

**Planning Committee - WEDNESDAY 2nd JULY 2008
Amendment Sheet**

6 06/2008/046

PLANNING COMMITTEE DATE

02/07/08

APPLICATION NUMBER -

06/2008/046

AMENDED TITLE -

AMENDED RECOMMENDATION -

AMENDED CONDITIONS -

Details of parking spaces' to be replaced by 'provision of parking to be within the identified hard standing area only as identified on the submitted block plan'

AMENDED NOTES -

AMENDED CONSULTATIONS -

Forward Plan Unit

Firstly, I would draw your attention to the comments that I made on the previous application on this site (06/2007/064), which are equally applicable to the current proposals. Those comments are reiterated below. You will note that my earlier comments conclude that the applicant has a legitimate need for the site, and that in general terms its location is acceptable in terms of the relevant policy considerations.

Turning to the Action Committee's comments, there are a number of policy-related matters to which I would like to respond.

In relation to Circular 01/2006 the first point made in paragraph 1 is that everyone should have the opportunity of living in a decent home, while paragraph 3 explains that in the case of Gypsies and Travellers the planning system has failed to ensure that adequate opportunities have been provided for those communities to do so. Thus, at paragraph 12 one of the main intentions of the Circular is stated to be 'to increase significantly the number of gypsy and traveller sites in appropriate locations with planning permission...[within] 3-5 years'.

To achieve this sites do not necessarily have to be allocated through the Development Plan process, as is suggested by the Action Committee. Provision can also be made through the grant of planning permission to proposals from gypsies and travellers themselves. This is recognised at paragraph 13 of the Circular as being a method of provision preferred by many gypsies and travellers. It is also the method of delivery chosen by the Borough Council in the Taunton Deane Local Plan, where policy H14 sets down the criteria against which applications such as the current proposal will be considered, and no sites are allocated. The TDLP has, of course, complied fully with statutory requirements for public participation, so the requirements of PPS1, paragraph 46 have been met.

The Action Committee comments in respect of criterion (A) of H14 is an issue that is covered by my previous comments, which explain that the former

requirement to reside or pass through the area has been replaced by others, which the applicants meet.

Previous comments apply equally

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.

AMENDED REPRESENTATIONS-

Ward Member - Cllr J Lewin-Harris objects to the application on the following grounds -

Despite the new site for the mobile home and proposed screening, this application will still have an unacceptable impact on the countryside, particularly from the south, and on the visual amenity of nearby residents. Effective screening is hard to achieve on such a prominent site. The current proposal shows deciduous trees, so clearly the screening will not be effective in the winter.

An evergreen screen would look totally out of place.

The requirement to grub up a significant length of old hedgerow along the road for visibility splays. Replacing this hedge with an oak and field maples will not provide anything like similar screening.

Access: the fact that there is no limit on the number of vehicles that can be kept on the site indicates that there is likely to be a considerable increase in traffic entering and exiting the site which would increase the risk on an already dangerous stretch of road.

Gypsy and Traveller sites should have safe access by bus, cycle or on foot to schools and other community facilities. In this case, access to school will mean walking along a narrow busy road, with a specific limit of 60mph and no footpath. I would not describe this as safe access on foot.

I urge you to refuse this application.

One additional letter of objection raising the following objections: - unlawful site; if permitted would allow the applicant to continue to ride roughshod over planning regulations; originally informed by the applicant that permission was only sought for livestock and no further development would occur - local community concerns now proved right; the Council are already in breach of their statutory duty to enforce planning regulations - to permit this would compound that breach.

One further objection letter from Cotford St Luke Action Committee has been circulated directly to the Members of the Planning Committee.

7 23/2008/017

ERECTION OF BUNGALOW ON LAND ADJACENT TO QUEENSMEAD,
SILVER STREET, MILVERTON
AMENDMENT SHEET

PLANNING COMMITTEE DATE - 3rd July 2008

APPLICATION NUMBER - 23/2008/017

AMENDED TITLE -

AMENDED RECOMMENDATION -

AMENDED CONDITIONS -

AMENDED NOTES -

AMENDED CONSULTATIONS -

AMENDED REPRESENTATIONS-

GENERAL - Amendment to proposal: The site is only partially within the Conservation Area, as further detailed in the Assessment.

