals reflect the historic environs of stations as described in item 4 above.

11The proposed group consists of a tourist facility; inn/restaurant; office; dwellings; museum and carriage storage shed.

When analysed, the new group equates very closely to the range of historic uses described in item 4 in the following ways:

Proposed buildings

Historic equivalent

Tourist facility with creative industries, micro-brewing, cycle

Mixed-size workshops and Mixed-size workshops and

Café

Tea room

Inn/restaurant

Hotel

Office

Merchants' offices, insurance brokers, booking

Dwellings

Workers' housing

Railway museum and carriage shed repair workshops

Locomotive and carriage repair workshops

13It can be seen from the above comparisons that the current proposals represent an evolutionary step in the changing operations of a railway enterprise.

14They reflect, in a modern translation, the uses and activities that have always centred on railway stations and especially around termini.

15The proposed buildings can be divided into those which form a directly functional use to the railway operation, and others which play a supporting role.

16The way they are arranged is not only logical and practical, but reflects the similar arrangement that their historic counterparts would have had.

The functional railway buildings (i.e. the museum and carriage shed) will be sited adjacent to the existing station complex.

The associated buildings are located outside the enlarged confines of the operational railway group.

19In these proposals, the museum and carriage shed are physically connected and designed using historic railway architectural styles, principles, motifs and materials.

20The new associated buildings will differ in their design and respond to more contemporary and varied styles, scale, proportions and materials while at the same time reflecting established veins of local distinctiveness.

The siting of the museum/carriage shed will mesh perfectly with the existing station and separate it from the group of associated buildings.

In doing this, different atmospheres will be created within and outside the station complex. This has always been a very powerful impression of the presence of railways.

23The museum/carriage shed will be the perfect neighbour to the existing station group.

24Visitors will not only automatically accept that the museum/carriage shed is a part of the railway experience, but they will expect them to be there as an integral element of what they have intentionally come to see.

25Because they represent the perfect neighbour and are of railway style, the museum/carriage shed will reinforce and enhance the setting of the existing listed station buildings.

26The transfer of the museum facility from the existing goods shed will allow that building to be restored to its original form and appearance. This will be of considerable benefit to its inherent interest.

27The siting of the carriage shed will create a new space between itself and the existing station group, allowing new views of the latter which have, hitherto, been denied to the railway's visitors.

28To function in its role as a preserved and operating steam railway, it must increase and improve its collection of locomotives and rolling stock, as well as other non-active railway memorabilia.

29The WSR has an on-going programme of improvements which it has so far been achieving.

30Through this programme it has become a very successful tourist attraction, educational facility and conservation organisation.

31Part of its programme has been to acquire a number of historic railway carriages which are currently being restored at railway maintenance depots across the country.

32Its intention is to assemble the restored 14 carriages into two permanent trains of 7 carriages (each set of carriages is referred to as a "rake").

33.The individual carriages are of wooden construction and restoration work on each vehicle is extremely expensive.

34Being of wooden construction, they will be vulnerable, even when restored, to

the effects of the elements if stored on open sidings when not in service.

35 Deterioration can be relatively rapid and could lead to regular phases of repair and costly maintenance.

36 It is essential, therefore, to store each rake under cover. This also gives the opportunity for visitors to walk through or around them in comfort and at their convenience.

37 The Bishops Lydeard to Minehead line has been re-incarnated by the WSR into a major tourist attraction.

38 It no longer serves the purpose for which it was originally designed and built. However, it continues to function in a different capacity. It is therefore a hybrid.

39 The fact that it is still an operational railway means that it still has functional needs.

40 The functional needs of the re-incarnated use are being proposed in a wholly evolutionary manner respecting the historic ways in which the environs of stations were developed.

41 The listed buildings associated with the station will have their settings preserved and enhanced in a way, which is historically relevant and appropriate.

42 The role of conservation within the planning system is to manage change and not to resist or deny it outright. These proposals live up to the challenge of preserving historic uses and buildings through the application of sensitive and well-considered changes.