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

CONTACT OFFICER:

8 24/2008/021

DEMOLITION OF PUBLIC HOUSE AND ERECTION OF A TERRACE
COMPRISING 6NO. TWO BEDROOM HOUSES AND 2NO. ONE BEDROOM
FLATS WITH 13 PARKING SPACES (AS CLARIFIED BY EMAIL DATED
04/06/08) AT THE WHITE HART INN, KNAPP LANE, NORTH CURRY
PLANNING COMMITTEE DATE -02 July 2008

AMENDED TITLE -

AMENDED RECOMMENDATION -

AMENDED CONDITIONS -

AMENDED NOTES -

AMENDED CONSULTATIONS -

AMENDED REPRESENTATIONS-

Agent letter advising - the first application is at Appeal and we have just received the Council's statement. I would particularly ask that you draw the Planning Committee's attention to paragraph 3.8 of your statement, which states:

"It is considered that had the Local Planning Authority determined this proposal then the application would have been refused on the basis of highway safety, inappropriate design and lack of affordable housing provision".

Because of this, I believe it would be wholly inappropriate to resist the application on Wednesday evening on the basis of the loss of the public house, irrespective of the fact that the public house, as you will be aware, has been demolished.

You are recommending that the application on Wednesday night be resisted on the sole ground of inappropriate affordable housing provision. The scheme is proposing 2 no. one bedroom flats, whereas the Council's Enabling Manager is looking for 2 no. two bedroom houses. The scheme was drawn up on the basis of initial indications from the Housing Officer that 2 No. one bedroom flats were required. I find it hard to accept that there is not an identified local need for 2 no. one bedroom flats, given that the need for affordable housing in the Deane is so high.

The matter has been assessed by our client's valuer and he has concluded that to provide the 2no. two bedroom houses instead of the 2 no. one bedroom flats would make the scheme financially unviable. I would be grateful if these two points could be made known to the Committee on Wednesday evening.

GENERAL -

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

CONTACT OFFICER: Mr M Roberts

10 38/2008/103

CONVERSION OF GARAGE TO UTILITY/STUDY AND ERECTION OF

DOUBLE GARAGE AND STORE ADJACENT TO 68 THAMES DRIVE,
TAUNTON

PLANNING COMMITTEE DATE - 02 July 2008

AMENDED TITLE -

AMENDED RECOMMENDATION -

AMENDED CONDITIONS -

Additional:

Unobstructed access to the sub station shall be maintained at all times.

Reason: In the interests of health and safety in provision of services to dwellings in accordance with Policy S1 of the Taunton Deane Local Plan.

AMENDED NOTES -

Additional:

As you will observe Western Power Distribution have a substation adjacent to the proposed garage with high and low voltage cables which appear to be close to the proposed garage foundations, great care must be taken when excavating and it would be advisable for the excavation in the vicinity of the cables to be hand dug.

AMENDED CONSULTATIONS -

AMENDED REPRESENTATIONS-

GENERAL -

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

CONTACT OFFICER: Mrs F Wadsley - 01823 356313

11 38/2008/151

ERECTION OF BUILDING COMPRISING 10 FLATS AT CAMBRIA HOUSE,
PLAIS STREET, TAUNTON AS AMPLIFIED BY LETTER DATED 23 APRIL
2008 AND PLAN DRAWING 10

PLANNING COMMITTEE DATE -02 July 2008

AMENDED TITLE

AMENDED RECOMMENDATION -

AMENDED CONDITIONS -

Add condition re details of external lighting

AMENDED NOTES -

AMENDED CONSULTATIONS -

CIVIC SOCIETY - raise objection on grounds of overdevelopment at odds with Compton Close and terraced character of Plais Street and Glenthorne Road.

Lack of parking will exacerbate local access problems and access to footpaths and cycleway. It would be dangerous to apply the 'no parking spaces' doctrine. Flats 6-8 will be overbearing to 10 Plais Street and with flats 3-5 overly enclose the street scene. Flats 9 and 10 will cut off evening light to residences in Compton Close. Refuse bins will cause further obstruction. Construction will inhibit vehicular access. Apartments are designed to avoid overlooking and loss

of privacy and are not excessively cramped and consider the change of roofing be restricted to two storeys and less of the garden should be developed so that the building were further from 20 and 23 Compton Close. Ideally Plais Street could be widened slightly up to the Glenthorne Road junction, this would restrict capacity of the site which is why we maintain 10 flats in an over-development. DEVON AND SOMERSET FIRE AND RESCUE SERVICE - Means of escape should comply with approved document B of the Buildings Regulations. Access for five appliances should comply with approved document B5 of the Building Regulations. It is brought to your attention that fire crews from Taunton have been monitoring access to premises within the area due to correspondence received from a member of the public. Confirmation should be sought that additional vehicles likely to park in Plais Street will not contravene the requirements of this approved document. Water mains installed should be of sufficient size to permit installation of fire hydrants of British Standard. If it is proposed to carry out burning on site the application is required to notify Fire and Rescue Service Control at least 48 hours before commencement.