Could I take this opportunity to comment on the Conservation Officer's response dated 6 November 2007. His criticisms of the proposals are centred upon:

- 1) Alteration to the setting of a "quintessential rural branch line" to a more suburban character;
- 2) A difficulty in assessing the aesthetics of the proposed buildings;
- 3) The resulting density of buildings is "far too much" when compared to the existing situation;
- 4) His preferred location of the "utilitarian" buildings at the locomotive turning triangle at Norton Fitzwarren.

In answer to his criticisms, I would point out that:

1) The re-incarnation of the line as a working tourist attraction has brought about its evolution to the stage where it has to be treated as a hybrid. The WSR has prepared its proposals to meet those hybrid needs but in a way which continues to reflect the way in which railway stations would have developed historically;

2) These applications are in outline form. They are accompanied by illustrative elevations and, in respect of the museum/carriage shed, a photograph of a surviving railway goods shed, which shows quite clearly the style, features, motifs and materials that will be used (please see plan NoA2001 18 PL504).

There is ample information to reassure that, with conditions if felt necessary, a perfectly acceptable design and appearance can be achieved;

3) The density of buildings proposed will be entirely appropriate to the circumstances. Their presence and individual locations will result in areas of open space appropriate to the various functions of each new building. The spaces formed will also provide opportunities for, hitherto, unavailable views and in parts create new and enjoyable characters.

4)The Conservation Officer has missed the point with regard to the siting of the museum/carriage shed. This structure, for operational purposes, is best sited as part of the station complex at Bishops Lydeard. For its tourist function, it needs to be where the visitors have immediate and convenient access, not at a remote distance difficult or even impossible to access. His understanding of the practicalities involved in operating an enterprise of varying roles with interwoven requirements has, unfortunately, to be questioned. I am not at all at ease with his comments on the location of these buildings as this is, in my opinion, beyond the remit and scope of a Conservation Officer.

SUBMISSION FORWARDED DIRECT to Committee Members by the Bishops Lydeard Residents Association

RECOMMENDATION IN PARAGRAPH 3a (Section 106 Agreement) - Number of affordable housing units should read 14 (reflecting the change of tenure agreed by the Housing Officer and to enable the full cost of the roundabout work to be bourn by the Development).

N/A 06/2007/043

ERECTION OF SINGLE STOREY BUILDING TO FORM MUSEUM (COMPRISING EXHIBITION SPACE, LECTURE/FILM THEATRE AND LIBRARY/ARCHIVE FACILITY) AND CARRIAGE SHED (TO HOUSE 2 NO RESTORED 7 COACH TRAINS AND HISTORIC RAIL VEHICLES) (LINKED TO PROPOSED MIXED USE DEVELOPMENT COMPRISING TOURIST FACILITIES, INN WITH RESTAURANT, HOUSING, OFFICES AND ASSOCIATED HIGHWAY INFRASTRUCTURE THE SUBJECT OF PLANNING APPLICATIONS 06/2007/027, 028, 042 AND 044), LAND AT STATION FARM, WEST OF RAILWAY STATION, STATION ROAD, BISHOPS LYDEARD AS AMPLIFIED BY DRAWING NOS A2001 18 AP001A AND AP002A RECEIVED ON 18TH SEPTEMBER 2007 AND DRAWING NO A2001 18 PL506 RECEIVED ON 20TH SEPTEMBER 2007 AS AMPLIFIED BY LETTER DATED 4TH DECEMBER 2007 WITH ACCOMPANYING DRAWING NO SPP/1363/1 AND AS AMENDED BY WATER VOLE SURVEY RECEIVED ON 12 MAY 2008.

TITLE AMENDED - As amplified by letter dated 9th May 2008 with accompanying drawing nos A2001 18/PL507/A and 508/A

N/A 06/2008/010

CONVERSION OF THE MANSION HOUSE AND ORANGERY FOLLOWING SOME PARTIAL DEMOLITION TO 19 ONE AND TWO BED APARTMENTS AND CONVERSION OF OUTBUILDINGS PART TO 7 TWO AND THREE BED APARTMENTS AND PART FOR USE AS A COMMUNITY CENTRE FOR THE DEVELOPMENT, ERECTION OF 50 NEW DWELLINGS (INCLUDING 10

AFFORDABLE DWELLINGS), DEMOLITION OF REMAINING FORMER HOSPITAL BUILDINGS AND THE REINSTATEMENT OF THE SITE OF THE BUILDINGS AND ROADS TO PARKLAND AND INFORMAL GARDENS, RESTORATION OF PARKLAND, FORMATION OF PARKING AREAS AND FOOTWAYS AND IMPROVEMENTS TO ACCESS ROAD, ACCESS AND FOOTWAYS, SANDHILL PARK, BISHOPS LYDEARD

CONSERVATION OFFICER - no objection to principle. Concerns of English Heritage noted. If consent recommended - reference to Secretary of State required, subject to conditions as previously recommended.

NATURE CONSERVATION OFFICER - This application has just come to my attention 7 May '08.

I advise that there is not sufficient information for TDBC to grant permission on this site. Bats, a European protected species, will be affected by the development I advise that NE must be consulted.

MWA's wildlife report (dated July 2004), SERC's report, June 2004, and a DRAFT updated Ecological Impact Assessment, SERC December 2007, has been submitted with this application.

MWA's 2004 survey identified several buildings that are used by bats 7.3 and Appendix 1, and reported that Defra (now from NE) licences will be required to develop this site - including the demolition and conversion of buildings that contain bat roosts. SERC's updated draft 2007, has identified the need for up to date summer bat surveys to support the application. MWA's survey identified badger setts on site and new activity confirmed by SERC's update. No records of great crested newts was identified in SERC's 1km buffer zone search 2004 and this needs to be confirmed. The following information should now be submitted: Up to date survey results of the full use of the site by bats and badgers and other species protected by law to include reptiles.

An impact assessment of the proposals on protected species

Mitigation strategy proposals to ensure no detriment to the maintenance of the population of bats at a favourable conservation status. Mitigation strategies to protect badgers nesting birds reptiles etc

Delivery mechanisms to demonstrate how mitigation will be implemented - eg architects plans, precautionary method statements, persons responsible for obtaining licenses.

In accordance with the legal framework of PPS9 and the LPA's duty under Section 40 (1) of the Natural Environment and Rural Communities Act 2006, I advise that TDBC cannot approve plans that do not demonstrate how species will be protected.

Other Considerations:

The site is a Local Wildlife Site (formerly known as County Wildlife Sites) and contains UK BAP priority habitats as well as commuting routes and foraging territory for bats. A submitted management plan of the parkland, to include proposals for monitoring habitats should be a condition of any permission on site. The site is important for House martins and evidence of swallows has been found. In accordance with TDLP EN4, protection of and provision for future nest sites must be made for these species and all breeding birds must be protected.

ONE FURTHER REPRESENTATION - this magnificent house has had an unfortunate history of mismanagement. Taunton Deane should ensure that this listed house is properly respected.

AMENDED RECOMMENDATION to also require the submission of the further information requested by the Nature Conservation Officer prior to determination.

ENVIRONMENT AGENCY - Objection withdrawn subject to condition of details of sustainable drainage for the site

ADDITIONAL CONDITION re sustainable drainage.

N/A 06/2008/011LB

CONVERSION OF THE MANSION HOUSE AND ORANGERY FOLLOWING SOME PARTIAL DEMOLITION TO 19 ONE AND TWO BED APARTMENTS AND CONVERSION OF OUTBUILDINGS PART TO 7 TWO AND THREE BED APARTMENTS AND PART FOR USE AS A COMMUNITY CENTRE FOR THE DEVELOPMENT, DEMOLITION OF REMAINING FORMER HOSPITAL BUILDINGS, SANDHILL PARK, BISHOPS LYDEARD

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AMEND RECOMMENDATION to also require the submission of the further information requested by the Nature Conservation Officer prior to determination.