POLICE ARCHITECTURAL LIAISON -

The DAS does not demonstrate an awareness of the crime and disorder issues in the area of this application and of the measures to be taken to mitigate any identified problems, as it should do.

The site Layout Plan indicates six parking spaces allocated for ten flats. This is likely to be insufficient to cater for residents and visitors and could result in neighbour disputes and other issues relating to the parking of vehicles eg. Emergency vehicle access. This is exacerbated by the cul-de-sac nature of Plais Street itself and the facets that there are two businesses operating in close proximity to this proposed development.

I note that it is proposed to reduce the height of the existing wall adjoining the Public Open Space, which is currently in excess of 2m in height and topped by barbed wire. Whilst it is generally accepted that low boundary treatments are preferable at the front of dwellings, as they improve natural surveillance, most burglaries occur at the side and rear of premises and the minimum recommended height for boundary treatments at these locations is 1.8m. rear boundary treatments adjoining POS or Public Footpaths should be minimum 2m in height in order to deter/prevent unauthorised access.

The site Layout Plan indicates some planting/landscaping and this should be maintained below 1m in height to assist resident surveillance and not create potential hiding places.

The Plan also indicates the installation of security lights around the development but does not supply any details. Such lighting should be low wattage dusk to dawn type with light pollution and spillage minimised. I assume that Plais Street has the benefit to street lighting to BS 5489 standard. Suitable lighting is important to deter crime and disorder and reduce the fear of crime for residents. Boundaries between private and public space should be clearly defined and, although some space is indicated on the plan in the form of picket fencing, cobbled paving etc, this should be reinforced by suitable physical and/or symbolic means eg. Change of road colour/texture at the entrance to the

development and privacy signage.

In view of the fact that Plais Street connects Priorswood Road with a public footpath/cycleway, allowing the potential criminal easy and legitimate access to this area, a suitable form of access control may also be appropriate for the site entrance eg. Gating. The boundary treatment in Plais Street itself, which is currently a wall topped by larch-lap fencing to a height of approx 1.8m should also be of sufficient standard and height to deter unauthorised access.

The storage areas indicated on the site layout should be of substantial construction and lockable in order to prevent cycle theft and misuse of 'wheelie' bins as climbing aids etc.

Any communal entrances to the flats should incorporate a system of access control eg. Intercom/buzzer connected to each flat with electronic door release to prevent unauthorised entry to the flats.

The applicant is advised to formulate all physical design features of the development in accordance with the police approved 'Secured By Design' award scheme, full details of which are available on the SBD website - www.securedbydesign.com.

GENERAL -

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

CONTACT OFFICER: Gareth Clifford - 01823 356398

5 38/2008/223

CONSTRUCTION OF NORTHERN INNER DISTRIBUTOR ROAD (NIDR) LINKING STAPLEGROVE ROAD TO PRIORY AVENUE INCLUDING A NEW BRIDGE AT CHIP LANE FOR PEDESTRIANS AND CYCLES, NEW ROAD BRIDGE AT STATION ROAD AND A ROAD BRIDGE ACROSS THE RIVER TONE AT PRIORY PARK, TAUNTON

PLANNING COMMITTEE DATE -02 July 2008

AMENDED TITLE -

AMENDED RECOMMENDATION -

AMENDED CONDITIONS -

AMENDED NOTES -

AMENDED CONSULTATIONS -

Comments received from Taunton and District Civic Society. Concern about the increased traffic on the northern section of Staplegrove Road as shown in the traffic model and wants to know how this can be alleviated; concern about other changes such as bus gate which is not part of the application, insufficient consultation; the public is being denied the whole picture about changes to traffic management plans affecting the whole town; concern about lack of noise mitigation for Whitehall: cycle ways should be part of the general carriageway, not separated as side lanes or shared with the footway. Concern at narrow footpath/cycleway sections; concern over cycle route from NIDR to the area

between the river and canal, it is an obtrusive connection, has visual impact; design is striking however and is preferred to the Chip Lane example; concern about detailed points of connection.

**AMENDED REPRESENTATIONS-
GENERAL -**

Clarification from applicant that existing Chip Lane bridge can be retained for the majority of the period whilst construction of the new bridge takes place, the exception to this being whilst the northern steps/ramp are being constructed as these require the removal of a section of the existing bridge to enable the steps/ramp to be place. It is intended to limit the full closure to one weekend whilst steps are installed and then open to pedestrians only whilst the northern ramp is constructed (a week or so).

The Chip Lane footbridge will be lit by units integral to the bridge. The intention is to delete the footbridge at Priory Fields.

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

CONTACT OFFICER: Karen Marlow - 01823 356460