N/A 14/2007/048

RESIDENTIAL DEVELOPMENT COMPRISING 76 DWELLINGS (INCLUDING 38 AFFORDABLE DWELLINGS) ON LAND OFF HYDE LANE, HYDE LANE, CREECH ST MICHAEL, TAUNTON AS AMENDED BY AGENT LETTER DATED 22 APRIL 2008 AND ACCOMPANYING PLAN DRG NO 3860/07 REV D RECEIVED 23 APRIL 2008

DRAINAGE OFFICER - It would appear that drainage proposals have not changed following the recent amendment. Therefore, my comments of 7 February 2008 still apply.

I note that the Environment Agency have not been consulted on the sizeable development, is this an oversight?

LEISURE AND DEVELOPMENT TEAM - No reduction of this amount should be permitted for the proposal to provide new car parking spaces on the northern edge of the site. Residents of the new development can easily walk to the Recreation Field which already has sufficient parking for the facilities provided. No reduction from this amount should be permitted for the proposed works to the existing road system.

FOOTPATHS OFFICER - The public footpath T10/26 will be affected by this proposal in as much as it may be assumed that all access by builders/delivery vehicles will be via the track carrying the public way. Adequate health and safety measures to be taken. Any request to create new public ways (eg. Dual purpose cycle/pedestrian) would be dealt with by the County Council.

HOUSING OFFICER - The requirement from the Housing Enabling Manager is

in accordance with discussions with the developer and Development Control. The % tenure mix should be 50% social rent, 25% shared ownership and 25% low cost open market. Household mix as follows:

No properties should be below 45 sq mtrs.

4 x 2 bed 3P flats

Social Rent - 191 x 4 Bed 5P house

1 x 4 bed 6P house

6 x 3 bed 4P houses

5 x 2 bed houses

2 x 2 bed OP bungalows

Homebuy 2 x 3 bed SP houses

8 x 2 bed houses

Low cost 2 x 3 bed houses

7 x 2 bed houses

NATURE CONSERVATION AND RESERVES OFFICER - MWA's submitted ecological report, August 2007 identifies further survey work that needs to be done and includes a survey of the bungalow for bats – optimal time May to September, reptiles - a survey between May and September. 7.4 of the report concludes that dormice are unlikely to use the site due to poor hedgerow connectivity.

I advise that the presence or otherwise of bats needs to be established before planning permission can be granted for this site (PPS9). The results of the bat survey must be submitted for consideration before determination. If bats are found in the bungalow the survey should assess the species and population level. A mitigation strategy should be submitted to ensure no detriment to the maintenance of the population at a favourable conservation status of the bats and delivery mechanisms to ensure that the mitigation is feasible.

The results of reptile surveys should also be submitted for consideration.

WEST MONKTON PARISH COUNCIL - Parish supports this application.

COUNTY HIGHWAYS - Little additional effect on highway network therefore previous comments apply.

CREECH ST MICHAEL PARISH COUNCIL - Following our recent Parish Council Meeting, the councillors voted to support this development unanimously, subject to the following conditions regarding traffic during the development::

Traffic during the development: we would like a condition attached to the permission that construction traffic should not use the village roads through Creech St Michael and Creech Heathfield in order to access the development. Hyde Lane is considered to be a 'safe route' to school, and many school children use it to get to Heathfield School, Monkton Heathfield and Creech St Michael Primary School. For this reason we would also like a condition that construction traffic cannot access Hyde Lane between the hours of 0.30am and 4.30pm during school days during the development. Creech St Michael has 6'6" width restriction in any event which we would expect to be strictly observed.

The Councillors trust this condition will be included when approving the final.

REPORT CORRECTION -

Page 2 Paragraph 2 - 'The application is in outline with all matter reserved for

future approval. The proposal is accompanied by a plan showing a possible realignment of Hyde Lane with access into the site from this new road. The existing Hyde Lane would be closed to provide a cycle way and pedestrian footpath. The existing central hedge would be retained to assist the new road alignment and provide a mature boundary treatment. An improved new vehicular entrance to the recreational ground north of the site would be required. It is postulated that Hyde Lane should be retained as a link through to Monkton Heathfield.'

Paragraph 7 and 8 'A SUDS compliant storm water drainage and storage system will be subject to comprehensive assessment and design. This will utilise pervious surfaces, underground storage and above ground storage and percolation in swales and landscape features. The aim is to provide an attenuation standard equivalent to Greenfield run off levels.

Foul water will be taken to the nearest sewer in Hyde Lane but will need to be pumped from the site from gravity sewers within site.'

LETTER OF REPRESENTATIONS MAKING THE FOLLOWING POINTS:-

Act for the adjacent landowner to the south of the application site

A new road is being constructed over a "track" they have rights of way over this track and so do others and is the only way into these fields.

Ownership of the track is uncertain and they believe they have some very long established claim that might mean they own at least half the track. Adoption of the road will undoubtedly require their agreement.

Outline road does not show any access to their land whereas it shows access to the other parcels to the north.

Curve in the road would be cause some difficulty for agricultural traffic having access to the track (particularly if coming from the north) and they believe this should be accommodated at this stage.

If granted likelihood that in due time further development will take place in this area that might include land to the south. LPA duty to look at this possibility and make sure the road system, and services can be provided on a comprehensive basis.

Do not object to the proposal in this application but on the condition that there is a recognition and an obligation on the developer to allow access from the new road into their land.

In the absence of this the current application is very likely to have the effect of isolating their land as they believe the developer could maintain a ransom along the road and so present a possible barrier to development and access.

Plan provided indicating where an access to serve the land to the south safely could be located.

Suggest the following condition:

"Submission of a road design that ensures access from the new system to land to the south and west for all purposes"

REASON: So as to ensure neighbouring land has a level of access that is no worse than currently exist and in the interest of comprehensive planning of this area."

COMMENTS FROM THE SPECIES OFFICER - Further to the submitted MWA

addendum to the ecological survey I am satisfied that no evidence of bats or nesting birds was found in the bungalow. I suggest the following conditions to protect species that could be affected by the proposals:

Nesting birds:

C1111 between March 1st and August 15

Reptiles:

Development shall not commence until the results of a full survey for reptiles and a report, undertaken by a qualified ecologist, between May and September, is submitted, to and approved in writing by the Local Planning Authority. The survey and report shall include an identification of species present, an impact assessment and mitigation/avoidance measures in order to safeguard protected species in accordance with the law J1113.

Reason: Adders, grass snakes and slow-worms are all protected under Section 9(1), 9(5)(a) and 9(5)(b) of the Wildlife and Countryside Act 1981 (as amended), in accordance with Taunton Deane Local Plan Policy EN4.

Badgers:

Development shall not commence on site until a method statement, detailing how badgers will be protected on site has been submitted to and approved in writing by the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain control over development in order to safeguard species which are specially protected by law. Badgers are known to forage on site and it is possible that a sett may be concealed by dense vegetation on site. Badgers and their setts are specially protected through the Protection of Badgers Act 1992.

Notes to applicants:

The developer and contractors must be aware that certain species are fully protected by law under the Wildlife and Countryside Act 1981 (as amended), Protection of Badgers Act and under European legislation. The protection afforded to species under UK and EU legislation is irrespective of the planning system and any activity undertaken on the application site (regardless of the need for planning consent) must comply with the appropriate wildlife legislation. If a badger sett is discovered on site then it is likely that a badger licence, from Natural England will be a requirement to disturb the sett to allow the development of the site.

AMENDED RECOMMENDATION - Additional conditions for Bats, Reptiles and Badgers and note to applicant on protected species as detailed above.

S106 CONTRIBUTIONS - the developer has agreed to the principle of the Section 106 contributions for Affordable Housing, Leisure, Education and Highways and expects the details to be finalised during the S106 negotiations.

N/A 19/2007/017

ERECTION OF 22 AFFORDABLE HOUSES ON LAND WEST OF HOME ORCHARD (R/O 25 & 27) HATCH BEAUCHAMP

Applicants have responded as below with regard to contribution towards leisure and recreation:

"The applicants, Summerfield Developments had understood that in order to keep the cost of the affordable housing to a minimum there would be no requirement for additional contributions. However as this has been requested I can confirm on behalf of Summerfield Developments that they are prepared to make a contribution to leisure facilities on the basis of £1,785 for each 2 bed property and above towards children's play facilities (for existing village play area) and £1,023 towards borough wide outdoor recreation.

This is subject to Summerfield either obtaining a subsidy for the cost of the contribution or to the cost being incorporated in the discounted house values." COUNTY EDUCATION - Normal pupil place estimates applied to 22 dwellings would suggest additional demand for about four more primary school places (22/150 dwellings x 30 children). The current Net Capacity of the local primary school is 60, with 42 on roll as of September last year. Forecast rolls are more or less stable, so we would expect some 20 places or so places to be available for the foreseeable future.

ENVIRONMENTAL HEALTH OFFICER- Views still awaited.

ADDITIONAL REASON FOR REFUSAL - The proposal does not provide any public open space or children's play area for the site and is therefore contrary to Taunton Deane Local Plan Policy C4.

ADDITIONAL NOTE - Your attention is drawn to the comments of Wessex Water and the need to ensure dwellings are 150m from the sewage works. This is considered a material consideration should you wish to pursue a scheme here.

N/A 20/2008/003

SITING OF 2 ADDITIONAL MOBILE HOMES AND 2 ADDITIONAL TOURING CARAVANS FOR GYPSY FAMILY (EXTENDED FAMILY USE) AT PARK GATE, DODHILL CORNER, NAILSBOURNE.

ONE FURTHER LETTER OF REPRESENTATION sent to Members of the Planning Committee:

Summary of contents: - impact on character of the area outside settlement limits at the gateway to AONB; increase to existing mobile homes; Paragraph 53 of Circular 01/2006 states that [Gypsy] sites should respect the scale of and not dominate the nearest settled community. Dodhill is a tiny community of widely scattered houses and a development of four mobile homes will be inconsistent with this settlement; It is not clear whether any proof has been produced of the relationship between the applicant and the two persons now seeking a permanent base or of their present housing circumstances; The site does not appear to be large enough to accommodate 4 mobile homes complying with the provisions of the Caravan Sites Act 1960 as well as any tree planting and screening that may be required; The proposal is contrary to general Planning policies and guidelines but is recommended for approval on the basis of special

needs for sites for Gypsies; This need arises because of the failure by TDBC to provide adequate sites that are not in conflict with their established planning policies; The recommendation makes no mention of landscaping and appears to ignore the advice of the Council's own Landscaping Officer as well as clause H14(C) of the Local Plan; It is suggested that a decision on this application should be deferred while these matters are looked into further; If permission is granted we ask that it should only be given on a temporary basis until other suitable sites are available and a suitable condition relating to proper screening should be added.

In response to the concern of local residents with regard to whether the proposed development would comply with the requirements of a site license, in so far as the required distance between proposed mobile homes and whether the site can accommodate such development, the views of the Council's site licensing department have been sought.

It has been confirmed that a distance of 3.0m of land around the mobile home would be required, therefore a distance of 6.0m between mobile homes. The distance between the mobile home and any boundary would be less. The applicant has submitted revised site and block plans to accord with the requirements of a site license for mobile homes. The issuing of a site license is covered by separate legislation. However, it is considered the applicant has shown that mobile homes could be positioned within the site in line with the regulations.

The applicant has also confirmed that he owns both the roadside hedge and the hedgerow along the southwest boundary and would happy to provide any further landscaping. The Council's Landscape Officer would seek to allow the roadside hedge to grow an additional metre and to supplement the hedgerow on the southwest boundary to mitigate any landscape impact.

Mr Harris also confirmed in writing that the existing permission for an additional mobile home for his father remains valid and the mobile home has not been sited to date due to finance reasons, but this remains his intention. Mr Harris states his father does use the site at times, but does not permanently reside there at present (he continues to travel).

ADDITIONAL NOTE TO APPLICANT - The applicant is advised that a separate caravan site license, under the terms of the Caravan Sites and Control of Development Act, 1960, is required prior to the commencement of the development.

N/A 24/2008/002

PROPOSED SITING OF TWO MOBILE HOMES, ONE TOURING CARAVAN AND THE ERECTION OF A DAYROOM AT PLOT 1 GREEN ACRE, OXEN LANE, NORTH CURRY (PART RETENTION)

ADDITIONAL LETTER FROM AGENT - we consider this site to be acceptable and we expect to go to an appeal where we will claim full costs. We consider the

Local Planning Authority did not conform to the 1994 Government Guidelines for the provision of gypsy site and that Taunton Deane Borough Council are breaching Gypsy Human Rights and Race Acts.

The UK Romani Gypsy Council have a good record of success on appeal.

N/A 24/2008/005

CONVERSION AND EXTENSION WORKS TO GARAGE TO FORM A DWELLING HOUSE, LAND AT THE JUNCTION OF GREENWAY AND WINDMILL HILL, NORTH CURRY (AMENDED DESIGN) FURTHER AMENDED BY LETTER DATED 17TH MARCH AND ACCOMPANYING PLANS, EMAIL DATED 27TH APRIL, AND EMAIL DATED 9TH MAY WITH PLANS RCNCDH1 REV3 AND RCNCDH2 REV2.

CONSERVATION OFFICER'S VIEWS ON AMENDED PLANS - The only positive changes are the addition of the barge boards, details required for approval. The glazing bar proportions are totally wrong for the 'sash' windows. Still consider the overall height and massing too great for the location and no justification for the large roof area, considering that there will be subsequent pressure for a second floor, which would not be acceptable from Conservation point of view. For such a landmark position, details such as correct proportions in all aspects of the building should be paramount in its design – they are sadly lacking in the proposal.

PLANNING OFFICER - still considers the proposal to be acceptable subject to additional conditions.

REVISED RECOMMENDATION: Subject to the receipt of further acceptable amended plans, revising the window proportions and details, the Development Manager in consultation with the Chair/Vice Chair be authorised to determine and permission be GRANTED (Conditions as printed).

N/A 38/2008/032

ERECTION OF 2.45M HIGH SECURITY FENCING WITH ACCESS GATES AT TAUNTON SCHOOL, TAUNTON AS AMENDED BY LETTERS DATED 27 MARCH 2008 AND 3RD APRIL 2008 AND ATTACHED PLANS

FURTHER LETTER OF OBJECTION making the following points as below:

This fence is designed to keep all intruders out of the school grounds (see Design Access Statement and Materials) and is therefore not going to be discrete or 'blending well' in a residential area.

I would ask the Committee to especially consider that the proposed location of this fence on the College Road side is also within 1m of Brigue's dining room, kitchen and sun room's windows which would condemn the occupiers to live in the shadow of high security premises.

If the Committee are minded to approve this application for an intrusive and uncompromising fence design, please consider the more logical option of erecting the fence along the boundaries of Red Cottage (which, not shown on submitted documents, has an existing access onto College Road), so as to at least keep the historically long standing group of houses in College Road out of the barricade and to avoid complete disregard for the visual amenities of this residential area.'

N/A 38/2008/056

ERECTION OF THREE-STOREY BUILDING OF 11 TWO BEDROOM APARTMENTS ON SITE OF DWELLING TO BE DEMOLISHED AT 49, WORDSWORTH DRIVE, TAUNTON AS AMENDED BY AGENT'S LETTER DATED 24 APRIL 2008 AND REVISED PLANS, DRAWINGS NOS. A 2007 204 PL001 REV C, PL005 REV.A AND PL006

Letter from County Highway Authority correcting their previous comments and advising the access is safe and the traffic generated will not have a significant effect on the highway.

Parking is acceptable and no objection is raised subject to conditions.

N/A 38/2008/114

TEMPORARY CHANGE OF USE OF PART OF CIDER PRESS GARDEN FOR RESTAURANT SEATING BETWEEN APRIL AND END OF SEPTEMBER EACH YEAR ADJACENT TO HUNTS COURT, CORPORATION STREET, TAUNTON
NOTE OF EXECUTIVE decision to grant a licence and summary of responses to informal consultation.

The Leader of the Council, Councillor Ross Henley, has decided to grant a licence for part of the Cider Press Garden to the Loch Fyne Restaurant Company, for use as an outdoor dining area for the period 1 April to 30 September each year. This decision is subject to agreement of terms for the licence, to be negotiated between the Council and Loch Fyne.

Background

At its meeting of 14 November 2007, the Executive decided to support the use of part of the Cider Press Garden by the Loch Fyne Restaurant Company, subject to formal advertisement and consideration of objections, as well as separate licensing and planning consents. A period of informal consultation took place prior to the Executive meeting, generating 18 responses which informed the discussion.

The deadline for responses to the formal advertisement ended on 14 February 2008, with three responses received. These responses did not raise issues of any significant difference to those raised in the previous informal consultation.

Loch Fyne now intends to submit planning applications for use of this space and the adjacent Hunts Court building as a restaurant/dining area. These applications will be determined separately by the Council in its role as planning authority.

Table 1: Summary of responses to informal consultation

Views for the proposal

Views against the proposal

Fits well with 'Project Taunton' plans for a 'cultural quarter' in this part of Taunton. The proposal would widen range, quality and choice of eating establishments in Taunton.

The loss of this space for six months a year will be replaced many times over when Castle Green becomes public open space within the next five years.

Would enhance Corporation Street as a main route into the Town Centre and encourage a more cosmopolitan feel to the area. The addition of a dining area will provide a focal point for the link between Bath Place and Corporation Street, encouraging people to explore further.

Supportive, provided appropriate use and sympathetic design are ensured by licensing and planning conditions.

Hunts Court has been vacant for many years – the proposed use would be good for the building and Taunton as a whole. An external area would give the outlet a 'street presence' that the building itself does not lend itself to.

The current space is well balanced, and a paved dining area to one side would be detrimental.

The central stone cider press is sculptural in form and benefits from the space around it.

Scepticism that the restaurant's business would actually depend on use of this space.

The area is an indirect asset to neighbouring Bath Place, enhancing its attractiveness as a shopping venue.

This is one of the few public open spaces in the Town Centre. Tranquillity would be lost.

Potential encouragement to customers of the neighbouring establishment (Pitcher and Piano) to use the other side of the garden.

Concern about changes to Hunts Court building which may be required to access the area.

The garden would become an outside smoking area for the restaurant and a 'rubbish tip' for cigarette butts and food spillage from plates and tables.

N/A 38/2008/182

ERECTION OF CONSERVATORY, 46 TRINITY ROAD, TAUNTON
CLARIFICATION OF RECOMMENDATION - Permission be GRANTED subject
to conditions of time limit and materials

N/A 42/2007/060

OUTLINE APPLICATION FOR ERECTION OF 58 AFFORDABLE HOMES AND ASSOCIATED PARKING ON LAND WEST OF COMEYTROWE ROAD, TAUNTON

CORRECTION - to Education comments in that the secondary catchment school is 'Castle School' not 'Bishop Fox's School'.

AMENDED TITLE - As amended by letter dated 29 April 2008

N/A 42/2008/002

OUTLINE FOR ERECTION OF 8 AFFORDABLE HOUSES ON LAND OPPOSITE DIPFORD COTTAGE, DIPFORD ROAD, TRULL

The agent has submitted further information. With reference to the second refusal reason, a photograph has been submitted of some cottages at North Curry, which have recently been completed for Falcon Rural Housing. The dwellings proposed at Dipford Road are of similar standard and appearance.

ONE FURTHER LETTER OF OBJECTION - Raising concern over the following; overlooking between the site and the opposite property has not been included in the refusal reasons; poor layout of report.

ONE LETTER OF SUPPORT - Has been received raising the following issues: the 'Needs led' application is to provide affordable housing to satisfy the local needs identified in the survey carried out by Community Council for Somerset; the housing proposed will not bring in any applicants who are not already reliant on the car and there will be no extra growth in private vehicles in Trull; while the site falls outside development limits, it is exactly the sort of mixed development and cross subsidised project that is recommended by the Affordable Housing Commission; the site is an exception to the rule.
